



CITY COUNCIL MEETING MINUTES

March 17, 2020 7:00 PM

Council Chambers

400 N. Douty St.

5:30 PM CALL TO ORDER STUDY & CLOSED SESSION:

Mayor Draxler called the Study and Closed Session to order at 5:30 p.m.

ROLL CALL BY THE CITY CLERK:

Present: John Draxler, Martin Devine, Sue Sorensen, Art Brieno, and Francisco Ramirez.

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.*

Alicia Ramirez, representative from Assemblyman Rudy Salas's Office - She said the Assemblyman's office is a resource available to the City of Hanford.

STUDY SESSION:

A. Update from Kings County Office of Public Health on COVID-19

Ed Hill, Kings County Public Health Director provided an overview of the Coronavirus, (COVID-19) pandemic and the county's response to State and Federal news. Council Member Sorensen asked specific questions about the symptoms and prognosis of the virus. As of March 17th, there were no confirmed cases in Kings County. Mr. Hill said that his recommendation at this time is to cancel any large gathering events.

B. CDBG 2020: Action Plan input on needs, priorities, and designated amounts.

Ms. Sandra Lerma-Martinez provided an overview to the council regarding the applications the department has received for the 2020 Community Development Block Grant funding. Council Member Brieno asked about the funding for Kings Community Action Organization's funding for housing. Ms. Lerma-Martinez explained the City has not helped with this funding in the past.

The Council reached consensus on allocating \$27,000.00 for KCAO and \$20,000.00 for utility assistance. Ms. Lerma-Martinez will give another presentation in May to follow up on the direction given by the Council for the funding.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

Mayor Draxler adjourned the Council to Closed Session at 6:11 p.m.

A. CONFERENCE WITH LEGAL COUNSEL - LABOR NEGOTIATIONS (GC 54957.6)

Agency Designated Representatives: Mario Cifuentez, Sarah Cardoza, Paula Lofgren, and Ty Mizote
Employee Organizations: Hanford Firefighters Local 3898 (IAFF); General Employees Management Association (GEMA); Executive Management Employees Association (EMEA)

B. CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY NEGOTIATIONS (GC 54956.8)

Property: Property west of Parkside Drive, south of Woodland Drive
Agency Negotiators: Mario Cifuentez, Darlene Mata, Ty Mizote
Negotiating Party: Self Help Enterprises

Property: APNs 028-240-008, 028-310-016, 028-310-021
Agency Negotiators: Mario Cifuentez, Ty Mizote
Negotiating Party: AG Green Farms, LLC; Bobby Whalen and Robert Gold

Property: The Bastille
Agency Negotiators: Mario Cifuentez, Darlene Mata, Ty Mizote
Negotiating Party: Jerry Irons

Property: 122 E. Eighth Street and 128 E. Eighth Street (APN 010-276-006, 010-276-008)
Agency Negotiators: Mario Cifuentez, Darlene Mata, and Ty Mizote
Negotiating Party: William and Maryann Grimm

C. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (GC 54956.9(d)(1))

Sara Perez v. City of Hanford
Kings County Case No.: 17C0335

D. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (GC 54956.9(d)(2))

One potential case.

SUCCESSOR AGENCY CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

A. CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY NEGOTIATIONS (GC 54956.8)

Property: APN 018-242-067
Agency Negotiators: Mario Cifuentez and Ty Mizote

7:00 PM CALL TO ORDER REGULAR SESSION:

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

ROLL CALL:

Attendee Name	Title	Status	Arrived
John Draxler	Mayor	Present	5:15 PM
Martin Devine	Council Member	Present	5:15 PM
Sue Sorensen	Council Member	Present	5:15 PM
Art Brieno	Council Member	Present	5:15 PM
Francisco Ramirez	Vice Mayor	Present	5:15 PM

INVOCATION:

Invocation led by Ms. Diana Black.

FLAG SALUTE:**CLOSED SESSION ACTION REPORT:**

City Attorney Ty Mizote reported the Council discussed Closed Session items A and C. Items B and D will be discussed after the regular meeting.

STAFF COMMUNICATIONS:

City Manager, Mario Cifuentez - He and Police Chief Parker Sever met with the leadership from the Kings County Superior Court where they discussed the parking issues that occur when large jury pools are summoned.

Public Works Director, John Doyel - He informed the Council of sidewalk grinding that will begin in the downtown area.

COUNCIL REPORTS/COMMENTS:

Council Member Sorensen - She attended the Hanford Chamber of Commerce mixer and looks forward to future events.

Council Member Brieno - He spoke about a fire at the old College of the Sequoias campus building off of 13th Ave. He also spoke about the homeless and drug use issues at the bathroom at Lacey Park.

Council Member Devine - He had nothing to report.

Vice Mayor Ramirez - He attended his third WELL conference seminar and his next one has been canceled.

Mayor Draxler - He attended the ribbon cutting for Luz Dermatology. He recognized the Sierra Pacific girls' basketball team; he said that if the season was canceled early they could have won another state championship.

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.*

Delores Alves, Hanford - She stated there is a problem with Lacey Park which includes drugs, alcohol, prostitution, and homelessness. She asked the Council and City officials to address the problems at Lacey Park.

Charles Williams, Hanford - He asked about the city funding for the Annual Black History Month program and why it was cut. Chief Sever explained that his group, like all other non-profit groups, are renting the facility for free.

Jack Schwartz, Hanford - He spoke in support of live streaming the City Council meetings. He requested Item C to be pulled from the Consent Calendar to discuss the facts of the case and assessment of liability.

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 member of the public requested to remove Item C [Settlement Agreement] and Council Member Brieno removed Item J [Warrant Register].

Motion to approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Martin Devine, Council Member
SECONDER:	Francisco Ramirez, Vice Mayor
AYES:	Draxler, Devine, Sorensen, Brieno, Ramirez

- A. City Clerk: Deny claim and direct the City Clerk to send notification of denial to claimant, Jamie Lee Medina.
- B. City Clerk: Deny claim and direct the City Clerk to send notification of denial to claimant, Tammy Bradford.
- C. Community Development: Adoption of Amended RESOLUTION NO. 18-26-R; Supporting an Application for Funding from the State of California Department of Housing and Community Development HOME Investment Partnership Program (HOME)
- D. Public Works: Authorization to advertise for bids for the 11th Avenue Median Landscape Project (from Hume Avenue to Marconi Drive), and pre-authorize the City Manager to award and execute the contract on behalf of the City to the lowest responsible bidder providing project bid is within current budget appropriation.

- E. Public Works: As it relates to FY 2019/20 Transportation Development Act (TDA) Funds Claim: 1) Adopt Resolution # 20-04-R 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.
- F. Public Works: Approval of the Notice of Completion for the 13th Avenue at Grangeville Boulevard Traffic Signal Installation Project, and authorize the Mayor to execute and the City Clerk to attest and file said Notice with the Kings County Recorder's Office.
- G. Public Works: Approval of the Notice of Completion for Tract No. 918, Bella Vista Phase 2 and authorization for the Mayor to execute and the City Clerk to attest and file said Notice with the Kings County Recorder's Office. (Northwest corner of Devon Street and Centennial Drive)
- H. Public Works: Approval of the Notice of Completion for Tract No. 919 Bonterra Unit 1 and authorization for the Mayor to execute and the City Clerk to attest and file said Notice with the Kings County Recorder's Office. (Southwest corner of Fargo Avenue and Centennial Drive)

ITEMS PULLED FROM CONSENT:

- A. Approval of proposed settlement agreement: Sara Perez v. City of Hanford, Michael Hughes

[Item C]

Atty. Mizote explained the facts of the case. CSAC, the City's insurer had authorized a settlement of \$300,000.00; however, Ms. Perez stated she would accept \$700,000.00 at mediation. The mediator identified the amount of \$500,000.00 as reasonable; CSAC's board found that amount acceptable. The City was responsible for the first \$100,000.00 for the costs associated with the claim, then CSAC covers the rest.

Motion to approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Art Brieno, Council Member
SECONDER:	Sue Sorensen, Council Member
AYES:	Draxler, Devine, Sorensen, Brieno, Ramirez

- B. Finance: Warrant Register

[Item J]

Council Member Brieno had a question about a payment made to Witbro Inc. Public Works Director, John Doyel stated that was payment for work on a street, curb, and gutter project on Brown Street. Council Member Brieno then inquired about police vehicles that were recently purchased.

Motion to approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sue Sorensen, Council Member
SECONDER:	Martin Devine, Council Member
AYES:	Draxler, Devine, Sorensen, Brieno, Ramirez

GENERAL BUSINESS:

- A. Public Works: Approve the Purchase of five 2021 Peterbilt 520 residential refuse trucks from E.M. Tharp Inc., of Porterville, Ca., in the amount of \$1,552,025.80; authorize an appropriation of \$12,025.80 from Refuse Enterprise Reserve; and declare five 2011 automated refuse vehicles as surplus and authorize sale.

Dir. Doyel provided background information on the replacement cycle for refuse trucks. Vice Mayor Ramirez asked Dir. Doyel to explain the benefit of newer trucks; Dir. Doyel stated it would reduce the maintenance and repair costs. Council Member Sorensen and Mayor Draxler asked some follow up questions on the features of the replacement trucks.

Motion to approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sue Sorensen, Council Member
SECONDER:	Art Brieno, Council Member
AYES:	Draxler, Devine, Sorensen, Brieno, Ramirez

- B. Public Works: Approval of a Memorandum of Understanding (MOU) with the California High Speed Rail Authority and the County of Kings as it relates to construction of raised platform track and station south of the Union Pacific Railroad and Authorization for the Mayor to execute the MOU.

Dir. Doyel explained the City has been working with Kings County and the High Speed Rail Authority. The Authority approached Kings County staff and the City of Hanford staff to discuss the option of raising the platform and the proposed station about 27 feet above grade as it crosses the Railroad and Highway 198. City and County staff expressed significant concern over this proposed modification since both had lobbied heavily to award the contract to the bidder who proposed the at grade station. The Authority agreed to some concessions in exchange for the County and City support of raising the platform and the station.

The Council Members expressed their concerns with High Speed Rail and the importance of making sure there is a stop within Hanford city limits.

Motion to approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Draxler, Mayor
SECONDER:	Sue Sorensen, Council Member
AYES:	Draxler, Devine, Sorensen, Brieno, Ramirez

C. Public Works: Authorization to reject all bids and Re-Advertise the Eastside Sanitary Sewer Trunk Main Project

Dir. Doyel explained the current low bidder on the project, Tierchert & Sons., did not include a page necessary to complete their bid therefore the bid could not be accepted. Dir. Doyel asked the Council to reject all current bids and resubmit for new bid proposals.

Motion to approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Francisco Ramirez, Vice Mayor
SECONDER:	Martin Devine, Council Member
AYES:	Draxler, Devine, Sorensen, Brieno, Ramirez

D. Authorization for City Staff to suspend the Issuance of Permits and the leasing of City Facilities, which would result in large gatherings of individuals, consistent with State Guidelines.

City Attorney, Ty Mizote stated the Governor's Executive Order N-25-20 states all residents are to heed any orders and guidance of state and local health officials, including but not limited to the imposition of social distancing measures, to control the spread of COVID-19. The City is bound to impose the terms of the guidance of the Governor's Order.

Motion to approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Martin Devine, Council Member
SECONDER:	Francisco Ramirez, Vice Mayor
AYES:	Draxler, Devine, Sorensen, Brieno, Ramirez

E. Motion to Adopt Resolution 20-05-R declaring the existence of a local emergency (COVID 19)

City Attorney, Ty Mizote explained the adoption of Resolution 20-05-R would declare a local emergency in the City of Hanford and will observe all directives, mandates, and executive orders issued by the state or county including requirements for social distancing. Council Member Brieno expressed his concern for small businesses and questioned how city services would be delivered. Council Member Sorensen stated that she was concerned about the closure of small businesses as well. Council Member asked Mr. Mizote for clarification on the Brown Act provisions in response to the Governor's order.

Motion to approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Draxler, Mayor
SECONDER:	Francisco Ramirez, Vice Mayor
AYES:	Draxler, Devine, Sorensen, Brieno, Ramirez

- F. Motion to Adopt Ordinance 20-01, Urgency Ordinance relating to provision for a local emergency (COVID-19); providing prohibition of price gouging and overcharging to merchandise sold by businesses; providing for the suspension of automatic approval deadlines for development approvals

City Attorney Ty Mizote stated one of the issues addressed in this ordinance is price gouging; its definition and associated penalties. He stated that as long as the emergency is in place, the urgency ordinance will be in place. Council Member Sorensen asked about the effective date of the ordinance. Mr. Mizote said it would be once the ordinance is approved.

Motion to approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Art Brieno, Council Member
SECONDER:	Martin Devine, Council Member
AYES:	Draxler, Devine, Sorensen, Brieno, Ramirez

COUNCIL FUTURE AGENDA ITEMS:

A. Council Future Agenda Items

Council Member Brieno - He would like staff to start looking into a part-time person to check out the parks on the weekends. He suggested the bathroom entryways at Lacey Park be monitored regularly.

Mayor Draxler - He asked his fellow council members and citizens to keep in mind that this [COVID-19] is uncharted territory. He stated that the Council needs to be understanding of staff's time during this situation.

RECONVENE FOR CLOSED SESSION:

Mayor Draxler reconvened the Council to Closed Session at 8:50 pm.

ADJOURNMENT:

With nothing to report from Closed Session, Mayor Draxler adjourned the meeting at 10:03 p.m.

Respectfully submitted,

Sarah Martinez
City Clerk