CITY COUNCIL MEETING
MINUTES
May 15, 2018 7:00 PM
Council Chambers
400 N. Douty St.

6:00 PM - CALL TO ORDER CLOSED SESSION:

Mayor David Ayers called the Closed Session to order at 6:00 p.m.

ROLL CALL:

Attendee Name	Title	Status	Arrived
Martin Devine	Council Member	Present	
Sue Sorensen	Vice Mayor	Present	
Diane Sharp	Council Member	Present	
David Ayers	Mayor	Present	
Justin Mendes	Council Member	Present	

PUBLIC COMMENT - CLOSED SESSION::

There were no public comments.

Mayor Ayers adjourned to Closed Session at 6:02 p.m.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING::

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS--Government Code Section 54956.8

Property : APN: 018-242-077
Agency Negotiators: Darrel Pyle and Ty Mizote
Negotiating Party: Gery Zacher
Under Negotiations: Terms and Price

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: 1 case

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

CASE NAME: Cervantes v. Hanford Police Officer J. Chavez
CASE NUMBER: U.S. District Court, Eastern District of California, No. 1:18-at-00335

CASE NAME: Transparent California v. City of Hanford
CASE NUMBER: Kings County No. 17C0245

CASE NAME: Valdez v. City of Hanford
CASE NUMBER: Kings County No.; 1:1700430

7:00 PM CALL TO ORDER REGULAR SESSION::

Mayor Ayers called the regular meeting to order at 7:00 p.m.

ROLL CALL::

Present: Justin Mendes, Diane Sharp, Martin Devine, Sue Sorensen, David Ayers

INVOCATION:

Pastor Bobby Guerra, Pentecostal Church of God, provided the Invocation.

FLAG SALUTE:

Mayor Ayers led the flag salute.

CLOSED SESSION ACTION REPORT::

There was nothing to report.

STAFF COMMUNICATIONS:

Police Chief Parker Sever reported that the new building is progressing well and that May 16, 10:00 a.m., is the Police Officer Memorial at the Kings County Government Center. He invited all to attend.

Community Development Director Darlene Mata stated that staff continues to work with Faraday Future, and they have started some construction. Planning Commission approved the first Conditional Use Permit for a cannabis business at their last meeting. Another one will come before them at next week's meeting.

Public Works Director Lou Camara provided information regarding a pavement overlay project on Grangeville Blvd. from 12th Ave. to Centennial Blvd., then Lacey Blvd. from Mall Drive to N. Magna Carta. The project has already begun but will begin in earnest May 16. Southern California Edison will move forward with a citywide street-light retrofit, replacing high-pressure sodium lamps with LED lamps. They will begin mid-June, and it will take about 30 days.

Utilities and Engineering Director John Doyel reported that the flat rate-to-meter project will begin the first week in June. The east-side trunk main project will come back for the 65% review next week.

Finance Director Paula Lofgren is working on the budget to get it ready for City Council review.

Parks and Recreation Director Craig Miller provided information on the following summer programs: The Plunge will open June 9 (public swim), swim lessons begin June 12, summer camps will start in June, Movies in the Park, Movies at the Plunge, and he is working with KJUG and the Chamber on a concert series.

City Attorney Ty Mizote stated that the former City Clerk asked him to announce that anyone wishing to submit written comments, either for or against the cannabis business tax that Council previously authorized for the November ballot, can submit those to the Hanford City Clerk's Office, 319 N. Douty Street. The deadline for submittal to the City Clerk's Office is August 16, 2018.

PUBLIC COMMENT:

This is the time for citizens to comment on subject matters not on the agenda within the jurisdiction of the Hanford City Council. This is also the public's opportunity to

request an item from the Consent Calendar be pulled for discussion purposes or to comment on any item on the agenda. Comments related to Public Hearing items will be heard at the time the item is discussed.

*A maximum of **three minutes** is allowed for each speaker. Please begin your comments by stating your name and providing your city of residence.*

1. Derrick Weiser, Hanford Fire, announced that the previous week's Fill-the-Boot fundraiser for the Muscular Dystrophy Association was quite successful, raising over $25,000. Over the past eight years, Hanford Fire has raised $150,000 for this cause. He thanked all who helped and participated. He then introduced Joseph Boyett, who was diagnosed with MD at age two, and his father.

2. Laura Akers stated that with the construction between Vintage and Centennial, the sidewalks and KART bus stop she uses are blocked off. She lives in that area and is in a wheelchair, and it has made it difficult for her to get around town.

3. Dave Jones attended a meeting with Michelle Brown (Main Street Hanford), Joey Joslin (Chamber of Commerce), the operator of Sweet Palette, Albert from Fugazzi's, and a representative of the Kings Players. They worked on a downtown event, with dinner in the garden, traveling in the fire truck, dessert, and going to the Kings Players. He is happy with the progress and work of these organizations. He thanked Council for the decisions they made.

4. Emily Burnias expressed concern regarding immigration and sanctuary laws and how those might affect those who came to America legally. She stated that she brought her daughter here legally from England and is experiencing great difficulty trying to resolve issues caused my Immigration's mistakes.

5. Ella, daughter of Emily Burnias, wants to be a citizen of Hanford. She feels that she fits in here and did not fit in in England.

6. Francisco Ramirez expressed his opinion that Council Member Devine is racist and that it would be racist for Council to not support State of California sanctuary laws. He also stated that Council's decision not to approve State law regarding cannabis sales will cost the City tax money and countless jobs.

7. Bob Ramos spoke in favor of the Resolution Condemning State Law that is on this agenda. He feels that accusations and comments made have nothing to do with this resolution.

8. Hanford Citizen, spoke against illegal immigration. He feels that Governor Brown and the federal government should come to an agreement to arrest the criminals and notify Immigration.

9. Tamzin Wheatley, stated that SB 54 does not just protect illegal immigrants; it protects all immigrants, and anyone who commits a crime can be arrested.

10. Dennis Fausone reported issues with gang activity at 10th and Malone and requested police presence.

CONSENT CALENDAR:

Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

A. City Clerk: Approve Minutes from the May 1, 2018 Meeting

B. City Clerk: Deny claim for damages and direct the City Clerk to send out notification of such to AT&T

C. Finance: Warrant Register

D. Utilities and Engineering: Approve the Notice of Completion for Tract No. 914 Mynderup/Chandler Park Subdivision Unit 1 and authorize the Mayor to execute and the City Clerk to attest and file said Notice with the Kings County Recorder's Office. (12th Ave. and Hume Ave.)

Motion by Council Member MENDES, seconded by Council Member DEVINE, to approve the Consent Calendar. Motion carried by the following roll call vote:

AYES:	Council Members: MENDES, DEVINE, SHARP, SORENSEN, AYERS
NOES:	Council Members: NONE
ABSTAIN:	Council Members: NONE
ABSENT:	Council Members: NONE

PUBLIC HEARINGS:

A. Utilities and Engineering: Hold a Public Hearing to hear public comments for the closure and removal of five mid block crosswalks in the downtown area located at, Irwin Street between Seventh Street and Eighth Street, Douty Street between Seventh Street and Eighth Street, Irwin Street between Sixth Street and Seventh Street, Douty Street between Sixth Street and Seventh Street, and Sixth Street between Douty Street and Harris Street, and make a determination that the five existing mid-block crosswalks be removed.

Mayor Ayers opened the Public Hearing at 7:30 p.m. and called for the Staff Report. Utilities and Engineering Director Doyel presented the staff report and addressed questions from Council.

Mayor Ayers opened Public Comment:

FAVOR
There were no comments in favor.

OPPOSED
1. Hanford Citizen is in favor of keeping the crosswalks. He stated that no business owners want the crosswalks removed.

2. Sandy, manager of the Opera House Apartments, stated that she has several elderly and disabled tenants. Per their lease agreement, they are not allowed to park on the street. They park across the street, carrying bags of groceries, etc. She encouraged Council to consider her tenants in making this decision.

3. Joseph expressed concern about the crosswalk on Sixth Street, which he uses almost every day. Corners with lights are too bumpy for his wheelchair. He complained about those a year ago, and they have not been fixed.

4. Hugh Neeley, lives in the Opera House Apartments. He uses the crosswalk every day. He encouraged Council to keep Hanford as ADA-compliant and pedestrian-friendly as possible.

5. Angel Galvan, downtown business owner, counted 25 people using the crosswalk on Douty Street between Seventh and Eighth Streets on Monday, Tuesday, Wednesday, and Friday. On Thursday (due to Thursday Night Marketplace), the numbers doubled.

6. Michelle Brown, Main Street Hanford, promotes the downtown as a vibrant city. She stated that removing these crosswalks does not promote walkability and asked that they be made safer but not removed.

7. Jeff, Parking and Traffic Safety Commissioner, stated that the Commission had no other choice but to vote the way they did, but that the City can make a different decision.

8. Francisco Ramirez stated that there is an issue at 10th and Grangeville and felt that the areas of concern should be fixed. He suggested using CDBG money or apply for a grant or a loan to repair, or the citizens might be willing to put out a bond.

9. Dan Chin reminded the Council that their job is make the best decision for the City. He encouraged them to turn down this recommendation and do what is best for its citizens by keeping the sidewalks.

10. Emily Burnias lost her son, who was wheelchair-bound. She stated that it was harder for her to push him crosswalks at intersections than at the mid-block crosswalks.

Mayor Ayers closed Public Comment and opened Council Discussion.

Dan Chin called a Point of Order, stating that if the Public Hearing is continued, involving new information, further Public Comment should be allowed at that meeting. Mayor Ayers thanked him for his comment and respectfully disagreed, as Public Comment has been closed.

Following considerable discussion, the following motion was made:

Motion by Council Member Mendes, seconded by Vice Mayor Sorensen, to direct staff to make ADA repairs to Crosswalk No. 1 (Irwin Street, between Seventh Street and Eighth Street) and No. 5 (Sixth Street, between Douty Street and Harris Street), remove Crosswalk No. 4 (Douty Street, between Sixth Street and Seventh Street), and assess Crosswalk No. 2 (Douty Street, between Seventh Street and Eighth Street and No. 3 (Irwin Street, between Sixth Street and Seventh Street) and continue the Public Hearing to the June 19, 2018 meeting. Motion carried by the following roll call vote:

AYES:	Council Members	Mendes, Sorensen, Sharp, Ayers
NOES:	Council Members	Devine
ABSTAIN:	Council Members	None
ABSENT:	Council Members	None

GENERAL BUSINESS:

Mayor Ayers asked to move Item D between Items A and B. Agreed by consensus. The order of General Business Items was: Item A, Item D, Item B, and Item C.

A. Out-of-State Travel for 9 PAL Boxers and 1 City Employee

Police Chief Parker Sever reported that the PAL boxers were invited to a boxing tournament in Las Vegas, Nevada. He requested approval to send nine PAL boxers and employee Frank Martinez to the tournament, using City transport.

Motion by Vice Mayor SORENSEN, seconded by Council Member SHARP, to approve out-of-state travel to Las Vegas, Nevada, for Employee Frank Martinez and the use of a City van to transport 9 PAL boxers to a boxing tournament. Motion carried by the following roll call vote:

AYES:	Council Members: MENDES, SHARP, DEVINE, SORENSEN, AYERS
NOES:	Council Members: NONE
ABSTAIN:	Council Members: NONE

ABSENT: Council Members: NONE

B. Public Works: Award a contract to Carvalho Construction, Inc., of Lemoore, for the Veterans Building Truss Repair Project, in the amount of $112,360.00.

Public Works Director Lou Camara presented the Staff Report, recommended approval, and responded to Council's questions.

Motion by Vice Mayor SORENSEN, seconded by Council Member SHARP, to 1) award a contract to Carvalho Construction, Inc., of Lemoore, for the Veterans Building Truss Repair Project, in the amount of $112,360.00; 2) establish a construction contingency in the amount of $11,230.00; and 3) appropriate $123,590.00 from Accumulated Capital Outlay (ACO) Reserves. Motion carried by the following roll call vote:

AYES:	Councilmembers: MENDES, SHARP, DEVINE, SORENSEN, AYERS
NOES:	Councilmembers: NONE
ABSTAIN:	Councilmembers: NONE
ABSENT:	Councilmembers: NONE

C. Resolution Condemning State Law that Restricts Law Enforcement and Endangers Public Safety

City Attorney Ty Mizote presented the Staff Report and recommended approval. He and Police Chief Sever addressed comments from Council Members.

Motion by Council Member DEVINE, seconded by Council Member SORENSEN, to approve Resolution 18-19-R, stating that the City of Hanford opposes recent State laws AB 450, AB 103, and SB 54, which restrict law enforcement and endanger public safety. Motion carried by the following roll call vote:

AYES:	Council Members MENDES, SHARP, DEVINE, SORENSEN, AYERS
NOES:	Council Members None
ABSTAIN:	Council Members None
ABSENT:	Council Members None

D. Amendment of Tessenderlo Kerley, Inc., Purchase Agreement.

City Attorney Ty Mizote presented the Staff Report, noting that Staff recommended that the City Council consider and take action on Addendum No. 2 and Extension of Time Addendum to TKI's Purchase Agreement.

Motion by Council Member SHARP, seconded by Council Member MENDES, to approve Addendum No. 2 and Extension of Time Addendum to TKI's Purchase Agreement. Motion carried by the following roll call vote:

AYES:	Council MembersMENDES, SHARP, DEVINE, SORENSEN, AYERS
NOES:	Council MembersNONE
ABSTAIN:	Council MembersNONE
ABSENT:	Council MembersNONE

COUNCIL REPORTS/COMMENTS:

Council Member Mendes reported that his committees meet next week. He commented on what was said about Council Member Devine during Public Comment, stating that those accusations are not true. He commended Council Member Devine for addressing it.

Council Member Sharp looked through the new jail expansion, visited TKI, enjoyed Thursday Night Marketplace (and highly recommends it), met with some constituents, and attended a Planning Commission meeting.

Council Member Devine attended a Planning Commission meeting. He addressed the comments made against him earlier. He stated that he is not a bigot or a racist and that these laws are not about race but about criminal aliens and about the State overstepping its bounds in Constitutional law.

Vice Mayor Sorensen attended Thursday Night Marketplace. She thanked Main Street Hanford for all they are doing. She also visited TKI and attended the Parks and Recreation Commission meeting. She expressed appreciation of staff's sensitivity to see a need and fill it. She stated that, at the Commission meeting, Community Development Director Darlene Mata and City Attorney Mizote presented information regarding roles, responsibility, and how it all works with the General Plan. She encouraged everyone to take advantage of the many programs Parks and Recreation are offering this summer.

Mayor Ayers stated that the TKI tour was very informative and announced that the Fourth of July celebration will be moved to the Fairgrounds this year. He has also enjoyed Thursday Night Marketplace and commended staff involved. He added that he has heard no negative comments about the concrete by the stage. He will be in Washington, DC, next week, so Council Member Mendes will attend the KCAG meeting in his place.

(Council Members toured TKI individually, not as a group.)

COUNCIL FUTURE AGENDA ITEMS:

Council Member Sharp expressed concern about State mandates regarding recycling, the resulting burdens on the City Waste Department, and anticipated household rate increases. Mayor Ayers suggested that he and Council Member Sharp meet with Public Works Director Camara regarding this issue.

Council Member Devine would like to discuss bike racks to be placed downtown. Director Mata stated that staff is working on that right now.

Mayor Ayers inquired about the tax initiative Town Hall Meeting. City Manager Pyle stated that a date can be set at the May 29 Budget Study Session.

ADJOURNMENT:

Mayor Ayers adjourned the meeting at 9:48 p.m.

Respectfully submitted,

Diana Black
Interim City Clerk