

The City of Manford
CALIFORNIA



City Council Meeting Agenda

May 29, 2018
5:30 PM – Special Meeting
Training Room
319 N. Douty

(Council Member Sharp will participate from the following location: West Hawaii Government Center, Building A, 74-5044 Ane Keohokalole Highway, Kailua-Kona, HI 96740. Members of the public present at this location will be given an opportunity to address the Council during Public comment.)

ROLL CALL BY THE CITY CLERK:

FLAG SALUTE:

PUBLIC COMMENT:

*Comments from the public are limited to items listed on the agenda (GC 54954.3a). A maximum of **three minutes** is allowed for each speaker. Please begin your comments by stating your name and providing your city of residence.*

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.

1. Adoption of Resolution 18-20-R rescinding Resolution 17-05-R, which was approved by the City Council to vacate and abandon approximately 46,389 square feet of public right-of-way on Energy Street, East of 11th Avenue.

STUDY SESSION FOR THE DISCUSSION OF THE FOLLOWING::

1. City Manager: City Manager: Mid Year Budget Discussion

ADJOURNMENT:

Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available to public inspection in the City Clerk's Office located at 319 N. Douty Street, Hanford, California 93230, during normal business hours. Such agendas are also available at the city's website, www.cityofhanfordca.com subject to staff's ability to post the agenda before the meeting.

If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's office, 559-585-2515, 319 N. Douty Street, Hanford, California 93230, at least 2 days prior to the meeting {28 CFR 35.102.35.104 ADA Title II}



AGENDA STAFF REPORT

MEETING DATE: 5/29/2018	AGENDA SECTION: 1
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SUBJECT:

Adoption of Resolution 18-20-R rescinding Resolution 17-05-R, which was approved by the City Council to vacate and abandon approximately 46,389 square feet of public right-of-way on Energy Street, East of 11th Avenue.

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution 18-20-R.

BACKGROUND:

On February 21, 2017 the City Council adopted Resolution 17-05-R and on May 2, 2017 the Resolution was amended and recorded. The abandonment of the roadway was to facilitate purchase and development of the site by Helena Chemical.

The City has entered into a purchase and sale agreement with Tessengerlo Kerley Inc. (TKI) on March 20, 2018 for the purchase of 16.43 acres. The abandonment of Energy Street is no longer necessary and TKI has requested that the City rescind that decision prior to the close of escrow. Attached is Amended Resolution 17-05-R

FISCAL IMPACT:

ATTACHMENTS:

Resolution 18-20-R

Recorded Amended Resolution 17-05-R

Recording Requested By:

City of Hanford

When Recorded Return To:

City of Hanford

Attn: City Clerk

319 N. Douty Street

Hanford, CA 93230

No Fee Per GC 6103

RESOLUTION 18-20-R

ORDER OF THE CITY COUNCIL OF THE CITY OF HANFORD RESCINDING AMENDED RESOLUTION 17-05-R, ADOPTED ON MAY 2, 2017, WHICH ABANDONED APPROXIMATELY 46,389 SQUARE FEET OF PUBLIC RIGHT OF WAY ON ENERGY STREET, EAST OF 11TH AVENUE.

WHEREAS, the City Council of the City of Hanford did on May 29, 2018, at a special meeting of said Council, consider a motion to rescind Resolution 17-05-R, which was approved on February 21, 2017 and later amended on May 2, 2017; and,

WHEREAS, Resolution 17-05-R and Amended Resolution 17-05-R were recorded as Document Numbers 1703491 and 1708604, Official Records, Kings County, California; and,

WHEREAS, Resolution 17-05-R and Amended Resolution 17-05-R are incorporated herein by reference; and

WHEREAS, the reasons for abandoning and vacating the 46,389 square feet of Energy Street (“Abandoned Right-of-Way”) described in Amended Resolution 17-05-R no longer exist; and

WHEREAS, the Abandoned Right-of-Way has continued to be utilized as a public right-of-way, and it would serve the public’s interest for the Abandoned Right-of-Way to continue to serve such purpose.

NOW THEREFORE, the City Council of the City of Hanford does hereby determine that: (i) the abandonment of the Abandoned Right-of-Way is no longer necessary or desirable; the Abandoned Right-of-Way shall continue in existence as a public right-of-way; and (iii) Resolution 17-05-R and Amended Resolution 17-05-R are hereby rescinded.

Attachment: Resolution 18-20-R (Resolution 18-20-R)

IT IS FURTHER ORDERED that the City Clerk shall cause a certified copy of this order attested by the City Clerk, under the seal of the City, to be duly recorded in the County Recorder's Office of the County of Kings, State of California.

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

DAVID G. AYERS
MAYOR of the City of Hanford

Attest:

DIANA BLACK
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss
CITY OF HANFORD)

I, Diana Black, City Clerk of the City of Hanford, do hereby certify the foregoing Resolution was duly passed and adopted at a regular meeting of the City Council of the City of Hanford held on the __ day of _____, 2017.

Date: _____

City Clerk

Attachment: Resolution 18-20-R (Resolution 18-20-R)



DOC NBR: 1708604 05/16/2017 01:55:23 PM
 OFFICIAL RECORDS OF Kings County
 Clerk-Recorder, Kristine Lee
 RECORDING FEE: \$0.00
 COUNTY TAX: \$0.00
 CITY TAX: \$0.00

Recording Requested By:

City of Hanford

When Recorded Return To:

City of Hanford
 Attn: City Clerk
 319 N. Douty Street
 Hanford, CA 93230

No Fee Per GC 6103

CONFORMED COPY

DOC TYPE: 22
 7 PGS
 R051

AMENDED RESOLUTION 17-05-R

ORDER OF THE CITY COUNCIL OF THE CITY OF HANFORD VACATING AND ABANDONING APPROXIMATELY 46,389 SQUARE FEET OF PUBLIC RIGHT-OF- WAY ON ENERGY STREET, EAST OF 11TH AVENUE

WHEREAS, the City Council of Hanford did on February 7, 2017, at a regular meeting of said Council motion to declare the intention of the City Council to vacate and abandon approximately 46,389 square feet of public right-of-way on Energy Street, east of 11th Avenue in the City of Hanford and hereinafter described, and notices of said proposed public street vacation and abandonment having been posted upon said property in accordance with Section 8320 of Streets and Highway Code of the State of California, and publication of notice of said Intention and of the time and place of the public hearing set therein having been published in the manner prescribed by law for publishing resolution of the City of Hanford pursuant to Section 8320 of the Streets and Highway Code of the State of California, and

WHEREAS, on the 21st day of February 2017, the City Council of the City of Hanford, after notice given by said posting and publishing as provided by law, held a public hearing and received evidence on the proposed vacation and abandonment, and the said City Council of the City of Hanford having found from all the evidence submitted that the portion of the public street described in said Resolution of Intention are unnecessary for present or future public street purposes, and should be vacated and abandoned subject to the terms and conditions set forth as follows:

1. That a full, industrial-usage capacity turn-around be constructed on the east side of Youd Ditch.
2. That the project acquire the additional right-of-way to construct such turn around.
3. That the existing facilities, including one fire hydrant, driveway, and fences be relocated to facilitate the new turn-around.
4. That a public utility easement be created, width 68', to accommodate the existing utilities and the maintenance thereof within the abandoned right of way.

Attachment: Recorded Amended Resolution 17-05-R (Resolution 18-20-R)

5. That gated entries with knox boxes be constructed at each end of the easement to allow Fire Department access through the site.

NOW, THEREFORE, the City Council of the City of Hanford does hereby determine that the portion of said street identified in Exhibit "A," which is attached hereto and made a part hereof and hereinafter described should be vacated and abandoned, and the City Council of the City of Hanford does hereby order the vacation and abandonment of said portion of said public street in the City of Hanford, more particularly described as follows:

That portion of the southwest quarter of Section 13, Township 19 South, Range 21 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, more particularly described as follows:

Commencing at the southwest corner of said southwest quarter;

Thence along the west line of said southwest quarter North 0°28'58" East a distance of 71.77 feet;

Thence at a right angle South 89°31'02" East a distance of 50.00 feet to a point on the east right-of-way line of 11th Avenue;

Thence along said east right-of-way line North 0°25'58" East a distance of 572.14 feet to the ***True Point of Beginning***;

Thence along the northerly prolongation of said east right-of-way line North 0°28'58" East a distance of 128.03 feet to the beginning of a non-tangent curve concave northeasterly and having a radius of 30.00 feet a radial to which bears North 89°31'02" West;

Thence southeasterly along said curve through a central angle of 91°15'25" an arc distance of 47.78 feet;

Thence along a line parallel with the south line of said southwest quarter, North 89°13'33" East a distance of 645.84 feet;

Thence along a line parallel with the west line of said southwest quarter, South 0°28'58" West a distance of 68.02 feet

Thence along a line parallel with the south line of said southwest quarter, South 89°13'13" West a distance of 647.16 feet to the beginning of a tangent curve concave southeasterly and having a radius of 30.00 feet;

Thence southwesterly along said curve through a central angle of 88°44'35" an arc distance of 46.47 feet to the ***True Point of Beginning***.

Area: 46,389 Square Feet, 1.06 Acres

IT IS FURTHER ORDERED that the City Clerk shall cause a certified copy of this Order, attested by the City Clerk, under seal of the City, to be duly recorded in the County Recorder's Office of the County of Kings, State of California.

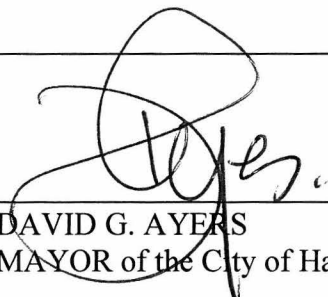
PASSED, ADOPTED AND APPROVED this 2nd day of May, 2017 by
the following vote:

AYES: Justin Mendes, Martin Devine, Francisco Ramirez, Sue Sorensen, David Ayers

NOES: _____

ABSTAIN: _____

ABSENT: _____


DAVID G. AYERS
MAYOR of the City of Hanford

Attest:


JENNIFER GOMEZ
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss
CITY OF HANFORD)

I, Jennifer Gomez, City Clerk of the City of Hanford, do hereby certify the foregoing
Resolution was duly passed and adopted at a regular meeting of the City Council of the City of
Hanford held on the 2nd day of May, 2017.

Date: 05-03-17


City Clerk

Attachment: Recorded Amended Resolution 17-05-R (Resolution 18-20-R)

Exhibit A
Road Abandonment No. 2015-01

Attachment: Recorded Amended Resolution 17-05-R (Resolution 18-20-R)

EXHIBIT "A"

STREET ABANDONMENT - PORTION OF ENERGY STREET

LEGAL DESCRIPTION

That portion of the southwest quarter of Section 13, Township 19 South, Range 21 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, more particularly described as follows:

Commencing at the southwest corner of said southwest quarter;

Thence along the west line of said southwest quarter North 0°28'58" East a distance of 71.77 feet;

Thence at a right angle South 89°31'02" East a distance of 50.00 feet to a point on the east right-of-way line of 11th Avenue;

Thence along said east right-of-way line North 0°28'58" East a distance of 572.14 feet to the **True Point of Beginning**;

Thence along the northerly prolongation of said east right-of-way line North 0°28'58" East a distance of 128.03 feet to the beginning of a non-tangent curve concave northeasterly and having a radius of 30.00 feet a radial to which bears North 89°31'02" West;

Thence southeasterly along said curve through a central angle of 91°15'25" an arc distance of 47.78 feet;

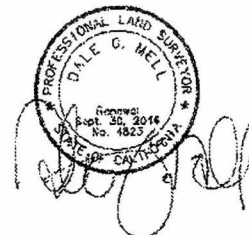
Thence along a line parallel with the south line of said southwest quarter, North 89°13'33" East a distance of 645.84 feet;

Thence along a line parallel with the west line of said southwest quarter, South 0°28'58" West a distance of 68.02 feet

Thence along a line parallel with the south line of said southwest quarter, South 89°13'33" West a distance of 647.16 feet to the beginning of a tangent curve concave southeasterly and having a radius of 30.00 feet;

Thence southwesterly along said curve through a central angle of 88°44'35" an arc distance of 46.47 feet to the **True Point of Beginning**.

Area: 46,389 Square Feet, 1.06 Acres



RA 2015-01

518-0041

EXHIBIT "B"

EXHIBIT FOR STREET ABANDONMENT

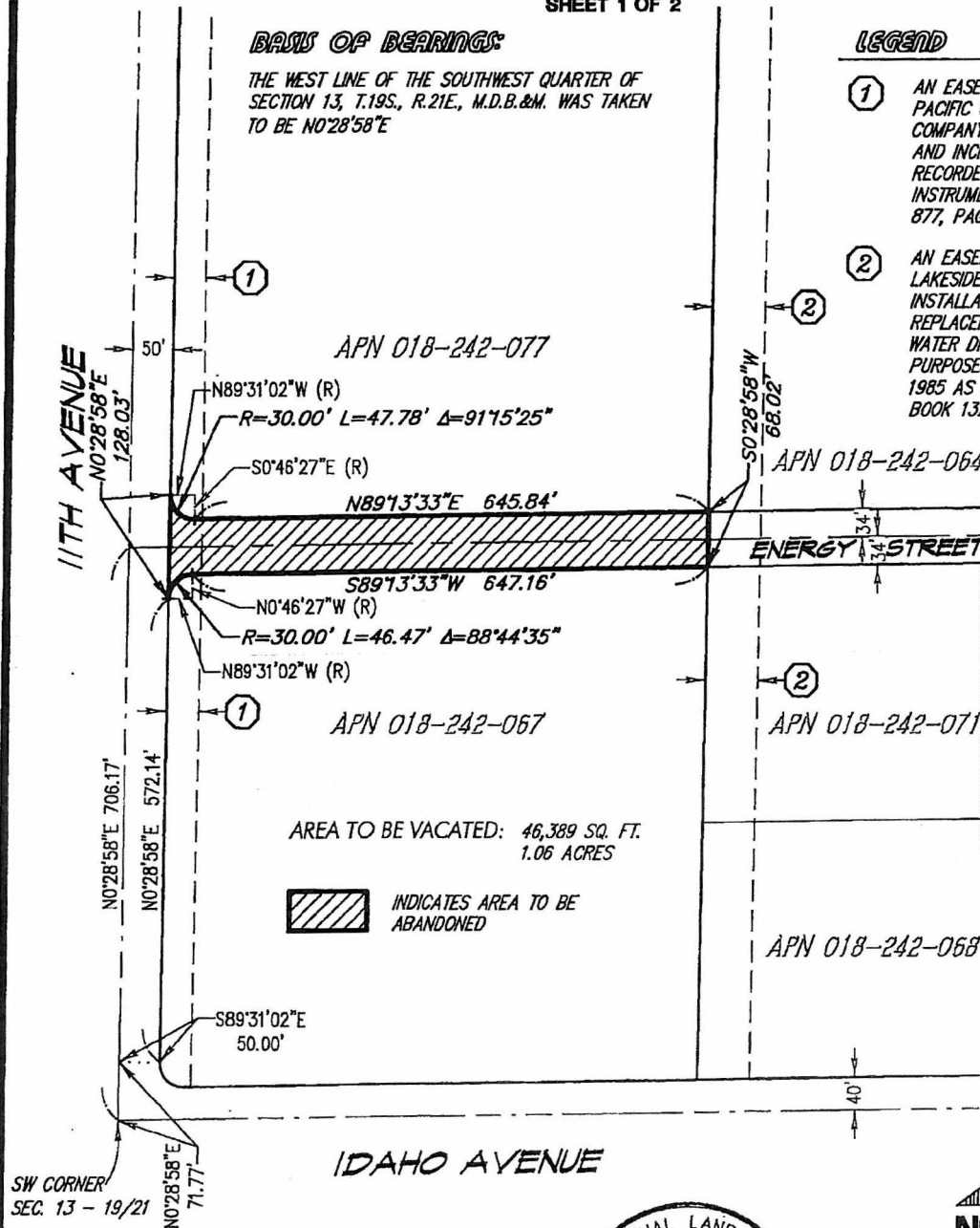
PORTION OF ENERGY STREET
SHEET 1 OF 2

BASE OF BEARINGS:

THE WEST LINE OF THE SOUTHWEST QUARTER OF
SECTION 13, T.19S., R.21E., M.D.B.&M. WAS TAKEN
TO BE N0°28'58"E

LEGEND

- ① AN EASEMENT IN FAVOR OF
PACIFIC GAS AND ELECTRIC
COMPANY FOR PUBLIC UTILITIES
AND INCIDENTAL PURPOSES,
RECORDED AUGUST 23, 1965 AS
INSTRUMENT NO. 11201 IN BOOK
877, PAGE 514, O.R.K.C.
- ② AN EASEMENT IN FAVOR OF
LAKESIDE DITCH COMPANY FOR THE
INSTALLATION, MAINTENANCE,
REPLACEMENT, AND REPAIR OF A
WATER DITCH AND INCIDENTAL
PURPOSES, RECORDED JANUARY 28,
1985 AS INSTRUMENT NO. 1295 IN
BOOK 1323, PAGE 160, O.R.K.C.



AREA TO BE VACATED: 46,389 SQ. FT.
1.06 ACRES

INDICATES AREA TO BE
ABANDONED

IDAHO AVENUE

SW CORNER
SEC. 13 - 19/21

PREPARED BY:



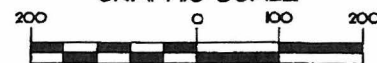
DALE G. MELL
& ASSOCIATES

ENGINEERING & SURVEYING SERVICES

2090 NORTH WINERY AVENUE, FRESNO, CALIFORNIA 93703
(559) 292-4046 * FAX 251-9220



GRAPHIC SCALE



1 INCH = 200 FEET

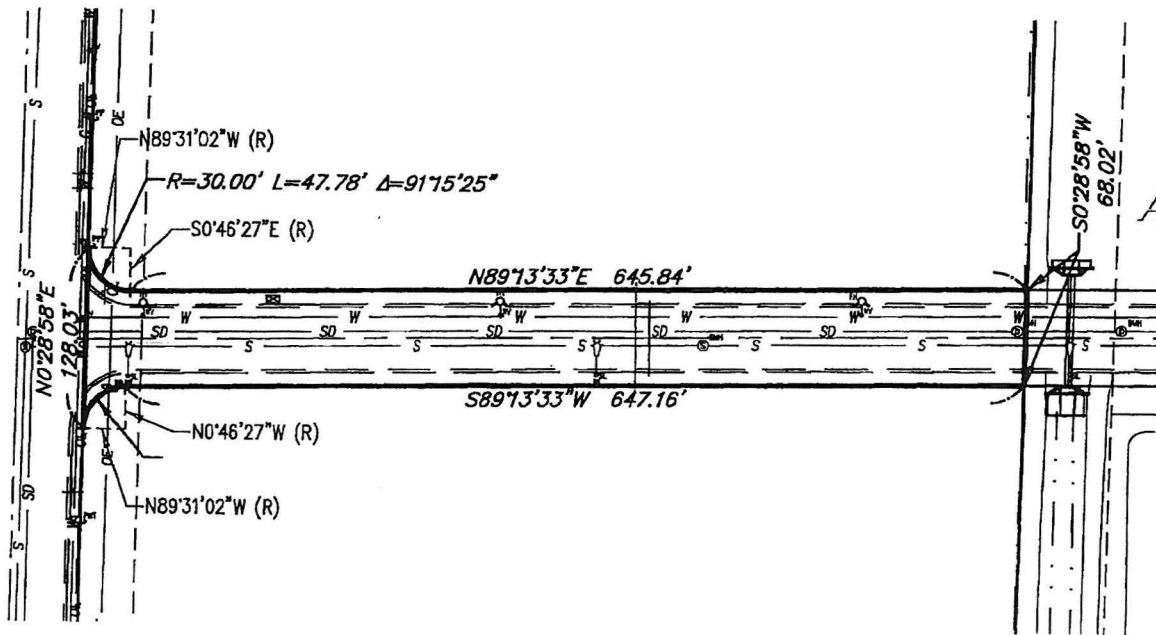
BY: R.ESPINOZA - 04/22/15
DMA CADFILE: 15-029EX01

PLOTTED BY: ROCIO ESPINOZA - 4/22/2015 2:34:56 PM 15-029EX01.DWG

Attachment: Recorded Amended Resolution 17-05-R (Resolution 18-20-R)

EXHIBIT FOR STREET ABANDONMENT

PORTION OF ENERGY STREET
SHEET 2 OF 2



NOTE:

THE PURPOSE OF THIS SHEET IS TO SHOW
EXISTING IMPROVEMENTS WITHIN AREA BEING
PROPOSED TO BE ABANDONED.



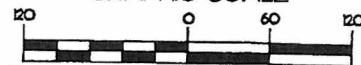
PREPARED BY:

**DALE G. MELL
& ASSOCIATES**

ENGINEERING & SURVEYING SERVICES
2090 NORTH WINERY AVENUE, FRESNO, CALIFORNIA 93703
(559) 292-4046 * FAX 251-9220



GRAPHIC SCALE



1 INCH = 120 FEET

BY: R.ESPINOZA - 04/22/15
DMA CADFILE: 15-029EX01

PLOTTED BY: ROCIO ESPINOZA - 4/22/2015 2:34:56 PM 15-029EX01.DWG

Attachment: Recorded Amended Resolution 17-05-R (Resolution 18-20-R)

CT

RECEIVED

MAY 16 2017

GRISWOLD, LASALLE,
COBB, DOWD & GIN

Attachment: Recorded Amended Resolution 17-05-R (Resolution 18-20-R)