



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

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

THE CITY COUNCIL STUDY SESSION WILL BEGIN AT 6:00 PM, FOLLOWING THE SUCESSOR AGENCY MEETING

CLOSED SESSION WILL BEGIN IMMEDIATELY FOLLOWING THE REGULAR AGENDA

ROLL CALL BY THE CITY CLERK:

Mayor Pannett called the meeting to order at 6:00PM.

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

Absent: Jim Irwin (JI)

Immediately following the roll call, Mayor Pannett asked for a motion to take three items out of order on the published agenda. He stated that he would like to move item 8C up in the agenda to immediately following the study session, and to move items 5A & 5B up in the agenda to immediately follow the public comment section of the regular meeting and asked for a motion.

Motion made to take 3 items out of order on the agenda, to move item 8C up in the agenda to immediately following the study session, and to move items 5A & 5B up in the agenda to immediately follow the public comment section of the regular meeting by :Russ Curry/Lou Martinez. Passed. 4-0. Ayes: Curry , Jameson , Martinez , Pannett . Absent: Irwin .

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. Public Works: Discussion on the Citywide Energy Saving Project - Phase II

The item was presented and financing options were outlined by Deputy Public Works Director, John Doyel.

Council consensus was to proceed with option 3 as presented.

John Doyel stated that in anticipation of some consensus being reached at this meeting, that the required public notice was posted Monday, and that an action item would be brought to the council at the March 18, 2014, as was indicated in the Public Notice.

Non-action item./ . 0-0.

- B. Community Development:** Discussion to consider raising/changing building permit fees to more closely reflect actual costs.

Council consensus was to bring back as a public hearing to take possible action.

Council adjourned to close session at 6:25 PM to take up item 8C from the agenda as was approved earlier in the meeting.

Non-action item./ . 0-0.

ROLL CALL BY THE CITY CLERK:

Mayor Pannett called the meeting to order at 7:04PM.

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: GP

Non-action item./ . 0-0.

INVOCATION:

Led by: Janis Rogers

Non-action item./ . 0-0.

RECOGNITIONS/PROCLAMATIONS:

Mayor: Proclamation that March is Irish-American Heritage Month

PUBLIC COMMENT:

Prior to opening the Public Comment section, Mayor Pannett asked for a motion to table item 6A until the next meeting.

Motion to table item 6A until the next meeting by :Russ Curry/Lou Martinez. Passed. 3- 1. Ayes: Curry , Martinez , Pannett . Nays: Jameson . Absent: Irwin .

Glenda Dwyer: Spoke regarding the Constitution and the refusal of three members to have it hung up inside the council chambers. Stated that it was leaked out of closed session that council intended to hang them in the lobby, and stated that wasn't where they belonged.

Bob Ramos: Spoke regarding the issue of the Constitution. Stated that he had a conversation with Mr. Pannett regarding the issue, and stated that he was told that he didn't understand, that it was all behind closed doors, stated that they can't help them behind closed doors and that they needed to make a new vote.

Andy Mattos: Stated that no one should question the council's patriotism, that this issue has taken up a lot of time and more effort than it should have. Suggested that the Council talk to the veterans in this room, perhaps make up a committee of veterans to discuss and bring suggestions, or to just let them decide.

Michael Lamb: Stated he was retired military, now gets to teach, and that he gives his students a (pocket) copy of the constitution to read and discuss.

Terry Wilds: Spoke regarding the use of the Constitution in the Hanford Municipal Code, and the use of the Oath of Office, it's not just a document, and he will not stop on this issue.

Robert Stover: Spoke regarding the constitution with the American Legion, handed in a petition to the City Clerk for the record from American Legion members requesting the constitution be hung in council chambers. Stated that the room and building belong to the people of Hanford, that each veteran in the room would be happy to come up and speak, stating that Constitution, the Declaration of Independence and Bill of Rights provide the basis by which Council sits and govern, and that they govern at the will of the people. The people have spoken.

Patrick Ford: Spoke regarding the hanging of the constitution on the back wall of the chamber. Asked why Council had any

hesitation in hanging them on the back wall, and what were they afraid of? Handed in a petition for the record.

Sandy Newburn: spoke regarding the hanging of the constitution, stated her father was a WWII veteran and that she was appalled at what was going on in this country, and didn't understand the council's fear of hanging the constitution on the back wall. Stated the documents were a promise to the people and if they were afraid of that promise that they were in the wrong profession.

Genai Lefler: spoke regarding the constitution, the principles of this country are founded on Constitution, Bill of Rights and Declaration of Independence, stated that without those foundations we would not be the United States of America. State that she is appalled on behalf of the veterans (listed off number of family connections to the military) and the local public safety servants that 3 of the Council voted against hanging these important documents in this room.

Cory Matthews (and second Officer): agrees with comments regarding constitution, but not here for that. Spoke as representative of the HPOA, and the sales tax initiative. Read a prepared statement. Stated that we are on the brink of a crisis due to the lack of planning in the past, urged council to move forward with a sales tax initiative. Provided information regarding the need of the police department related to service levels and a building that has been severely outgrown and is deteriorating, sewage leakage into basement and evidence storage, safety issues for staff separated over several buildings, no secure parking, gave example of an officers personal vehicle being set on fire. Provided stats regarding staffing levels and how they are low compared to surrounding agencies. Stated they have approximately 3 officers to provide service for over 16 square miles and 55,000 residents at any given shift. The association does not understand the hesitation since funds are already budgeted, there is already an election budgeted for this coming year, and the firm suggested by staff has a proven track record.

Derek Wiser: Representing the firefighter's union, spoke about their support of Chief Ieronimo to increase fire staffing and efforts to improve the service levels to the City of Hanford. The Chief has been asking for increased staffing and stations for the past 12 years, supporting his requests with stats.

Robin Mattos: Spoke regarding the constitution and stating that she is in support of hanging the documents in the chamber. Also spoke regarding the sales tax increase, and stated she fully supports the increase. City continues to grow but services aren't growing to match. Stated that the increased development and housing and growing population. Urged the council to find a way to get the police at a service level that is appropriate for our city, and to put the issue on the ballot and let the voters decide.

Beverly Rodriguez: Spoke regarding the [Constitutional] documents for the wall, discussed Gary Pannett's comment in the paper as the topic being "Pandora's box" and stated that the council was more like Pandora's Box, because you don't know what you're going to get, or how they will govern.

Richard Pontecorvo: Spoke regarding the constitution, upsetting that its continually in the paper, stated that he took his oath in this chamber. Also spoke regarding the tax initiative, it's budgeted to have company to come in and do survey, it's a sales tax, neighboring areas pay higher, and council is aware of all the issues. Discussed some of the issues, and invited the Council to come spend a day with them to see for themselves. With regards to the Lew Edwards group, read about them on internet over and over they are successful asked council to get on the ball and get this moving.

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.

Written Correspondence:

2. STAFF COMMUNICATIONS:

Public Works Director Lou Camara: 10th Ave widening project has begun, Campus drive extension project also starting this week.

Parks and Recreation Director Craig Miller: announced a 5/10/14 9:00 AM baseball event.

City Manager Darrel Pyle: Stated that he will arrange a study session to review the audit documents, and copies would be available tomorrow.

Non-action item/. . 0-0.

3. CONSENT CALENDAR:

Motion to approve the consent calendar items 3A through 3F as presented by :Russ Curry/Lou Martinez. Passed. 3-0. Ayes: Curry , Martinez , Pannett . Absent: Irwin , Jameson .

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 January 7, 2014
- B. Public Works: As it relates to FY 2014/2015 Local Transportation Fund (LTF) Claims:
 - 1. Adopt the attached resolution regarding the Public Transit needs within the City of Hanford and authorize the City Manager to sign and submit claim for funds and any subsequent amended claims required.
 - 2. Determine, based on City's financial participation in and support of the existing Kings County Area Public Transit System, that there are no areas within the City of Hanford with unmet public transit needs which could reasonably be met by the expansion of the existing system or by the establishment of a new system.
 - 3. Approve the filing of a Notice of Exemption to certify that projects to be constructed with these funds are categorically exempt from the California Environmental Quality Act.
- C. Public Works: Approve the dedication of property to Kings County, authorize the Mayor to sign the attached Grant Deed, and direct the City Clerk to file the same with the Kings County Recorder.
- D. Public Works: Authorize reimbursement in the amount of \$20,424.00 for construction of offsite water main improvements within Garner Avenue north of W. Seventh Street.
- E. Finance Department: Approve warrant register for 1-29-2014 through 2-12-2014
- F. Finance Department: Approve warrant register for 2-13-2014 through 2-26-2014

4. PUBLIC HEARING:

- A. Finance Department: Hold a Public Hearing regarding the application, and possible adoption of Resolution 14-03-R, issuing an operating permit, for Alfredo Mendez dba Express Taxi to Operate a Taxicab business in the City of Hanford.

The public hearing was opened at 8:28 PM by Mayor Pannett and outlined by Finance Director Tom Dibble.

Those speaking in favor:

Jose Ramirez, owner of Circadion taxi, another taxi company will help prevent

RC: asked if he was related to "Mendez Bros." taxi and if so would they be in competition.

Mr. Mendez stated yes he was and yes they would.

Those speaking against:

None.

Rebuttal: none

Closed the public hearing at 8:33

Council discussion: none further

Motion to adopt resolution 14-03-R, issuing an operating permit, for Alfredo Mendez dba Express Taxi to Operate a Taxicab business in the City of Hanford. Russ Curry/Lou Martinez. Passed. 3-0. Ayes: Curry , Martinez , Pannett . Absent: Irwin , Jameson .

5. DEFERRED BUSINESS:

Motion was made earlier in the agenda to take items 5A and 5B out of order./ . 0-0.

A. Council Request: Constitutional Documents, display of

Item 5A was taken out of order, as was approved earlier in the meeting. This topic was taken immediately following the regular agenda public comment section.

Council discussed the topic of the placement of the Constitutional documents.

After the vote of this item, Mayor Pannett adjourned the council for a break.

Motion to take the documents out of the old court house and to place them on the East wall of the Chamber by :Russ Curry/Joleen Jameson. Passed. 4-0. Ayes: Curry , Jameson , Martinez , Pannett . Absent: Irwin .

B. City Clerk: Provide clarification on appointees to unexpired terms of the Hanford Tree Commission.

The Council reconvened at 8:22PM.

Councilmember Joleen Jameson did not return to the meeting.

City Clerk Melonie Patrick discussed the item as presented in the staff report. She asked that council motion to clarify the council intent, that is to appoint Haron Karago and Dr. Kennie Mai to the Hanford Tree Commission. Mayor Pannett indicated that Dr. Mai would be appointed to the seat with term expiring December 2015 and Haron Karago would be appointed to the seat with term expiring in December 2016.

Motion made to clarify the appointments as described appointing Mr. Karago to the Tree Commission seat expiring 2016, and Dr. Mai to the Tree Commission seat expiring 2015 by :Russ Curry/Lou Martinez. Passed. 3-0. Ayes: Curry , Martinez , Pannett . Absent: Irwin , Jameson .

6. NEW BUSINESS:

A. City Council: Appointment/Removal of Commissioner/Committee Member.

tabled

MotionRuss Curry/Lou Martinez. Passed. 3- 1. Ayes: Curry , Martinez , Pannett . Nays: Jameson . Absent: Irwin .

7. COUNCIL REPORTS/COMMENTS:

LM: Attended COS, Hanford High school and City of Hanford Joint meeting, Special council meeting to discuss budgets.

RC: Attended KART and KCAG commission meetings, where they approved \$1.2million in transportation funds.

GP: report submitted to the City Clerk for the record, attended KCAO Board of Directors meeting, Board of Trustees of the Hanford Joint Union High School District, Hanford city Council and the COS joint meeting, and the City Goal and Objective study session.

Motion/. . 0-0.

8. CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

Meeting was adjourned to closed session at 8:38PM.

Motion/. . 0-0.

A. Adjourn to Closed Session

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

Item 8C was taken out of order, as motioned earlier in the meeting. At 6:25 PM the council adjourned to close session to discuss this item. There was nothing reported out of this session.

Non-action item./ . 0-0.

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: 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
CASE NAME: City of Hanford v. County of Kings
CASE NUMBER: Kings County No. 14C0058

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

Property: APNs 012-086-007, 012-091-006
Agency Negotiators: Darrel Pyle, and Ty Mizote.
Negotiating Party: Alejandro Clark, and Jim Clark
Under Negotiation: Terms and Price

Property: APNs 010-264-001, 010-265-001, 010-265-002, and 012-053-005
Agency Negotiators: Darrel Pyle, Ty Mizote and Mario Zamora
Negotiating Party: Kings County
Under Negotiation: Terms and Price

9. CLOSED SESSION ACTION REPORT:

The regular meeting was adjourned to Closed Session at 8:38 PM.

Non-action item./ . 0-0.

A. Closed Session Action Report

There was nothing reported out from closed session./ . 0-0.

10. ADJOURNMENT:

Mayor Pannett adjourned the meeting at 9:16 PM.

Respectfully Submitted,

Melonie Patrick,
City Clerk

Non-action item./ . 0-0.