

The City of Hanford
CALIFORNIA



City Council Meeting Agenda

August 4, 2020
7:00 PM – Regular Meeting
Council Chambers
400 N. Douty St.

Video Teleconference via ZOOM. Council Members will attend remotely.

Zoom meeting information:

<https://us02web.zoom.us/j/83385092760?pwd=bFVGdDVrcDIYMkg5cmcrUUJhU01UQT09>

(Limited virtual access.)

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

ROLL CALL BY THE CITY CLERK:

PUBLIC COMMENT:

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

STUDY SESSION:

- A. Administration: Presentation by the Hanford Chamber of Commerce to update Council on their current programs and business services.
- B. Community Development: Report on the Planning Commission's review of the Citizen's Initiative, submitted by Save Our Parkland, to change the land use on land adjacent to Hidden Valley Park from low density residential to open space and to remove future parks by changing areas from open space to medium density residential in the northwest area of the city.

CLOSED SESSION:

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

Property: APNs 028-240-018, 028-240-020, 08-310-005, 028-310-007, 028-310-008, 028-310-025

Agency Negotiators: Mario Cifuentez, Ty Mizote

Negotiating Party: City Farm Industries, Inc.; Ross Lyndon-James and Mark Askey

Property: APNs 028-240-018, 028-240-020, 08-310-005, 028-310-007, 028-310-008, 028-310-025

Agency Negotiators: Mario Cifuentez, John Doyel, and Ty Mizote

Negotiating Party: Tyler Bennett

Property: Courthouse Building

Agency Negotiators: Darlene Mata, Mario Cifuentez, Ty Mizote

Negotiating Party: Salon Couture

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

Number of Potential Cases 1

7:00 PM CALL TO ORDER REGULAR SESSION:

ROLL CALL:

INVOCATION:

FLAG SALUTE:

CLOSED SESSION ACTION REPORT :

STAFF COMMUNICATIONS:

COUNCIL REPORTS/COMMENTS:

A. Council Comments

PUBLIC COMMENT:

*This is the time for citizens to comment on subject matters not on the agenda and that are 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*

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: Approval of the Minutes of the May 19, 2020 Meeting

B. City Clerk: Approval of the Minutes of the July 7, 2020 Meeting

C. City Clerk: Denial of a claim for damages and authorization for the City Clerk to send out notification of such to F & M Miya, LLC and Avemco Insurance Company.

- D. City Clerk: Denial of a claim for damages and authorization for the City Clerk to send out notification of such to Gerardo Diaz Tofoya
- E. City Clerk: Denial of a claim for damages and authorization for the City Clerk to send out notification of such action to Alfredo Cortez.
- F. Community Development: Adoption of Resolution 20-22-R, Ratifying the City Manager's Temporary Rule to allow Temporary Outdoor Gyms and Salons.
- G. Public Works: Award the annual contract for curb and gutter, sidewalk, driveways and ADA ramp repair work to Cen-Cal Paving Inc. of Lemoore CA for a not to exceed budgeted amount of \$90,000.00.
- H. Public Works: Approval of the Final Map and Subdivision Agreement for Tract No. 919, Unit II Bonterra, and accept all easements and dedications offered for public use and adopt the attached Resolution 20-20-R restructuring properties within Assessment District No. 18-01 (District Restructure No. 18-01-C) (Centennial Drive and Fargo Avenue)
- I. Public Works: Award of a contract to Papich Construction Co., Inc. of Arroyo Grande in the amount of \$161,733.00 for the FY 19/20 Pavement Resurfacing on Idaho Avenue from the BNSF Railroad to 10th Avenue Project, and establish a construction contingency of \$13,000.00 for this project.

PUBLIC HEARINGS:

- A. Police Department: Conduct a public hearing to authorize the City Manager to execute an MOU between City of Hanford and Kings County, which would allocate the County's share of the JAG funding to the City and approve the use of \$17,684 in FY2020 Jag Grant funding to purchase needed equipment for the Police Activities League Program.

GENERAL BUSINESS:

- A. Administration: Introduction and First Reading of Ordinance No. 20-08 amending Municipal Code Section 2.01.18 fixing salaries for the City Council at \$500.00 per month pursuant to Government Code Section 36516 (a)(2)(C).
- B. Parks and Community Services: Adoption of Resolution 20-21-R; a resolution of the City Council of the City of Hanford approving applications (s) for the Prop 68 Per Capita Grant funding program and update on various park projects and improvements.
- C. Fire Department: Presentation to Council regarding a proposed modification to the Staffing Levels for Fire Station No. 2 and possible direction and authorization from Council.

COUNCIL FUTURE AGENDA ITEMS:

- A. Council Future Agenda Items

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: 8/4/2020	AGENDA SECTION: A
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SUBJECT:

Administration: Presentation by the Hanford Chamber of Commerce to update Council on their current programs and business services.

RECOMMENDATION:

The Council receive the presentation from the Chamber and provide feedback to the Chamber on their programs.

BACKGROUND:

At the July 7, 2020 City Council study session, Council received a report from the Chamber Board and the new CEO on the recent activities and programs that the Chamber has undertaken. The purpose of this presentation is to update Council on other business services that the Hanford Chamber are starting to provide.

FISCAL IMPACT:

There is no fiscal impact related to this item.

ATTACHMENTS:



AGENDA STAFF REPORT

MEETING DATE: 8/4/2020	AGENDA SECTION: B
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SUBJECT:

Community Development: Report on the Planning Commission's review of the Citizen's Initiative, submitted by Save Our Parkland, to change the land use on land adjacent to Hidden Valley Park from low density residential to open space and to remove future parks by changing areas from open space to medium density residential in the northwest area of the city.

See attached Staff Report

FISCAL IMPACT:

ATTACHMENTS:

Staff Report City Council
 General Plan Open Space Map Adopted 4-24-2017
 Notice of Intent Ballot Initiative
 Ballot Initiative Summary
 Summary of Initiative Statutes
 State of California Elections Code Excerpt

CITY OF HANFORD STAFF REPORT

MEETING DATE: Tuesday, August 4, 2020

PROJECT: Report from the Planning Commission on the Citizen's Initiative submitted by Save Our Parkland, to change the land use on land adjacent to Hidden Valley Park from low density residential to open space and in the northwest area of the city to remove future parks by changing areas from open space to medium density residential.

STAFF RECOMMENDATION

Staff recommends that the City Council accept the Planning Commission report on the proposed Citizens Initiative and provide direction to staff if additional information or action is requested.

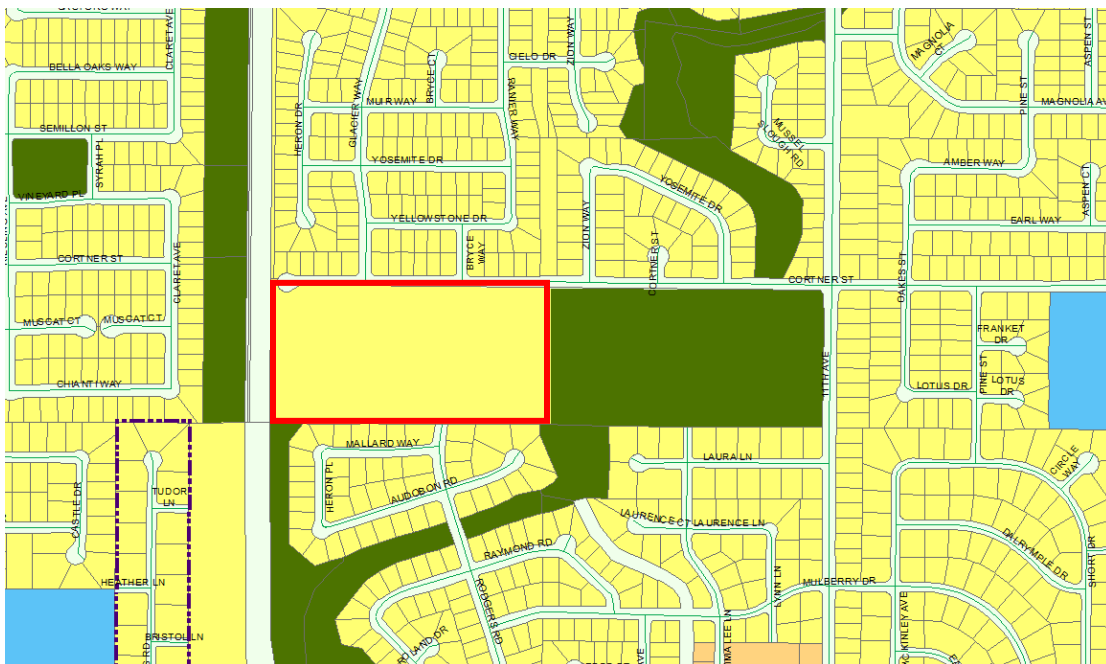
RECOMMENDED MOTION

I move to accept the report from the Planning Commission.

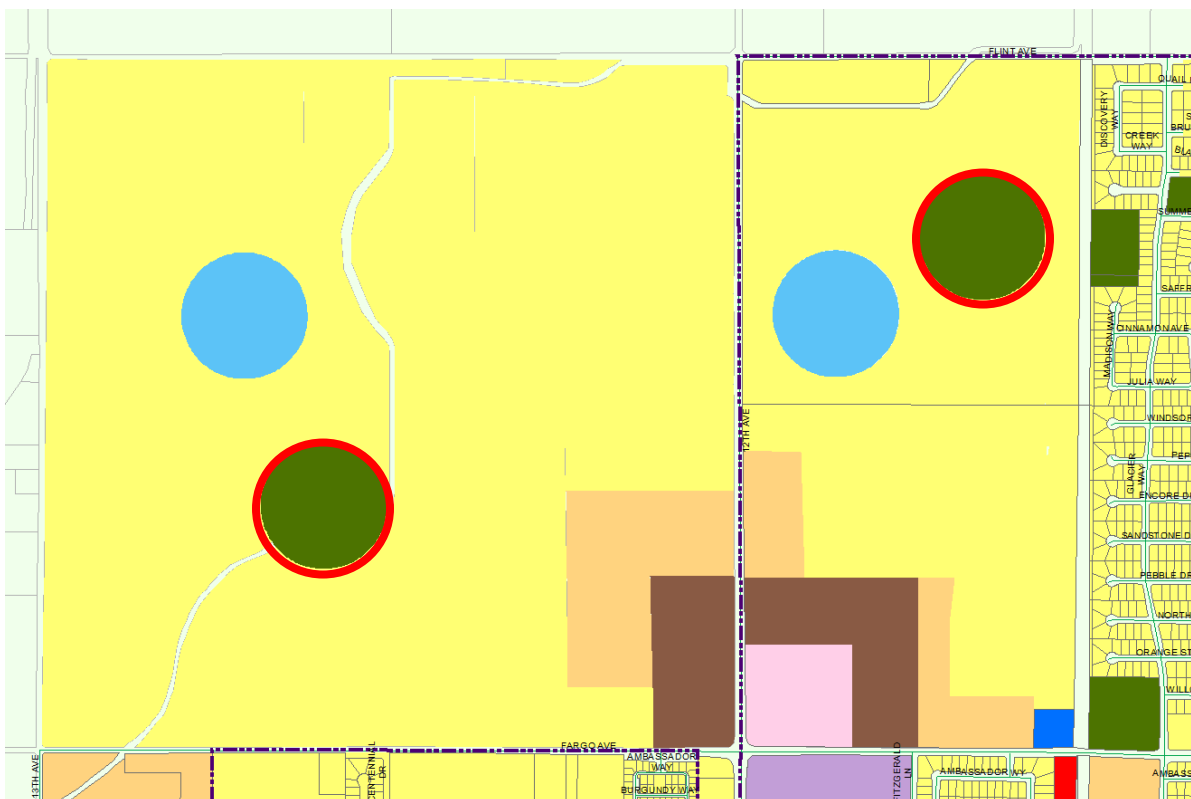
BACKGROUND

Save Our Parkland, has submitted a citizen's initiative to change the land use designation on 18 acres adjacent to Hidden Valley Park from Low Density Residential to Open Space and to change the Open Space designations from two future parks in the north west area of the City to Medium Density Residential, as shown below.

Proposed Change to the General Plan from Low Density Residential to Open Space



Proposed Change to General Plan from Future Open Space to Medium Density Residential



In accordance with Election Code §9212, the City Council referred the item to the Planning Commission on May 19, 2020. The Planning Commission discussed the proposed initiative on June 6, 2020 at a regular meeting and the result is this report.

The ballot language was prepared by the City Attorney and provided to Save Our Parkland on May 1, 2020. The group has until October 29, 2020 to obtain the requisite signatures to put the initiative on a future ballot. The Notice of Intent from Save Our Parkland, the ballot summary prepared by the City Attorney and a summary of initiative statutes are attached.

PLANNING COMMISSION REVIEW

On June 9, 2020 the Planning Commission reviewed the proposed citizen's initiative. As part of the review, the commission accepted public comment from five individuals, including a representative of the Save Our Parkland group. The comments are summarized below as well as Planning Commission questions and comments, and staff's responses:

Mr. John Zumwalt

- Pointed out that the proposed initiative would result in the doubling of the acreage at Hidden Valley Park, eliminate two future parks while leaving approximately 8-11,000 people in the northwest of Hanford without close access to a community park.
- The proposal also converts land designated open space in the northwest to medium density residential, which will increase the need for parks and locates the multiple family in areas inconsistent with the General Plan.
- Multiple family designations belong on major streets as required in the General Plan.

Mr. Mark Pratter representing Save Our Parkland

- The Planning Commission should reserve judgement on the consistency with the General Plan. The City should have allowed the Save Our Parkland group to provide professional comment on the consistency with the General Plan.
- Requested that the Planning Commission take no action to allow them time to comment.
- 2,600 signatures were obtained in 2017 to save this parkland.
- The survey completed by the City said that most of the population wanted the land retained as park.
- That the reason the multiple family change is required is that the City Council changed the zoning on the area next to Hidden Valley and now we must comply with a new State law.
- That it was the City idea that we use the City parks to replace the lost units.

Mr. Bob Ramos

- He was at the meetings where it was decided that the parks should go in the northwest and he wanted it in the southwest.
- Staff is saying that if you change the 18 acres next to Hidden Valley Park then you can't change the acres in the northwest. That is a fallacy, it can be changed.
- The survey done by Pro's Consulting for the City, which cost \$96,000, asked people if they wanted to keep the acres adjacent to Hidden Valley Park, question number 13. The survey results were that 9% didn't answer, 20% did not city owned the land or there was an issue, 23% said sell the land, 48% said develop the property into a park.
- Why doesn't the City do what the people want? Maybe they didn't get the results they wanted?

Mr. Jack Schwartz

- The history of the park was to be designed by public works and built by staff and the citizens. That area was always from the beginning to be a park.
- The Park and Rec Commission, when they adopted the amendment to the Park and Recreation General Plan Element voted to include the property as a park. The City Council did not follow that.
- Election law provides that if an initiative is supposed to go to the Planning Commission, a report is required and the report the staff submitted is inadequate.
- The report should evaluate impacts on affordable housing needs and ability to meet regional housing needs. The report is inadequate as presented.
- The motion that staff suggests is inadequate because it is an either-or situation.
- The motion should be you discussed, parts may or may not be consistent, but it should go to the people.
- Zumwalt stated that if this goes through there will be areas without parks, that is incorrect, you can always add parks. That is an incorrect comment.
- A shame there hasn't been a compromise.
- Urge commission to look at housing element and bring it to 2020 and not in the 1980's.

Mr. Nate Odom

- He had a recommendation from the commission, or if you defer the item to allow the petitioners to respond I guess I have no recommendation.
- He stated that his attempt to film was related to interrupted and quoted the Brown Act about the public's right to record meetings.

Commissioner Questions and Comments

- How many acres are required of developers 2-5 acres? Staff explained that the number of park acres required would depend on the density and the projected number of persons within a development or subdivision.
- Are we currently under the required acres? Staff's response was no, we meet the current requirement of 3.5 acres per 1,000.
- Is it the Planning Commission's responsibility to determine that the initiative is consistent or is it the voters? Staff explained that the Commission cannot stop the initiative, but can forward a determination or report on the consistency to the Council. The content of the motion is up to the Planning Commission.
- Before the new General Plan, did the old one allowed parks up to 40 or 50 acres? Staff responded that the old General Plan stated that community parks could be larger, but didn't have the exact ranges. The policies were changed as recommended by the General Plan Update Committee and the Planning Commission and approved by the City Council.
- Is the existing park and vacant land one APN? Could you put a park, next to another park? Staff responded yes, it is one APN and you could put a park next to a park.
- Did the proponents of the initiative propose a way to fund the maintenance of a new 18 acre park? City staff responded that a funding mechanism was not included in the proposal.
- What is required for the signatures to put the initiative on the ballot. Mr. Mizote explained the requirements.
- Was there correspondence between staff and the proponents since the proponents' state that they had inadequate time. Staff responded no, but it was directed to go the commission on May 19 by the City Council of which the proponents were aware as they spoke at the meeting. The proponents stated that they would have needed two weeks to evaluate the staff's report.
- Community Development Director asked City Attorney Mizote to explain why the proposal included the change from open space to multiple family. Mr. Mizote explained that, per State law, with respect to housing, you cannot eliminate a housing designation. If a housing designation is changed, the same number of units must be provided elsewhere in the City. This is a new law that was passed after the current General Plan was adopted.
- He added that, if the City of Hanford builds out the 18 acres as a park expansion, they would have to look at the expense to build and maintain it.
- Statements were made that it's appropriate that it be decided by the voters, but the issue needs to be resolved.
- How much is it costing the City to just have a vacant piece of property? Staff responded a \$3-4,000 a year to disc the property.

Motion

There were two motions made by the Commission:

Motion and seconded to recommend to City Council that the initiative be placed on a ballot to be decided on by the people.

Director Mata and City Attorney Mizote reminded the Commissioners that neither the Planning Commission nor City Council can decide whether the initiative goes on a ballot. Motion was withdrawn.

Motion and second that, having discussed the proposed "Save Our Parkland" initiative, the Planning Commission now forwards to City Council the following comments:

1. That the commission felt this issue should go on to the voters.
2. That the Planning Commission reviewed the item and forwards it to the City Council.
3. That their discussion be summarized to the City Council.
4. That the Planning Commission would like to see some resolution to this issue.

Vote: 7-0

Staff Response to Comments that were not Responded to at the Meeting

- Mr. Zumwalt is correct. As the initiative is worded, the proponents are removing all Open Space designation from the area north of Fargo, west of the railroad.
- The City did not direct the proponents of the initiative to submit the initiative in its present form. They met with City staff and were informed that if what they want to do is develop the 18 acres instead of other City parks, eliminating the future open space would be an option. City staff did not suggest that they propose to change the land use from Open Space to Medium Density Residential.
- The proponents have had eight weeks since the Planning Commission to provide their evaluation of the staff report. As of the date this report was finalized, no comments were received from the proponents or their legal counsel.
- Staff is not aware of a decision to move parks from the southwest to the northwest. There are two larger parks planned in the southwest in an approved master plan.
- The survey did not cost \$96,000, the preparation of the Park and Recreation Master Plan cost \$96,000 of which the survey was one small component.
- The document adopted by the Park and Recreation Commission was not an element of the General Plan, it is a Park and Recreation Master Plan, which is subordinate to the General Plan.
- Election Code 9212 states that the legislative body (City Council) may refer the initiative to an agency or agencies for a report on any or all of the following items:
 - (1) Its fiscal impact.
 - (2) Its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under Section 65008 of the Government Code and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.
 - (3) Its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs.

- (4) Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses.
 - (5) Its impact on the community's ability to attract and retain business and employment.
 - (6) Its impact on the uses of vacant parcels of land.
 - (7) Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization.
 - (8) Any other matters the legislative body requests to be in the report.
- When staff requested that the City Council send this to the Planning Commission, the focus was on the General Plan consistency. The report is not required to include all the elements. This document is the report to the Legislative body referred to in Section 9212. If the City Council directs staff to report on any of the other elements, they can direct staff to do so. The full text of Section 9212 of the Elections Code is attached.
 - The Housing Element is updated consistent with current State requirements.
 - Mr. Odom attempted to stand in front of the Community Development Director with a video camera as she was giving her staff report. She asked that he move behind her. Mr. Odom was not stopped from recorded the meeting from another location in the room. There was not a violation of the Brown Act during the meeting.
 - The policies in the old General Plan did state that a Community Park was between 20-50 acres.

GENERAL PLAN CONSISTENCY

The proposed initiative is substantially inconsistent with the adopted 2035 General Plan and most specifically Goal O8 which calls for the equitable distribution of parks that are well designed and accessible. Please note, the citizen's initiative is not required to be consistent since it is an initiative. The City of Hanford cannot overrule the initiative process.

GENERAL PLAN POLICIES

The General Plan contains policies pertaining to park development in the Land Use and Community Design Element and the Open Space, Conservation, and Recreation Element. The following are the Goal statements and policies starting with Land Use. An analysis of whether the proposed citizen initiative meets the goals and policies of the General Plan follows each policy.

LAND USE ELEMENT

Goal L5: *Stable, high quality neighborhoods with housing integrated with schools, parks, and availability of everyday commercial goods and services.*

Goal L24: *Adequate provision of sites for parks and open space to serve projected population growth.*

Goal L25: *Provision of adequate recreation opportunities near schools wherever possible.*

Policy L95 Purpose of Open Space Land Use Designation

Establish the Open Space land use designation to protect and enhance existing parks, designated agricultural easement preserves, and drainage courses and identify sites for new parks.

Analysis: Neutral, the open space acreage is being relocated

Policy L97 Open Space Conversion

Prohibit conversion of land designated as Open Space to developed urban uses unless an overriding public purpose requires such a conversion.

Analysis: Inconsistent, although the open space is being relocated to another area, other policies identify that parks should be within neighborhoods, not concentrated in one area.

Policy L111 Complete Neighborhoods

Promote efforts to make new and existing neighborhoods more complete by encouraging the development of a mix of complementary uses and amenities that meet the daily needs of residents. Such uses and amenities may include parks, community centers, religious institutions, daycare centers, libraries, schools, community gardens, and neighborhood commercial and mixed-use developments.

Analysis: Inconsistent, the relocation of the parks would result in neighborhoods that are not complete as outlined in this policy.

Policy L164 Northwest Neighborhood Park

Plan for two new neighborhood park sites with flexible locations within a five- to ten- minute walk of most residents in the Northwest Side Planning Area.

Analysis: Inconsistent, the proposed initiative removed the two neighborhood parks referred to in this policy.

Policy L34 Purpose of the Medium Density Residential Land Use Designation

Establish the Medium Density Residential land use designation to include residential uses such as duplexes, triplexes, fourplexes, townhomes, and lower density apartment complexes, as well as non-traditional, smaller single-family lots with designs such as zero lot lines, patio homes, and townhomes with lot sizes ranging from 4,500 to 7,500 square feet for single family developments. It is intended that development be conveniently serviced by neighborhood commercial and recreational facilities and have access to major collector or arterial streets.

Analysis: Partially consistent – the proposed initiative would change areas within northwest Hanford from future Open Space facilities to the Medium Density Residential land use designation which would be developed to include residential uses such as duplexes, triplexes, fourplexes, townhomes, and lower density apartment complexes, as well as non-traditional, smaller single-family lots with designs such as zero lot lines, patio homes, and townhomes with lot sizes ranging from 4,500 to 7,500 square feet for single family developments.

Analysis: Partially inconsistent – the proposed initiative would remove future recreational facilities for the Medium Density Residential land uses within northwest Hanford, which is inconsistent with Policy L34.

Policy L37 Location and Size of the Medium Density Residential Land Use Designation

Locate the Medium Density Residential land use designation in and around the residential portions of Hanford's original townsite and in existing and new neighborhoods where there is direct access to major streets. The minimum area designated in a single location shall be three (3) acres.

Analysis: Potentially inconsistent, the proposed initiative would result in additional multi-family that may not have access to major streets, but would be accessed from local residential streets.

OPEN SPACE, CONSERVATION, AND RECREATION ELEMENT

Goal O7: A high-quality public park system that provides a variety of recreational opportunities.

Goal O8: The equitable distribution of parks throughout the community that are well designed, accessible, and integrated with the surrounding neighborhood.

Goal O9: Parks provided at a combined ratio of 3.5 acres per 1,000 residents.

Policy O51 Provision of Parkland

Acquire and develop new parks consistent with the Parks, Recreation, and Open Space Master Plan.

Analysis: Neutral

Policy O52 Open Space Map

Locate natural and manmade open space areas on the Open Space Map. Locations shall allow for slight variation consistent with existing conditions. Future Open Space land for parks is allowed to "float" on the map and may be divided into multiple smaller parks while retaining the total acreage.

Analysis: Inconsistent, the proposed initiative would remove two of the floating park sites, which would result in large areas of neighborhoods without any park facilities.

5.7.3 Neighborhood Parks**Policy O57 Neighborhood Parks**

Establish neighborhood parks generally between 2 and 5 acres in size at locations easily accessed by residents of the neighborhood.

Analysis: Inconsistent, the proposed initiative will result in one larger almost 40 acres park in one location and no neighborhood parks in the neighborhoods in the northwest with parks within ease access. The proposed initiative is inconsistent with Goal O8.

Policy O58 Neighborhood Parks Service Area

Neighborhood parks shall have a general service area of approximately 1/2 mile radius, and situated to avoid patrons having to cross arterial streets, railroad lines and major waterways.

Analysis: Inconsistent, the proposed initiative will result in large areas of neighborhoods without a neighborhood park within ½ mile. To get to the area proposed in the initiative, people from the northwest will have to cross multiple arterials and a railroad line. The proposed initiative is inconsistent with Goal O8.

Policy O59 Neighborhood Parks and Schools

Whenever possible, new neighborhood parks shall be developed in conjunction with elementary schools.

Analysis: Inconsistent, the proposed initiative will eliminate the two future neighborhood parks, which are also shown near a future school site. The proposed initiative is inconsistent with Goal O8.

5.7.4 Community Parks**Policy O60 Community Parks**

Establish community parks generally between 10 and 20 acres in size.

Analysis: Inconsistent, the proposed addition of 18 acres to the existing 20 acres would result in a park that is almost double the recommended size of a community park in Policy O6. The park would then be operating as a regional park given its size.

Policy O61 Community Parks Service Area

Community parks shall have a general service area of approximately 2 mile radius, and situated to provide adequate access to arterial and/or collector streets.

Analysis: Inconsistent, the proposed addition of 18 acres to the existing 20 acres would result in a, either very large community park exceeding the recommended size or a regional park. Although the Hidden Valley Park is located on a collector street (Cortner), there is limited capacity since Cortner does not go through to the west due to the railroad tracks. The proposed initiative is inconsistent with Goal O8.

5.7.5 Regional and Special Use Parks**Policy O62 Regional Parks**

Where appropriate, participate with other agencies in the acquisition, management, and use of regional parks and facilities that would benefit Hanford residents.

Analysis: Inconsistent: The proposed initiative proposes an approximately 38 acre public park solely operated by the City of Hanford and not other agencies.

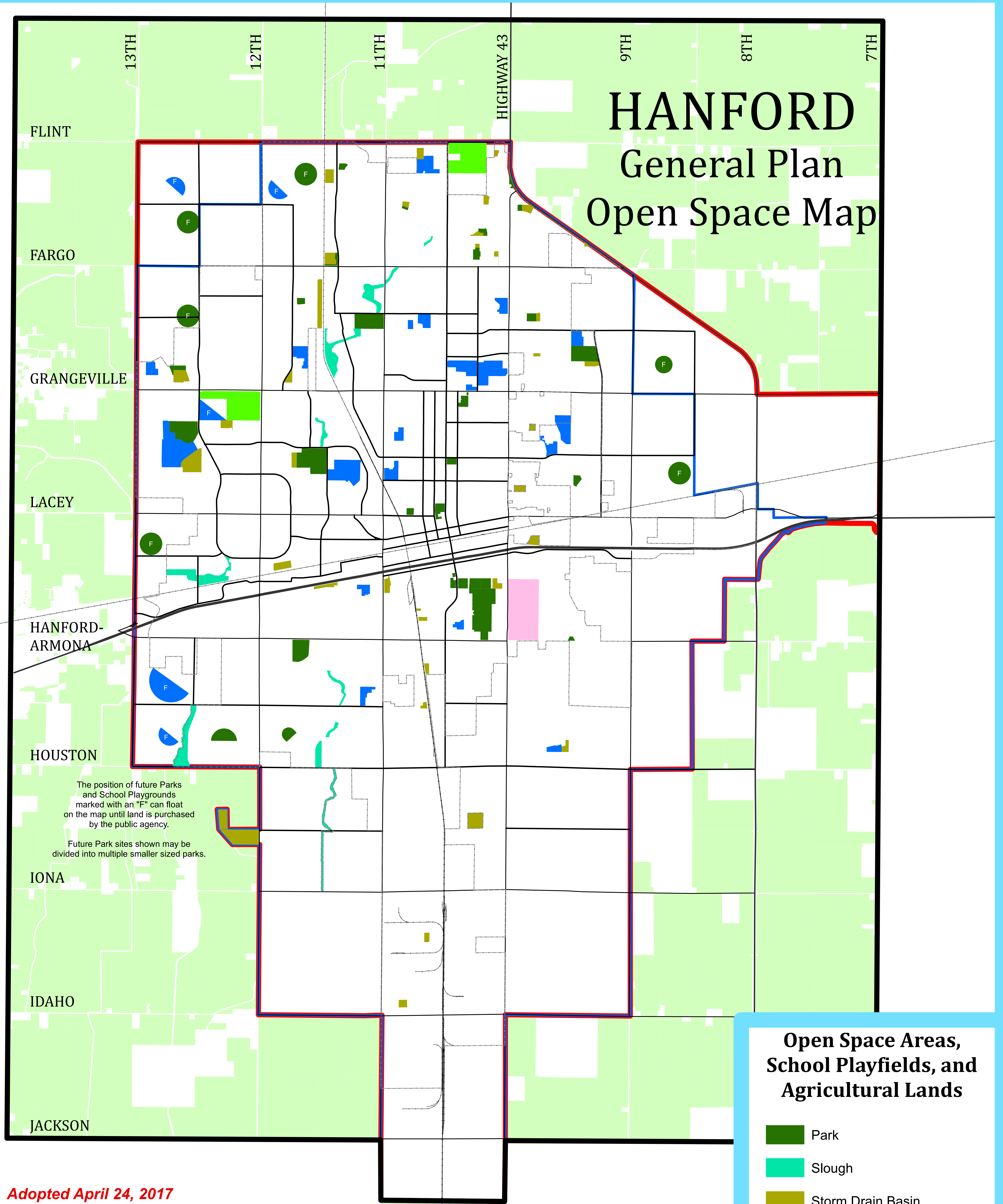
5.7.6 Park Design and Maintenance**Policy O64 Park Visibility**

Parks shall be designed to promote a safe and clean environment for recreation. New neighborhoods shall be designed so that common side and rear residential property lines with parks are minimized and visibility of parks from public streets is maximized.

Analysis: Inconsistent: The proposed park will result in a large community park with a collector street dividing two park sections and residents that back on to a park. There would only be visibility into the park from two sides, given the location of the railroad to the west.

ENVIRONMENTAL ASSESSMENT

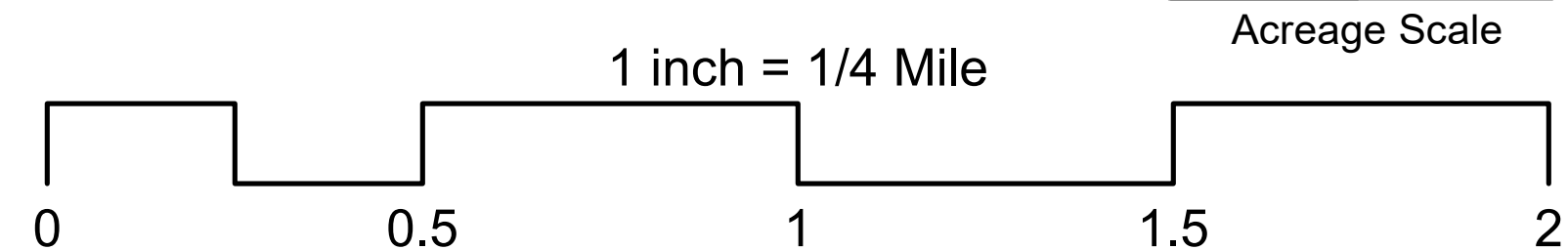
As a citizen's initiative the proposed general plan changes are not subject to the California Environmental Quality Act (CEQA) therefore no environmental analysis will be completed on the amendment.



Adopted April 24, 2017



City of Hanford 2035 General Plan



Boundaries

- Hanford City Limits (2014)
- 2035 Growth Boundary
- Planned Area (proposed Primary Sphere of Influence)
- General Plan Study Area

March 30, 2020

Sarah Martinez, City Clerk & Elections Official
City of Hanford
315-321 North Douty Street
Hanford, CA 93230
sbmartinez@cityofhanfordca.com

**Re: Citizen-Sponsored Initiative – Notice of Intent to Circulate Petition and Request
for Ballot Title and Summary**

Dear Ms. Martinez,

In accordance with Elections Code section 9202 and 9203, enclosed please find a signed **Notice Of Intent to Circulate Petition and Statement of Reasons**, together with the written text of a proposed initiative measure to be submitted to the voters of the City of Hanford.

We request that these materials be forwarded to the City Attorney immediately for preparation of a ballot title and summary pursuant to Elections Code section 9203.

Please sent the completed ballot title and summary via U.S. Mail and/or email to:

Mark Pratter
Saveourparkland93230
P.O. Box 745
Hanford, CA. 93232
Email: saveourparkland93230@yahoo.com

Please call me at (559) 301-7213 or send an email to the address above if you have any questions or concerns.

Yours sincerely,



Mark Pratter

enclosure

RECEIVED
CITY OF HANFORD

APR 02 2020

CITY CLERK

Attachment: Notice of Intent Ballot Initiative (CD: Citizen Initiative)

NOTICE OF INTENT TO CIRCULATE PETITION AND STATEMENT OF REASONS

Notice is hereby given of the intention of the persons whose names appear hereon of their intention to circulate the petition within the City of Hanford for the purpose of amending the Hanford General Plan Land Use Map to change the land use designations for: (1) a vacant City-owned 18-acre parcel south of West Cortner Street and immediately west of Hidden Valley Park (a portion of APN 008-360-006-000) from "Low Density Residential" to "Public Facilities;" (2) an undeveloped area within the City's Sphere of Influence north of Fargo Avenue, east of 13th Avenue, south of Flint Avenue, and west of 12th Avenue from a "Open Space" to "Medium Density Residential;" and (3) an undeveloped area within the City's Sphere of Influence north of Fargo Avenue, east of 12th Avenue, south of Flint Avenue, and west of 11th Avenue from "Open Space" to "Medium Density Residential."

The purposes of this Measure are: (1) to preserve valuable open space, reduce air and water pollution, and provide additional park areas for underserved communities in the Hanford, while allowing for the long-term conservation and possible future expansion of Hidden Valley Park for future generations to enjoy for outdoor recreation and open-space uses, by changing the General Plan land use designation for an 18-acre, City-owned open space parcel situated immediately adjacent to Hidden Valley Park to the west, currently designated for future low density residential development, to allow only parks, open space, public facilities, and/or recreational uses through the year 2050; and (2) to help ensure this action results in no net loss in residential development capacity in the City, by simultaneously changing the General Plan designation within two undeveloped areas within the City's Sphere of Influence, currently with "floating" open space designations, to allow development of medium-density residential housing.

Signed:

Mark Pratter

Mark Pratter
405 Franket Drive, Hanford, CA. 93230

3/30/20
Date

Patricia Pratter

Patricia Pratter
405 Franket Drive, Hanford, CA. 93230

3/30/20
Date

Louis Martinez

Louis Martinez
207 E. Fifth Street, Hanford, CA 93230

3/30/20
Date

RECEIVED
CITY OF HANFORD

APR 02 2020

CITY CLERK

To the City Council of the City of Hanford:

We, the undersigned, registered and qualified voters of the City of Hanford (“City”), present to the City Council this petition and request that the following proposed Ordinance (“Measure”) be adopted without alteration or submitted to the registered and qualified voters of the City for their adoption or rejection at the earliest regular election for which it qualifies pursuant to Section 1405 of the California Elections Code.

The full text of the Measure is as follows:

The People of the City of Hanford do hereby ordain as follows:

Section 1. Purposes

The purposes of this Measure are: (1) to preserve valuable open space, reduce air and water pollution, and provide additional park areas for underserved communities in the Hanford, while allowing for the long-term conservation and possible future expansion of Hidden Valley Park for future generations to enjoy for outdoor recreation and open-space uses, by changing the General Plan land use designation for an 18-acre, City-owned open space parcel situated immediately adjacent to Hidden Valley Park to the west, currently designated for future low density residential development, to allow only parks, open space, public facilities, and/or recreational uses through the year 2050; and (2) to help ensure this action results in no net loss in residential development capacity in the City, by simultaneously changing the General Plan designation within two undeveloped areas within the City’s Sphere of Influence, currently with “floating” open space designations, to allow development of medium-density residential housing.

Section 2. Findings

The people of City of Hanford find and declare:

- A. The Hanford 2035 General Plan provides, as a key policy goal, for the adequate provision of sites for parks and open space to serve projected population growth.
- B. Hanford is currently underserved in terms of park acreage per capita compared to neighboring communities in the San Joaquin Valley.
- C. Hidden Valley Park is the most accessible and heavily used public park resource currently enjoyed by Hanford citizens and families for active and passive recreation year-round.
- D. The ability to expand Hidden Valley Park to include the vacant, City-owned 18-acre area immediately adjacent and to the west of the existing Park area will help ensure that future generations of Hanford families, including those in underserved communities, will have adequate space to enjoy outdoor recreational and open space opportunities, while

maintaining Hanford's legacy of preserving community values and leaving the City a better place for our children and grandchildren.

E. There currently are no other vacant parcels of comparable size and suitability for use as a public park anywhere within Hanford.

F. Preserving this vacant 18-acre area will help reduce and mitigate the adverse health impacts from air and water pollution associated with low-density residential construction.

G. Redesignating this parcel (Assessor's Parcel Number 008-360-006-000) from its current low-density housing designation to public facilities will allow for the possible future development of the parcel for park and recreational uses, while not requiring any immediate expenditure of public funds.

H. In October, 2019 Governor Newsom signed into law SB 330, the Housing Crisis Act of 2019, which among other things allows certain cities, including Hanford, to change a land use designation or zoning ordinance to a less intensive use provided it concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity.

I. The City has designated certain undeveloped lands within the City's Sphere of Influence, as delineated by the Local Agency Formation Commission of Kings County, for future low density residential uses, together with future Educational Facilities and Open Space uses, denoted on the Land Use Map as "floating designations," at locations to be determined at a later date after the City has annexed or otherwise acquired the underlying lands.

J. Redesignating the "floating" Open Space designation on certain of these lands within the City's Sphere of Influence for Medium Density Residential uses will help ensure that enactment of this Measure will result in no net loss in residential capacity in Hanford, and will not otherwise impair the City of Hanford's ability to fulfill its regional housing need determination obligations under state law, or otherwise result in an inconsistency with the General Plan's Housing Element.

Section 3. General Plan Amendments

A. The City of Hanford 2035 General Plan Policy Document, Chapter 3 (Land Use & Community Design), Section 3.3 (Land Use Designations), Figure 3-1, "General Plan Land Use Map," is hereby amended to change the land use designation from "Low Density Residential" to "Public Facilities" on 18 acres (immediately south of West Cortner Street and immediately west of Hidden Valley Park, part of Assessor's Parcel Number 008-360-006-000, as shown on the map attached hereto as **EXHIBIT A** and incorporated herein by reference.

B. The City of Hanford 2035 General Plan Policy Document, Chapter 3 (Land Use & Community Design), Section 3.3 (Land Use Designations), Figure 3-1, “General Plan Land Use Map,” is hereby amended to change the “floating” land use designation from “Open Space” to “Medium Density Residential” on those lands within the City’s Sphere of Influence near the City’s northwest boundary north of Fargo Avenue, east of 13th Avenue, and south of Flint Avenue, as shown on the map attached hereto as **EXHIBIT B** and incorporated herein by reference.

C. The City of Hanford 2035 General Plan Policy Document, Chapter 3 (Land Use & Community Design), Section 3.3 (Land Use Designations), Figure 3-1, “General Plan Land Use Map,” is hereby amended to change the “floating” land use designation from “Open Space” to “Medium Density Residential” on those lands within the City’s Sphere of Influence north of Fargo Avenue, east of 13th Avenue, south of Flint Avenue, and west of 12th Avenue, as shown on the map attached hereto as **EXHIBIT C** and incorporated herein by reference.

Section 4. Implementation

A. Effective Date. Upon the effective date of the approval of this Measure by the voters of the City of Hanford, the provisions of Section 3 of the Measure are hereby inserted into the City of Hanford 2035 General Plan; except that if the four amendments of the mandatory elements of the General Plan permitted by state law for any given calendar year have already been utilized in the year in which the Measure becomes effective, this General Plan amendment shall be the first amendment inserted into the City of Hanford 2035 General Plan on January 1 of the next year. At such time as the provisions of Section 3 of the Measure are inserted in the City of Hanford 2035 General Plan, any provisions of the City of Hanford Zoning Ordinance, as reflected in the ordinance itself or in the City of Hanford Zoning Map, that are inconsistent with the provisions of Section 3 of this Measure shall not be enforced.

B. Interim Amendments. The date that the notice of intention to circulate this Initiative was submitted to the City elections official is referenced herein as the “Submittal Date.” The City of Hanford 2035 General Plan in effect on the Submittal Date as amended by this Initiative is required by state law to comprise an integrated, internally consistent, and compatible statement of policies for the City of Hanford. In order to ensure that nothing in this Initiative measure would prevent the General Plan from being an integrated, internally consistent, and compatible statement of the policies of the county, as required by State law, and to ensure that the actions of the voters in enacting this Initiative are given effect, any amendment or update to the General Plan that is adopted between the Submittal Date and the date that the General Plan is amended by this Initiative measure shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by

this Initiative, be amended as soon as possible to ensure consistency between the provisions adopted by this Initiative and other provisions of the General Plan.

C. Other City Ordinances and Policies. The City of Hanford and its City Council are hereby authorized and directed to amend the General Plan, all specific plans, the Parks and Open Space Master Plan, the Zoning Ordinance, the Zoning Map, Land Use Maps, Open Space Map, and any other ordinances and policies affected by this Measure as soon as possible and in the manner and time required by any applicable state law, to ensure consistency between the policies adopted in this Measure and other elements of the City of Hanford 2035 General Plan, all specific plans, the City of Hanford Parks and Open Space Master Plan, the City of Hanford Zoning Ordinance, the City of Hanford Zoning Map, and other City ordinances and policies.

D. Compliance with State Law. Should the City Council determine that it is impossible to comply with the requirements of state law without amending the General Plan and/or Zoning Code in a manner inconsistent with the purposes, intent, or operative provisions of this Measure, it shall first seek voter approval of any proposed inconsistent amendments.

Section 5. Severability and Interpretation

This Measure shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Measure is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Measure. The voters hereby declare that this Measure, and each section, sub-section, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, sub-sections, sentences, clauses, phrases, parts, or portions are declared invalid or unconstitutional. If any provision of this Measure is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Measure that can be given effect without the invalid application. This Measure shall be broadly construed in order to achieve the purposes stated in this Measure.

Section 6. No Unconstitutional Taking

This initiative is not intended, and shall not be applied or construed, to authorize the City to exercise its powers in a manner which will take private property for public use without the payment of just compensation, but shall be interpreted, applied and implemented so as to accomplish its purposes to the maximum constitutionally permissible extent. If application of this initiative to a specific property of record as of its effective date would create a taking, then the City Council may allow additional uses on said property, upon findings that the level of additional development permitted is the minimum necessary to avoid a taking, and no lesser level of development would be sufficient to avoid a taking.

Section 7. Amendment or Repeal

Except as otherwise provided herein, this Measure may be amended or repealed only by the voters of the City of Hanford.

Section 8. Effective Date and Duration

- A. The provisions of this initiative shall remain in effect through the year 2050.
- B. This initiative shall take effect 10 days after the city council declares the results of the election approving this measure.

Section 9. Conflicting Ballot Measures

In the event that this Measure and another measure or measures relating to the same or similar subject matter shall appear on the same election ballot, the provisions of the other measures shall be deemed in conflict with this measure. In the event that this Measure shall receive a greater number of affirmative votes, the provisions of this Measure shall prevail in their entirety, and the provisions of the other measure or measures shall be null and void.

Exhibit List

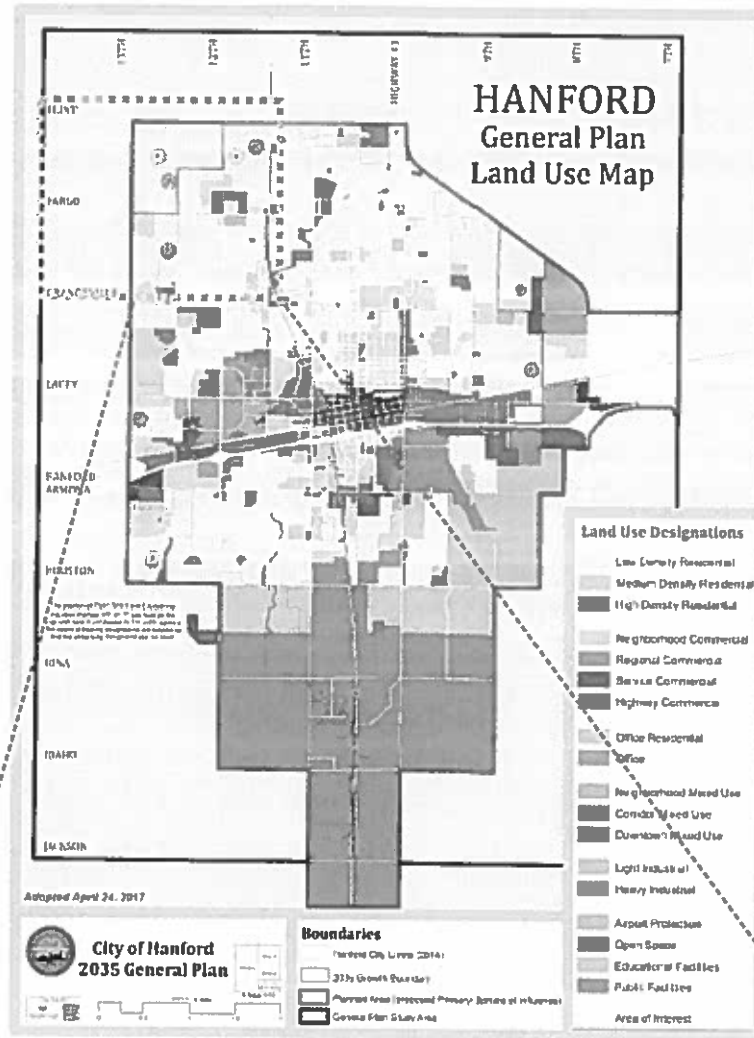
EXHIBIT A. City of Hanford “General Plan Land Use Map” with enlargement showing location of 18-acre parcel immediately south of West Cortner Street and immediately west of Hidden Valley Park, part of Assessor’s Parcel Number 008-360-006-000.

EXHIBIT B. City of Hanford “General Plan Land Use Map” with enlargement showing location of lands within the City’s Sphere of Influence near the City’s northwest boundary north of Fargo Avenue, east of 13th Avenue, west of 12th Avenue, and south of Flint Avenue.

EXHIBIT C. City of Hanford “General Plan Land Use Map” with enlargement showing location of lands within the City’s Sphere of Influence north of Fargo Avenue, east of 12th Avenue, west of 11th Avenue, and south of Flint Avenue.

Parcel to be re-designated from "Low Density Residential" to "Public Facilities"





FLINT

FARGO

CRANCEVILLE



Initiative Measure to be Submitted Directly to the Voters

The city attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

“Voter Sponsored Initiative to Amend City of Hanford General Plan”

The measure is submitted to the voters of the City of Hanford (City) to amend the City’s 2035 General Plan (General Plan) to change the land use designations of land located within the City as follows:

- 1) Change land use designation of approximately eighteen (18) acres owned by the City, located south of West Cortner Street and immediately west of Hidden Valley Park (portion of APN 008-360-006), from “Low Density Residential” to “Public Facilities.”
- 2) Change land use designation of privately owned undeveloped land north of Fargo Avenue, east of 13th Avenue, south of Flint Avenue, and west of 12th Avenue from floating “Open Space” to “Medium Density Residential.”
- 3) Change land use designation of privately owned undeveloped land north of Fargo Avenue, east of 12th Avenue, south of Flint Avenue, and west of 11th Avenue from floating “Open Space” to “Medium Density Residential.”

These changes will eliminate one or more new parks, including a large park, planned for the northwest portion of the City in exchange for the possible use of the eighteen (18) acres next to Hidden Valley Park for park, open space, recreation, and/or other public facility purposes.

The stated purposes of the initiative are:

“(1) to preserve valuable open space, reduce air and water pollution, and provide additional park areas for underserved communities in the Hanford, while allowing for the long-term conservation and possible future expansion of Hidden Valley Park for future generations to enjoy for outdoor recreation and open-space uses, by changing the General Plan land use designation for an 18-acre, City-owned open space parcel situated immediately adjacent to Hidden Valley Park to the west, currently designated for future low density residential development, to allow only parks, open space, public facilities, and/or recreational uses through the year 2050; and (2) to help ensure this action results in no net loss in residential development capacity in the City, by simultaneously changing the General Plan designation within two undeveloped areas within the City’s Sphere of Influence, currently with ‘floating’ open space designations, to allow development of medium-density residential housing.”

Eliminating the floating “Open Space” parks will allow the City to fulfill its regional housing obligations under state law and maintain consistency with the General Plan’s Housing Element.

The General Plan defines “Medium Density Residential” as residential lots with seven (7) to twenty (20) units per gross acre, with an expected typical density of nine (9) units per gross acre.

Per Section 3.9.4 of the General Plan, “Public Facilities” are described as follows:

“This Public Facilities land use designation is applied to parcels that are publicly owned and/or house publicly operated non-educational facilities, and is intended to meet the public service needs of the Hanford. Public Facilities include fire protection and police facilities, waste water treatment facility, Kings County Government offices and jail, Municipal Airport, cemeteries, Kings County Fairgrounds, storm water collection basins, and City and County maintenance yards.”

SUMMARY OF STATUTES GOVERNING BALLOT INITIATIVES

* * * * *

<u>Filing Fee:</u>	Council may establish a filing fee not exceeding \$200. Fee is refunded if elections official certifies sufficiency of petition within 1 yr. of proponent's filing of notice of intent. Elec. Code 9202(b)
<u>City Attorney Statement:</u>	Within 15 days after notice of intent is filed, City Attorney shall provide ballot title and summary to elections official. Purpose of measure shall be summarized in 500 or fewer words. Elec. Code 9203(a). Elections official will provide title and summary to filing party. Elec. Code 9203(b). Filing party will, prior to circulation, place on each section of the petition the ballot title prepared by City Attorney and include the City Attorney's summary in the initiative's heading. Elec. Code 9203(b).
<u>Publication:</u>	Notice of intention and title and summary must be published in newspaper of general circulation at least once. Elec. Code 9205(a).
<u>Affidavit of Publication:</u>	Within 10 days of publication, proponent shall file with elections official a copy of notice of intention and title and summary as published, with an affidavit made by newspaper representative certifying publication. Elec. Code 9206.
<u>Circulation of Petitions:</u>	After publication, proponents may circulate petitions by any registered voter of the City. Each section of petition must bear copy of notice of intention and title and summary prepared by City Attorney. Elec. Code 9207.
<u>Petition Signatures:</u>	Signatures on petitions, along with all sections of petitions, must be filed within <u>180 days</u> of proponents' receipt of City Attorney's title and summary. If petitions are not timely filed, petitions are void for all purposes. Elec. Code 9208.
<u>Declaration:</u>	Each petition must include a declaration of person soliciting signatures. Elec. Code 9209.
<u>Filing of Petitions:</u>	All petition sections must be filed at one time. Elec. Code 9210.

Attachment: Summary of Initiative Statutes (CD: Citizen Initiative)

	Upon filing, elections official shall: (i) ascertain number of registered voters in City last reported by County to Secretary of State; and (ii) determine total number of signatures affixed to petition. Elections official will accept petition for filing if number of signatures equals or exceeds the minimum number of signatures required. Elec. Code 9210.
<u>Examination of Signatures:</u>	Elections official will examine petitions in accordance with Elec. Code 9115. Within 30 days of petition filing, excluding weekends and holidays, if petition contains more than 500 signatures, elections official may use random sampling to verify signatures. Random sample shall be drawn so that every signature shall be given an equal opportunity to be considered. Random sampling shall include at least 500 signatures or 3% of all signatures, whichever is greater. Elec. Code 9115(a). If sampling shows that the number of valid signatures is within 95% to 110% of the number of signatures needed, elections official will, within 60 days of filing, excluding weekends and holidays, verify the signatures. If elections official determines prior to completing exam that the petition is signed by the requisite number of qualified voters, the official may terminate verification of remaining signatures. Elec. 9115(b). Elections official shall attach a certificate to the petition reflecting result of examination and will notify proponents of sufficiency/insufficiency of petition. Elec. Code 9115(d). If petition is found sufficient, elections official must certify results to the Council at next regular meeting. Elec. Code 9115(f).
<u>Referral for Report:</u>	During petition circulation or before adding matter to ballot, Council may refer initiative to a City agency for report on various issues, including effect on internal consistency with GP or specific plan; effect on land use, impact on availability and location of housing, and ability of City to meet regional housing needs; impact on funding for infrastructure, including, parks; and impact on uses of vacant parcels. Elec. Code 9212(a). Report must be presented to Council within time prescribed by Council but no later than 30 days after elections official certifies petition. Elec. Code 9212(b).

<u>Council Action:</u>	If petition is signed by at least 10% of voters, the Council must: (i) adopt ordinance without alteration; (ii) order election so initiative may be submitted to voters; or (iii) order report by City agency at meeting at which certified petition is presented, and, within 10 days of receipt of report, Council must adopt ordinance or order initiative to be added to ballot. Elec. Code 9215.
<u>Election:</u>	Election for an initiative will be held at next regular election occurring not less than 88 days after Council orders election. Elec. 1405(a). Council “may” call special election prior to next regular election if special election occurs not less than 88 days and not more than 103 days after election is ordered. Elec. 1405(b).
<u>Adoption by Voters:</u>	Ordinance shall be valid and binding if approved by a majority of voters. Ordinance is considered adopted on the date that Council declares the vote and goes into effect 10 days thereafter. Elec. Code 9217. Except as otherwise specified in the initiative, ordinance adopted by voters may not be repealed or amended except by voter approval. Elec. Code 9217.
<u>Amendment/Repeal:</u>	Council may, without a petition, submit to voters a proposition for repeal or amendment of ordinance. Proposition may be considered at general or special election held not less than 88 days after Council orders election. Elec. Code 9222.

State of California Elections Code Excerpt.)**9212.**

(a) During the circulation of the petition, or before taking either action described in subdivisions (a) and (b) of Section 9215, the legislative body may refer the proposed initiative measure to a city agency or agencies for a report on any or all of the following:

- (1) Its fiscal impact.
- (2) Its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under Section 65008 of the Government Code and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.
- (3) Its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs.
- (4) Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses.
- (5) Its impact on the community's ability to attract and retain business and employment.
- (6) Its impact on the uses of vacant parcels of land.
- (7) Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization.
- (8) Any other matters the legislative body requests to be in the report.



**AGENDA
STAFF REPORT**

MEETING DATE: 8/4/2020	AGENDA SECTION: A
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SUBJECT:
Council Comments

FISCAL IMPACT:

ATTACHMENTS:



**AGENDA
STAFF REPORT**

MEETING DATE: 8/4/2020	AGENDA SECTION: A
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SUBJECT:

City Clerk: Approval of the Minutes of the May 19, 2020 Meeting

RECOMMENDATION:

Approve the minutes of the May 19, 2020 meeting.

FISCAL IMPACT:

ATTACHMENTS:

05-19-2020 CC Minutes



**CITY COUNCIL MEETING
MINUTES**

**May 19, 2020 7:00 PM
Council Chambers
400 N. Douty Street**

Video Teleconference via Zoom. Council Members attended remotely.
(Limited virtual access)

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

Mayor Draxler called the meeting to order at 5:30 p.m.

ROLL CALL BY THE CITY CLERK:

Present: John Draxler, Francisco Ramirez, Martin Devine, Sue Sorensen
Late: Art Brieno (5:33 p.m.)

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.*

*Comments from the public are limited to items 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.*

Diane Sharp thanked City Council for adjusting the change-of-use and sign fees. She suggested that the City notify landlords about backflow tests electronically. She also mentioned that currently, the City can charge \$15 if a dumpster lock has been removed. She suggested an across-the-board fee increase of a dollar (or another amount) for dumpster service, to cover the lock fee.

STUDY SESSION:

- A. Receive and review the Master Fee Schedule for the City of Hanford and discuss proposed new fees and increases/adjustments to existing fees for the City of Hanford for Fiscal Year 2020-21.

City Manager Cifuentez presented a review of fee-schedule goals and an overall structure for the Master Fee Schedule, providing a comparison between user fees and taxes. Finance Director Lofgren noted that fees have not been adjusted for 20 years. She is recommending that the business license process be changed from

Attachment: 05-19-2020 CC Minutes (Clerk: 05-19-2020 CC Minutes)

quarterly to a semi-annual process and that business licenses for Thursday Night Marketplace be a one-time license for the entire season. City Manager Cifuentez and department directors responded to Council Members' questions.

Mayor Draxler adjourned to Closed Session at 6:45 p.m.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GC 54957(b)(1))

Classification Title: City Manager

7:00 PM CALL TO ORDER REGULAR SESSION:

Mayor Draxler called the meeting to order at 7:06 p.m.

ROLL CALL:

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

INVOCATION:

Invocation led by Chief Pendergrass.

FLAG SALUTE:

Mayor Draxler led the flag salute.

CLOSED SESSION ACTION REPORT:

City Attorney Mizote reported no action taken in Closed Session.

STAFF COMMUNICATIONS:

City Manager Mario Cifuentez introduced Bradley Albert as the newly hired Parks and Community Services Director. Director Albert greeted the Council and expressed his enthusiasm for his new position. Mayor Draxler welcomed him.

COUNCIL REPORTS/COMMENTS:

A. Council Comments

Council Member Sorensen inquired as to the status of the Lacey Boulevard extension project. Public Works Director Doyel stated that he would provide an update. She expressed thanks for the Kings County position and pressure put on the governor and the state to be able to move forward with reopening. She reported that she attended Farmer's Market, which was a different experience with the current pandemic. She stated that the City Manager will be involved in a change coming in the Chamber of Commerce. She asked if there has been an update with staff checking parks restrooms.

Vice Mayor Ramirez had nothing to report.

Council Member Devine expressed his well wishes for people experiencing hardships due to the COVID-19 pandemic.

Council Member Brieno reported the need to address vandalism at Centennial and Coe Parks. He stated that, on a recent trip to Bryce National Canyon in Utah, he noticed that grounds were sprinklered, with no flooding. He suggested more control of expenditures, with the State not supporting cities as much, and he encouraged support of the small business community.

Mayor Draxler referred to the homelessness situation in Kings County and the needs of the community during the COVID-19 pandemic. He stated that he would like to see businesses open as soon as possible, if they can do so in a safe manner. He reported that he had been on webinars with Senator Hurtado and webinars with other mayors concerning budgets over the next year.

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.*

*This is the time for citizens to comment on subject matters not on the agenda and that are 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.*

Mark Pratter commented on General Business Item B: His group plans to gather signatures to have an initiative on the November ballot. Item C: He expressed his concern regarding the Kings County Supervisors' stance on the COVID-19 issue. He will write a letter expressing those concerns and asked that it be inserted into the record.

Michelle Brown, Main Street Hanford (MSH), provided an update on small businesses downtown: some are preparing for opening, and some are open (with precautions and guidelines). She reported that businesses and customers are respecting the restrictions. Main Street Hanford is providing information to business owners about where they can purchase masks and cleaning/sanitizing supplies. She mentioned a previous discussion about a possible use of Business Improvement District (BID) funds for a COVID-relief grant, to be administered through MSH, with which businesses could be reimbursed for related supplies. She noted that Thursday Night Marketplace has been greatly down-sized during the pandemic; but, they hope to grow it back, safely.

Abel Divano of Karing 4 Kids foster agency and Pastor Juan of Victory Outreach each asked that the \$250 Temporary Use Permit fee be waived for fireworks booths, during the pandemic.

Pastor Steve Luna, Christian Faith Center, requested that the \$250 Temporary Use Permit fee for fireworks booth be waived during the pandemic--and in years to come.

Jack Schwartz suggested that the attendance at the Thursday Night Marketplace be expanded, possibly by piping in music and having some food trucks. He commented on the Master Fee Schedule study session, noting that several fees went up. He felt that they should stay the same or go down, considering the present economy. He also stated that a comparison to fees in similarly sized cities should have been provided.

Jeff Garner, Executive Director, Kings Community Action Organization (KCAO), stated that they recently received State funding to help local childcare providers provide cleaning and disinfectant supplies. He encouraged providers to stay open or reopen.

Bob Ramos questioned a warrant item of over \$6,000 for purchase of hats for Public Works. He asked how many hats are purchased for that amount. Mr. Ramos also stated that the property adjacent to Hidden Valley Park should be returned to parkland.

Nate Odom welcomed Director Albert and thanked everyone for watching the meeting at home, announcing that the evening's Study Session broke 1,000 views.

Lou Martinez stated that the community has said many times that they do not want the Hidden Valley Park 18 acres to be sold. He asked if Public Comment is three minutes total or three minutes per item. Mayor Draxler stated that a person cannot speak both in the general Public Comment session and the Public Hearing Public Comment on the same topic in the same meeting.

Paul Castanon works at Kings Gospel Mission (KGM), and he requested assistance with development for KGM.

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.

Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion on 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.

Council Member Sorensen requested to pull Item B [Fire Department pick-up truck]; Council Member Brieno requested to pull Item D [Warrant Register].

Motion to approve the Consent Calendar.

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

- A. City Clerk: Approval of the minutes from the City Council Meeting held on March 17, 2020.
- B. Public Works: Authorization to advertise bids for the Well 38 Pipeline Improvement Project, and Pre-Authorization for 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.

ITEMS PULLED FROM CONSENT:

1. FIRE: Approval of the Purchase of one 2021 Chevrolet pickup truck from Keller Motors of Hanford, approval of the upfitting as an emergency response vehicle, and appropriation of an additional \$19,074.71 for an amount, not to exceed \$59,774.71.

Council Member Sorensen asked why the cost of upgrades is so high. Fire Chief Pendergrass gave a brief explanation of the upgrade and why it is necessary. He further stated that the funds are allocated through a privately funded grant, so there is no cost to the general fund or from tax money.

Chief Pendergrass replied to additional questions from Council Members.

Motion to approve the purchase of one 2021 Chevrolet replacement pickup truck for the Fire Department.

RESULT:	APPROVED [3 TO 2]
MOVER:	Sue Sorensen, Council Member
SECONDER:	Martin Devine, Council Member
AYES:	Draxler, Devine, Sorensen
NAYS:	Brieno, Ramirez

2. Finance: Warrant Register.

Council Member Brieno requested an answer to Mr. Ramos' earlier question regarding cost of hats for Public Works. Council Member Brieno had asked City Manager Cifuentez earlier about Fire Department expenses from a uniform supply company.

Public Works Director Doyel explained that City Council had approved a change of uniform colors for employees: Blue for Public Works employees and green for Parks and Recreation employees. Two new hats per uniformed employee were purchased from a local vendor, at \$16 each. Each division pays cost for their employees.

City Manager Cifuentez reported that the Fire Department uniform supply company expenses were monthly charges for changing out floor mats and rags used weekly for cleaning.

Motion to approve the Warrant Register.

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

PUBLIC HEARINGS:

- A. Police Department: Conduct a public hearing and approval of the use of the Coronavirus Emergency Supplemental Funding Program Grant funds to fund \$65,280 in overtime costs related to responding to the COVID-19 crisis.

Mayor Draxler opened the public hearing and called for the staff report.

Police Chief Parker Sever presented the staff report and answered questions from Council Members.

Mayor Draxler opened Public Comment:

OPPOSED

Mark Pratter stated his opposition toward the acceptance of the grant, citing that the Kings County Sheriff and Hanford Police have not enforced the quarantine directives from the State.

IN FAVOR

Jack Schwartz expressed support of the use of the funds. He asked if there will be a separate accounting of the funds for this grant.

Pastor Juan spoke in favor of the use of the funds.

Chief Sever replied to Council Members' questions, and Mayor Draxler called for a motion.

Motion to approve the use of the Coronavirus Emergency Supplemental Funding Program Grant funds to fund \$65,280 in overtime costs related to responding to the COVID-19 crisis.

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

- B. Community Development: Zone Text Amendment No. 2020-01, a request to amend Title 17, Section 17.56.230 of the Hanford Municipal Code in order to expand on the City's existing mural regulations. Location: Citywide.

Mayor Draxler opened the Public Hearing and called for the staff report.

Community Development Director Mata presented the staff report and answered questions of staff.

Mayor Draxler opened Public Comment:

IN FAVOR

Nate Odom expressed support of the Zone Text Amendment and requested clarification regarding the word "insure" in the section regarding safety of the artist and public. Mayor Draxler stated that staff will look at that.

OPPOSED

None.

Mayor Draxler closed the Public Hearing and invited Council Member questions of staff. Director Mata responded to questions.

Motion to introduce and waive the first reading of Ordinance 20-04, approving Zone Text Amendment No. 2020-01.

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

- C. Police: Introduction and waiver of the first reading of Ordinance 20-05, a proposed amendment to Title 6 of the Hanford Municipal Code, the addition of Chapter 6.10 to establish Keeping of Chickens - to allow the keeping of chickens within city boundaries in certain residential zones.

Mayor Draxler opened the public hearing and called for the staff report.

Police Chief Sever presented the staff report and recommended that Council waive the first reading of the ordinance and approve Ordinance 20-05.

Following Council discussion, Mayor Draxler opened Public Comment:

IN FAVOR

Nate Odom spoke in favor of the Ordinance and the 5' setback. He shared several fun facts about chickens. Mayor Draxler requested that any future fun facts be provided on paper, rather than during public comment.

OPPOSED

Abel stated that he had a neighbor with a rooster that woke him up at 4:00 every morning. He asked who would oversee that. He is in favor of chickens but not roosters. Police Chief Sever stated that Animal Control officers will respond to any complaints. Owners will be asked to remove any roosters, or they will be cited.

Judy Scott does not want chickens allowed, due to the smell.

Andrea stated that Animal Control is not available on weekends. He feels that dogs will be barking more than usual, due to the presence of chickens, and he does not like the smell.

REBUTTAL

Nate Odom commented that chickens are not smelly, if they are cared for properly, and they are not that noisy.

Council Member Sorensen asked if Chief Sever could address some of the questions/comments in opposition to the Ordinance. Chief Sever does not anticipate a huge increase in the volume of calls for service. He noted that chickens do not stink, if they are cared for properly.

Following Council discussion, Mayor Draxler called for a motion.

Motion to introduce and waive the first reading of Ordinance 20-05, approving the Municipal Code Amendment to Title 6, amending the language to stipulate a 5' set back from the property line, instead of a 10' set back.

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

GENERAL BUSINESS:

A. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG): Federal CARES Act (CDBG-CV) AP19 CDBG Funding Options AP20

Community Development Director Mata stated that this is not a public hearing but an overview and a time to receive input from Council.

Housing Administrative Analyst Sandra Lerma presented the staff report. She and Director Mata then answered questions from Council.

Mayor Draxler welcomed public comment:

Diane Sharp, representing the proposed Kings Gospel Mission housing project, stated three points: 1) She noted that the Kings County contract for renting rooms in hotels ends June 30, and the Kings Gospel Mission houses could be up in 90 days; 2) She thought more letters were sent to the City in favor of this project than were included in the packet and asked if the Council had been briefed on those; 3) She understood that the 2020 expenditures could be reopened and expenditures approved that may/may not be COVID related; 4) She compared the cost of building the three accessory dwelling units at \$87/sq. ft. to the cost of a slightly larger home that is on the market at \$219/sq. ft..

Jack Schwartz agreed that the administrative cost should be reviewed and perhaps reduced. He suggested that, since KCAO and The Salvation Army both already provide rental assistance, this would reduce staff cost and would be a faster, more efficient means of getting money out. He suggested reallocating Lacey Park funds to a future year and using the \$177,600 for rental assistance or food assistance.

Jeff Garner, Executive Director, KCAO presented the following points: 1) He emphasized that rental assistance is a high need; and, through KCAO, every penny would go to pay rent. Administrative costs would be covered by other funds; 2) KCAO is able to provide several services (e.g., food assistance, utility assistance, childcare assistance). They are also able to stay connected with clients; 3) The \$28,000 that the City recommended in March to go to KCAO would allow them to assist five families.

Dave Clevenger, Kings Gospel Mission (KGM), stated that the homeless population is at risk of contracting COVID-19. Funding for hotel rooms expires June 30, leaving a gap of suitable quarantine for those who have nothing else. He noted that KGM has been providing homeless services for five years and have not requested funding.

1. CDBG-CV Grant Funds

Mayor Draxler asked Director Mata to address the Small Business Grant Program. She provided comments and answered Council Members' questions. Following discussion, Director Mata requested Council's direction to staff.

By consensus, Council directed that the CDBG-CV grant fund be allocated as follows:

- Rental Assistance Program \$145,000
- Small Business Grant Program \$100,000
- Food Assistance Program \$ 50,000
- Planning and Administration \$ 30,000

2. CDBG 20/21 Allocation

Director Mata asked if Council had any changes to direction given at the March 17 meeting, remembering that Self-Help Enterprises wants to go back to their Parkside project, which was \$90,000. Due to a delay, staff had to reallocate their funds. Discussion followed.

By consensus, Council directed staff to make the following changes in funds allocations:

- Big Brothers Big Sisters \$ 0
- Increase Utility Assistance by \$10,000 to \$ 20,000
- Reduce Housing Rehabilitation by \$60,000 to \$141,000
- Half of requested \$150,000 Kings Gospel Mission \$ 75,000

The remaining \$75,000 for Kings Gospel Mission housing project and the Self-Help Parkside project will be kept as alternate projects, in the event of extra pay-offs next year.

B. Community Development: Referral of the Citizen's Initiative, to change the land use and zoning on land adjacent to Hidden Valley Park and in the northwest area of the future city, to the Planning Commission for review for consistency with the General Plan.

Director Mata presented the staff report and requested direction to the Planning Commission for review and comment, with a report coming back to City Council. She stated that she would send an email to Council Members explaining the General Plan requirements for parkland.

Council Member Sorensen stated that her position has been misrepresented by some in the public. She clarified that she is in favor of selling the 18 acres adjacent to Hidden Valley Park, not in favor of selling Hidden Valley Park.

Council Member Devine expressed frustration with the ongoing discussion regarding Hidden Valley Park. He stated that all the email and phone calls he has received from the public are not supportive of the initiative's proposal.

Mayor Draxler listed several problems with the proposal, as written.

Motion to send the item to the Planning Commission for review and forward comments to City Council.

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

C. Administration: Discussion regarding Kings County's plans to reopen businesses and direction from the City Council and potential action on reopening of businesses and facilities.

City Manager Cifuentez recapped the Road Map to Reopening information from the previous week. Kings County and City of Hanford have taken the position that businesses that are licensed and reopening are urged to take caution and seek counsel. The public health agency has agreed to work with folks, at the direction of the County. They will provide guidelines. Michelle Brown, of Main Street Hanford, has offered to administer any funds that Council would like to allocate to assist downtown businesses.

Staff answered questions from Council Members.

Motion to support the Road Map to Reopening, allocate \$25,000 in Business Improvement District (BID) funds to Main Street Hanford to assist small businesses affected by COVID-19, and to approve a banner encouraging adherence to COVID-19 guidelines to be placed downtown.

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

COUNCIL FUTURE AGENDA ITEMS:

Upcoming Dates

May 25: Memorial Day Holiday - City Offices Closed
 June 2: City Council Meeting
 June 16: City Council Meeting
 July 3: Independence Day (*observed*) - City Offices Closed
 July 7: City Council Meeting
 July 21: City Council Meeting

A. Council Future Agenda Items

Council Member Sorensen requested the Food Truck Ordinance.

Council Member Ramirez would like add a discussion of the waiver of the \$250 Temporary Use Permit fee for fireworks booths.

Mayor Draxler requested a review of the City Attorney contract and a status update on cannabis businesses

ADJOURNMENT:

Mayor Draxler adjourned the meeting at 10:49 p.m.

Respectfully submitted

Diana Black
 Deputy City Clerk



**AGENDA
STAFF REPORT**

MEETING DATE: 8/4/2020	AGENDA SECTION: B
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SUBJECT:

City Clerk: Approval of the Minutes of the July 7, 2020 Meeting

RECOMMENDATION:

Approve the minutes of the July 7, 2020 meeting.

FISCAL IMPACT:

ATTACHMENTS:

7.7.2020 minutes-DB



**CITY COUNCIL MEETING
MINUTES**

**July 7, 2020 7:00 PM
Council Chambers
400 N. Douty St.**

Video Teleconference via ZOOM. Council Members will attend remotely.
(Limited virtual access.)

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

ROLL CALL BY CITY CLERK:

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

PUBLIC COMMENT:

*Comments from the public are limited to items 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.*

Jack Swartz, Hanford - He expressed concerns on the conditions of City parks and how funds are being utilized in all the parks.

Bob Ramos, Hanford - He asked questions regarding Prop 68 allocation program funds and the intentions of the Parks and Recreation Department applying for grants in the future. He also asked that item B be pulled from the Consent Calendar.

STUDY SESSION:

- A. Presentation by the Hanford Chamber of Commerce to update Council on their current operations and potential Council actions related to the existing Agreement between the Chamber and the City of Hanford.

New CEO, Amory Marple, gave a presentation on their current operations and their plan to become self-sufficient, with the City's continued contributions through the end of the year.

The Council agreed to bring back the Hanford Chamber of Commerce for a follow-up on their progress, with the commitment of the first-quarter contribution payment to them.

- B. Parks and Community Services: Discussion and Council recommendations on the proposed park projects to be funded by Proposition 68 Per Capita Allocation program.

Parks and Community Services Director Albert gave a presentation on four recommended park projects for possible funding by the Proposition 68 Per Capita Allocation Program. The City of Hanford was awarded \$177,952, which was based on population.

Mayor Draxler, Vice Mayor Ramirez, Sorensen, and Devine were in support of the pickleball project at Lacey Park and recognized the importance of cameras at the parks. Council asked Director Albert if there are other funds available for the camera project. Brieno felt that the barrier restroom walls at Lacey Park and the cameras at Centennial Park should take priority over the pickle ball court.

Council directed Director Albert to take the Council's input to the Parks and Recreation Commission and bring a resolution back to City Council.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

Mayor Draxler called for Closed Session to be held after the meeting.

A. CONFERENCE WITH LEGAL COUSEL - REAL PROPERTY NEGOTIATIONS (GC 5495.8)

Property: 109 E. Eighth St.

Agency Negotiations: Mario Cifuentez and Ty Mizote

Negotiating Party: The Carnegie Museum

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	7:00 PM
Martin Devine	Council Member	Present	7:00 PM
Sue Sorensen	Council Member	Present	7:00 PM
Art Brieno	Council Member	Present	7:00 PM
Francisco Ramirez	Vice Mayor	Present	7:00 PM

INVOCATION:

Invocation led by Pastor Thomas King.

FLAG SALUTE:

CLOSED SESSION ACTION REPORT:

No action taken.

RECOGNITIONS/PROCLAMATIONS:

A. Proclamation for Parks and Community Services "Parks Make Life Better!" Month.

A Proclamation for Parks and Community Services "Parks Make Life Better!" Month was presented to Commissioner Joseph Castaneda.

B. Recognition of Mr. Ruben Valdavinosa, PAL Program

Sergeant Cano presented a recognition certificate to Mr. Ruben Valdavinosa.

STAFF COMMUNICATIONS:

City Manager Cifuentez reported that the Community Development Department is working with local restaurants to help facilitate more of the outdoor seating, due to the governor's shutdown of dine-in seating. Seventh Street has been closed due to a fire and should be open by tomorrow, which is sooner than planned. He mentioned that the City of Hanford received almost \$733,000 in allocations from CARES funding and allocations from the State budget, to help pay for COVID-related expenses. He stated that Fire Chief Pendergrass has been tracking COVID-related expenses, in order to recoup the bulk of those expenses to help offset the deficit budget.

Police Chief Sever gave an update of promotions in the Police Department: James Edlund was promoted to Lieutenant, Jason Stingley and Frank Martinez were promoted to Sergeant, Jeff Davis was promoted to Corporal, and Albert Cano was promoted to Corporal.

Fire Chief Steve Pendergrass gave an update on the Fourth of July fire calls and statistics, with a total 147 fireworks calls. He stated that some community members were upset because fireworks were not being stopped. He explained that citations or confiscation can happen from a resident's complaint phone call.

COUNCIL REPORTS/COMMENTS:

A. Council Comments

Devine - He attended the San Joaquin Valley Regional Council policy meeting and reported reduction of nearly one billion dollars in State transportation funds for Fiscal Year 20/21. He attended the KCAG meeting and the KART/KAPTA meeting and reported an adopted balanced budget. He also shared his concerns regarding face mask guidelines in California.

Ramirez - No comments.

Brieno - He expressed concern about the bad economy, due to COVID-19.

Sorensen - She walked another LAD district. She recognized the City Manager and Directors for working hard at putting the budget together.

Draxler - He attended Kings Waste Recycle Authority and reported an approved balance budget. He mentioned that the City of Hanford is in the process of hiring a Recycling Coordinator that will help get the City back in line for the State recycle guidelines. He will be doing another LAD district walk.

PUBLIC COMMENT:

*This is the time for citizens to comment on subject matters not on the agenda and that are 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.*

Lou Martinez, Hanford - He thanked the Police Department for their hard work and stated that he will always support them. He expressed his concerns for businesses in Hanford and stated that he believes that the City of Hanford is one of the most business-unfriendly towns in the entire Valley. He was opposed to the revocation of Mr. Aguilar's permit.

Amory Marple, Hanford - She introduced herself as the new CEO of the Hanford Chamber of Commerce and promoted the Chamber's upcoming events.

Steve Morrison, Hanford - Opposed to Mr. Aguilar's revocation.

Jeff Mecedos, Hanford - Opposed to Mr. Aguilar's revocation. He also asked about improvements on Seventh Street.

Maurice and Silvia Robinson - Opposed to Mr. Aguilar's revocation.

Chi - Opposed to Mr. Aguilar's revocation.

Mark Pratter, Hanford - He stated that there was no allocation of Prop 68 money for the extension of Hidden Valley Park, and he felt that was against the will of the community. He understood that the City received a grant, with a separate application process, that the City did not invoke. He mentioned his email to Mayor Draxler regarding the Park, to which he did not receive a response. He would like to know if Mr. Zumwalt intends to bid on the engineering work for housing units.

Richard Smith, Hanford - He thanked Chief Sever and Chief Pendergrass, and their staffs, for their work over the holiday weekend. He expressed concern about the negative effects that fireworks have on the community. He spoke to Council Member Devine regarding the issue. He said that he hopes that we can take active creative measures to try to impact this dangerous behavior.

Michelle Brown, Hanford - She gave an update on the Re-open Safely Grant. Main Street Hanford has given out approximately \$15,000, to 30 businesses to assist them in reopening safely. She thanked the City for the grant funds. She also gave an update on the Thursday Night Market Place. Quesadilla Gorilla is opening up soon in downtown Hanford. Main Street Hanford is working on an event that would temporarily close the streets, for small business to create an outdoor shopping and dining experience.

Jerry Irons, Hanford - Opposed to Mr. Aguilar's revocation.

CONSENT CALENDAR:

Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion on 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.

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

- A. City Clerk: Approval of the minutes from the City Council Meeting held on April 21, 2020.
- B. City Clerk: Approval of the minutes from the City Council Meeting held on May 5, 2020.
- C. City Clerk: Approval of the minutes from the City Council Special Meeting held on May 8, 2020.
- D. Administration: Authorization to accept the settlement offers from both AT&T and Verizon, resulting from a class action lawsuit for violating cooperative purchasing agreements and authorization for the City Manager to execute the necessary documents on behalf of the City.
- E. Administration: Approval of the Re-Adoption of Ordinance Nos. 18-05, 18-06, 19-04, 19-06, 19-07, 19-10, 19-11, 19-12, 20-01, and 20-03.
- F. Information Technology: Approval of a 3-year Lease with Dell Financial Services for the replacement of Police Department server storage equipment, in the total amount of \$69,552.62, with a \$1 buyout option at the end of the Lease Term.

- G. Public Works: Approval of the Notice of Completion for the Hanford-Armona Road at Irwin Street/10 ½ Avenue Traffic Signal Installation Project, and authorization for the Mayor to execute, and the City Clerk to attest and file said Notice with Kings County Recorder's Office.
- H. Public Works: Approval of the Notice of Completion for the 11th Avenue Median Landscape Renovation Project and authorization the Mayor to execute and the City Clerk to attest and file said Notice with Kings County Recorder's Office.
- I. Public Works: Approval of the Notice of Completion for the City Hall Roof Re-Coating Project and authorization for the Mayor to execute and the City Clerk to attest and file said Notice with Kings County Recorder's Office.
- J. Public Works: Authorization to advertise for bids for the Stonecrest Basin Equipment Installation Project, and pre-authorize the City Manager to award and execute the contract on behalf of the City to the lowest responsible bidder, provided that the project bid is within current budget appropriation.
- K. Fire: Authorization for the City Manager to execute an Agreement with the California Office of Emergency Services (OES) for Temporary Assignment of Vehicular Equipment for a Type 1 Fire Engine.
- L. Fire: Authorization to transfer approximately \$313,000.00 in accrued funding for the 1998 Ferrara Spartan Fire Vehicle from the Vehicle Replacement Reserve fund to the Fire Equipment Replacement Reserve fund to pay off the loan on Fire Ladder Truck and transfer remaining balance of accrued funding back to the General Fund.
- M. Finance: Acceptance of the Warrant Register for the period of June 19, 2020 through June 30, 2020.

ITEMS PULLED FROM CONSENT:

- A. Administration: Adoption of Resolution 20-14-R, amending the Handbook of Rules and Procedures to include various amendments as recommended by the Majority of Council.

Item pulled by public, Bob Ramos.

City Manager, Mario explained that he spoke to Bob regarding his questions before he left the meeting. Bob questioned the placement of the camera of our new camera system. He also asked if cameras will be allowed to be placed on the back wall. Mario explained to Bob that the camera will be placed just south of the seating area where the Community Development Director and Police Chief usually sit.

No further discussion by Council.

Motion to approve.

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

- B. Community Development: Approval of Program Guidelines for City of Hanford CDBG-CV Programs CARES Emergency Rental Assistance and Small Business Grant Programs.

Item pulled by Council Member Ramirez.

Director Darlene Mata gave a brief description and qualifications of the Programs.

Ramirez asked if Mr. Aguilar can qualify for this program. Director Mata explained that Mr. Aguilar would have to show a loss of income due to COVID.

Motion to approve.

RESULT:	APPROVED [4 TO 1]
MOVER:	Francisco Ramirez, Vice Mayor
SECONDER:	Martin Devine, Council Member
AYES:	Draxler, Devine, Sorensen, Ramirez
NAYS:	Brieno

PUBLIC HEARINGS:

- A. Community Development: Update on status of previously awarded cannabis dispensary permits and award of one additional Commercial Cannabis Business Permit to California Erudite Ventures, dba Herb N' Joy, located at 102 S. Douty Street (APN 012-095-006) for an adult use and medical dispensary with delivery in approximately 1,700 square feet.

Mayor Draxler opened the public hearing and called for the staff report.

Community Development Director Mata presented the staff report and recommended adoption of Resolution 20-16-R. She introduced Jeff Linden, of California Erudite, who then gave a presentation of Herb N' Joy.

Following discussion, Mayor Draxler opened Public Comment.

Comments from those IN FAVOR:

Richard, Hanford - He asked about the dispensary going into the old Serrano's furniture store building.

Director Mata replied that Hanford Harvest withdrew their application, and she gave an update on CALIVA.

Comments from those OPPOSED:

No comments.

Following additional discussion, Mayor Draxler closed the public hearing and called for a motion.

Motion to approve.

RESULT:	FAILED [2 TO 3]
MOVER:	Francisco Ramirez, Vice Mayor
SECONDER:	John Draxler, Mayor
AYES:	Draxler, Ramirez
NAYS:	Devine, Sorensen, Brieno

- B. Award Commercial Cannabis Business Permit to California Erudite Ventures, dba Herb N' Joy, located at 102 S. Douty Street (APN: 012-095-006) for an adult use Medical dispensary with delivery in approximately 1700 square feet.

Motion to approve.

RESULT:	APPROVED [4 TO 1]
MOVER:	Sue Sorensen, Council Member
SECONDER:	Martin Devine, Council Member
AYES:	Draxler, Devine, Sorensen, Ramirez
NAYS:	Brieno

C. Community Development: Revocation of Administrative Approval 2001-03 and 2019-20 consideration of revoking the approvals for a smog and automotive repair business and expansion for failure to comply with conditions of approval. The business is located at 330 E. 7th Street.

Mayor John Draxler opened the Public Hearing for comments from the public.

Comments from those IN FAVOR:

No Comments.

Comments from those OPPOSED:

Richard, Aguilar, Hanford - Opposed.
 David Aguilar, Hanford - Opposed.
 Hanford Citizen - Opposed.
 Fredrick Moro, Hanford - Opposed.
 Greg Morano, Hanford - Opposed.
 Erin Bowling, Hanford - Opposed.
 Mark Silver, Hanford - Opposed.
 Luke Robinson, Hanford - Opposed.
 Dennis Fausone, Hanford - Opposed.
 Joaquin Gonzales, Hanford - Opposed.
 Jack Swartz, Hanford - Opposed.
 Richard Aquilar, Hanford - Opposed.
 Marsh, Hanford - Opposed.

Community Development Director Mata presented the staff report, and recommended that City Council revoke Administrative Approvals 2001-03 and 2019-20. Director Mata provided a recommended alternative motion with additional items with a strict and short time line.

Ramirez - He asked Aguilar to approach the podium to give the Council a realistic timeline and business goals. He also asked Director Mata what the process would be for Aguilar to get four lifts.

Director Mata responded that it would require a zone change, and that there are few alternative zoning options.

Brieno - He asked Aguilar what prospects he has to obtain funds. He also said it is not necessary to send the Fire Marshal and Code Compliance to inspect his business because Fire Marshal inspections have not been completed in the past. He does not agree with all conditions in the alternative resolution. He would like to bring Aguilar back to Council, if needed.

Sorenson - She said the important thing is to help Aguilar work in a safe environment for him, his employees, and customers and protect him in his service to the community. The details need to allow flexibility to help accomplish the goal in a timely manner.

Mayor Draxler - He shared his concern for Aguilar needing to finish this project within the timeline given before the State passes new regulations that might affect his business.

Attachment: 7.7.2020 minutes-DB (Clerk: 07-07-20 CC Minutes)

Motion to approve Resolution 20-17-R to confirm the continuation of the permit to allow an additional extension of time to comply with conditions of approval, amended to add a condition of a consecutive 180 days to comply with all conditions and the removal of the condition "Failure to comply will result in immediate revocation." Conditions of approval:

1. That within seven days, or by July 14, an inspection of the premises is made by Fire, Code Enforcement, and Building. This is to ensure compliance with storage of vehicles and used part storage and potentially other violations of the conditions that may be occurring on site.
2. That the applicant be issued a building permit within 14 days, or by July 21 on the trash enclosure lifts, and parking lot.
3. That construction begins within 30 days or by August 7, 2020.
4. That construction be completed within 90 days or by October 7, 2020.
5. That the applicant must require that all patrons park in designated parking spaces only once the parking lot is properly striped. Currently there is an issue with vehicles parking in the public right of way and in some instances double parked in the street.
6. That no servicing of vehicles may occur in the parking lot or public street.
7. That all cars that are kept overnight must be placed in the screened-in area behind the building. No cars shall be left in the parking lot.
8. That the applicant dispose of used parts on a regular basis. The applicant previously requested to be allowed to dispose of parts twice a year. The request was denied.
9. That all other conditions of Administrative Approvals 2001-3 and 2019-10 continue to apply.
10. That the applicant must comply with all requirements within 180 consecutive days.

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

GENERAL BUSINESS:

- A. Police: Approval of a Purchase and Sale Agreement with the California Department of General Services and authorization for the City Manager to execute the appropriate documents for the purpose of purchasing the National Guard Armory for a Purchase price of \$437,000.00.

Chief Sever requested the Council's approval to purchase The National Guard Armory. The facility is currently used by the Police Department for the PAL boxing program, SWAT briefing, SWAT training, and storage of the PD vehicles. There has been \$15,000 of improvements on the facility. The facility is to be used countywide, as a K9 training facility. The purchase price is not to exceed \$437,000 plus additional fees that may include transfer, title, insurance premiums, recording, and escrow fees.

Motion to approve.

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

- B. Public Works: Authorization to award a contract to J.L. Plank Inc. dba Cen-Cal Construction of Bakersfield, CA in the amount of \$114,735.00 for the FY 19/20 Manhole Raising Project; establish a construction contingency of \$10,000.00; and approve an additional appropriation of \$70,435.00 from the Water Capital Reserves and \$54,300.00 from the Wastewater Capital Reserves.

Public Works Director Doyel presented the second phase of the downtown street resurfacing project. He requested additional appropriation of funds, because all funds were utilized for the resurfacing project to do as much resurfacing as they could.

Following discussion, Mayor Draxler called for a motion.

Motion to approve.

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

COUNCIL FUTURE AGENDA ITEMS:

Upcoming Dates

July 13: *First Day to Pull Nomination Papers from the City Clerk's Office for the November 3, 2020 Municipal Election*

July 17: Movies in the Park, Hidden Valley Park, dusk

July 21: City Council Meeting

July 31: Movies in the Park, Civic Park, dusk

August 4: City Council Meeting

August 7: Last Day to File Nomination Papers with the City Clerk, **5:00 p.m. deadline**

August 12: Last to file Nomination Papers during Extension Period, **5:00 p.m. deadline**

August 18: City Council Meeting

A. Council Future Agenda Items

Draxler called to move the closed session item to the July 21st meeting.

ADJOURNMENT:

Mayor Draxler adjourned the meeting at 10:23 p.m.

Respectfully Submitted,

Natalie Ortega
Interim City Clerk



AGENDA STAFF REPORT

MEETING DATE: 8/4/2020	AGENDA SECTION: C
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SUBJECT:

City Clerk: Denial of a claim for damages and authorization for the City Clerk to send out notification of such to F & M Miya, LLC and Avemco Insurance Company.

RECOMMENDATION:

That the City Council, by motion, deny the following claim and authorize the City Clerk to send out notification of such to F & M Miya, LLC and Avemco Insurance Company.

BACKGROUND:

A claim for damages against the City was received by the following claimant: F&M MIYA, LLC and Avemco Insurance Company.

After review by the Third Party Administrator, and upon the recommendation of the Administrator, it is the City Manager's recommendation to deny the claim.

FISCAL IMPACT:

ATTACHMENTS:



AGENDA STAFF REPORT

MEETING DATE: 8/4/2020	AGENDA SECTION: D
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SUBJECT:

City Clerk: Denial of a claim for damages and authorization for the City Clerk to send out notification of such to Gerardo Diaz Tofoya

RECOMMENDATION:

That the City Council, by motion, approve the denial of the following claim as the original claim form was insufficient and no amended claim form has been received and authorize the City Clerk to send out notification of such to the claimant.

BACKGROUND:

A claim for damages against the City was received by the following claimant: Gerardo Diaz Tofoya.

After review by the Third Party Administrator, it is the City Manager's decision to act in accordance with the recommendation of the Administrator to deny the claim.

FISCAL IMPACT:

ATTACHMENTS:



AGENDA STAFF REPORT

MEETING DATE: 8/4/2020	AGENDA SECTION: E
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SUBJECT:

City Clerk: Denial of a claim for damages and authorization for the City Clerk to send out notification of such action to Alfredo Cortez.

RECOMMENDATION:

That the City Council, by motion, deny the claim for damages by Alfredo Cortez as the original claim form was insufficient and no amended claim form has been received and authorize the City Clerk to send out notification of such to the claimant.

BACKGROUND:

A claim for damages against the City was received by the following claimant: Alfredo Cortez.

After review by the Third Party Administrator, it is the City Manager's recommendation to deny the claim as insufficient.

FISCAL IMPACT:

ATTACHMENTS:



AGENDA STAFF REPORT

MEETING DATE: 8/4/2020

AGENDA SECTION: F

SUBJECT:

Community Development: Adoption of Resolution 20-22-R, Ratifying the City Manager's Temporary Rule to allow Temporary Outdoor Gyms and Salons.

RECOMMENDATION:

Staff recommends that the City Council, by motion, ratify the City Manager's Temporary Rule to allow Temporary Outdoor Gyms and Salons by approving Resolution 20-22-R.

BACKGROUND:

Due to Covid 19, salons and gyms are required to be closed unless they can operate outdoor. Similar to the temporary outdoor dining rules the Council approved July 7, the City Manager has also established rules to assist gyms and salons during this time. The temporary rules will allow the gyms and salons to operate in their outdoor spaces, such as parking or sidewalks, if they meet certain conditions. The City Manager has established these temporary rules subject to a permit that is free to obtain, unless an inspection is required. The City Manager's procedures include a commitment to process the requests over the counter, with the exception of when an inspection is required. This rule will stay in place until the Governor's Order is lifted restricting salons and gyms to outdoor operations only. A copy of the temporary procedures to implement the rule and City Manager's Memo is attached.

In accordance with the Emergency Order, any orders or policies approved by the City Manager, must be ratified by the City Council at the next meeting of the City Council.

FISCAL IMPACT:

ATTACHMENTS:

Resolution 20-22-R Temp Outdoor Gyms and Salons COVID
Memo RE Outdoor gyms and salons rule modification
Temporary Outdoor Exercise Facility During COVID

Temporary Outdoor Salon During COVID

RESOLUTION NO. 20-22-R
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HANFORD
RATIFYING THE POLICIES OF THE CITY MANAGER TO ALLOW TEMPORARY
OUTDOOR GYMS AND SALON IN PARKING AREAS AND OTHER OUTDOOR
SPACES DUE TO A LOCAL EMERGENCY (COVID-19)

WHEREAS, the City Council of the City of Hanford (Council) adopted Resolution No. 20-09-R at its June 2, 2020 meeting; and

WHEREAS, the City Council of the City of Hanford (Council) adopted Resolution No. 20-09-R declaring that as a result of events occurring since the adoption of Resolution No. 20-05-R, including, without limitation, the State's creation of numerous guidelines and its development of a resilience roadmap for the reopening of society, modification of the actions taken by the Council through Resolution No. 20-05-R is warranted;

NOW, THEREFORE, BE IT RESOLVED, the Council declares the following:

1. A local emergency continues to exist throughout the City of Hanford as a result of the ongoing presence of COVID-19.
2. During the existence of the local emergency described herein, the powers, functions, and duties of the emergency organization of the City shall be those prescribed by state laws and by ordinances and resolutions of the City, including, without limitation, Hanford Municipal Code Chapter 2.44.
3. During the existence of the local emergency described herein, the City shall observe the directives, mandates, Executive Orders, and other emergency-related guidelines issued by the State of California and/or the County of Kings relating to COVID-19.
4. The City Manager, as the City's Director of Emergency Services pursuant to Hanford Municipal Code Chapter 2.44, and his designees, are hereby authorized to take all appropriate actions they deem necessary in response to this local emergency during its pendency, including but not limited to:
5. That in accordance with Hanford Municipal Code Chapter 2.44 the City Manager has established temporary rules, attached, for outdoor gyms and salon services in required parking areas and other outdoor spaces to assist businesses in staying open. These temporary rules will be in effect during the time the emergency related guidelines issued by the State of California and/or the County of Kings requires gyms and salons to remain closed, unless services are provided outdoors.

Passed and adopted at a regular meeting of the City Council of the City of Hanford, duly called and held on August 4, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

JOHN DRAXLER
MAYOR of the City of Hanford

Attest:

NATALIE ORTEGA
CITY CLERK

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

I, Natalie Ortega, 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 4th day of August, 2020.

Date: _____

City Clerk

DATE: July 22, 2020
TO: Executive Team
FROM: Mario Cifuentez, City Manager
SUBJECT: Temporary Outdoor Gyms and Salons



The State of California is only allowing gyms and salons to open in an outdoor environment. To assist our City businesses to stay open the City Manager is allowing gyms and salons to open outdoor in required on-site parking and outdoor areas, similar to allowances for outdoor seating for restaurants.

The outdoor areas shall be protected from vehicle traffic if located in parking areas and must not block handicapped parking spaces. Enforcement of on-site parking requirements will be temporarily suspended as well as the requirement for site plan review for use of any outdoor space. The City Manager will allow this under the emergency powers provided in the Municipal Code HMC § 2.44.070.A.6.a and in Resolution 20-05-R approved by the City Council on March 17, 2020.

For additional information or to receive an application to provide outdoor services add the, please contact Gabrielle Meyers at (559) 585-2578 or via email at gmeyers@cityofhanfordca.com.

Attachment: Memo RE Outdoor gyms and salons rule modification (CD: Temp Outdoor Gyms and Salons)



Temporary Outdoor Exercise Facility During COVID-19 Emergency

City of Hanford – Community Development
317 N. Douty Street, Hanford, CA 93230
(559) 585-2580 TDD/TYY, Dial 711

The City of Hanford recognizes the challenges that current restrictions, placed on indoor exercise facilities by the State, are having on local businesses. In order to assist in easing those challenges, the City is enacting a Temporary Outdoor Exercise Facility Program. This will allow exercise facilities to operate outdoors while indoor operation restrictions are in place.

Procedures for Temporary Outdoor Exercise Facilities

Any exercise facility that wishes to establish outdoor exercise operations shall register the outdoor facility by submitting the attached application via email to GMyers@cityofhanfordca.com. Applications will be subject to the following:

1. Exercise facilities must follow guidance by the California Department of Public Health and will be subject to Statewide orders (ongoing).
2. If the proposed new outdoor exercise area includes private parking spaces or other areas designed for or typically utilized by vehicles (parking lots), submit a drawing (see examples) showing the location of proposed area to be used and any barrier or other method proposed to protect the outdoor exercise area from vehicular encroachment. If operation of the outdoor exercise area is proposed to be used outside of daylight hours, state how lights or other methods will be used to ensure that drivers are aware of and can avoid the outdoor exercise area in the parking areas.
3. If a tent or canopy larger than 400 sq. ft. (including multiple attached canopies) is to be utilized, an inspection by the Fire Department will be required. (Inspection Fee **\$105**)
4. If the proposed outdoor exercise area is located on City sidewalks, submit a drawing (see examples) showing the location of the area, the dimensions of the city sidewalk and how the Americans with Disabilities Act (ADA) will be complied with, which requires a clear four-foot path of travel. Describe any barrier to be used to identify the exercise area from the path of travel. Use of City sidewalks will be limited to 90 days and must be renewed each 90 days.
5. Where the proposed outdoor exercise area DOES NOT include use of the parking lot, staff will verify that all required information has been provided, and will send a reply email stating that the exercise facility has been registered for the new outdoor exercise area. Upon receipt of that email, the new outdoor exercise area is approved to begin operation. City staff will subsequently visit the establishment to assist the operator in assuring compliance with all applicable rules.
6. Where the proposed outdoor exercise area DOES include an exercise area in a parking lot, City sidewalk, or a tent or canopy larger than 400 sq. ft., staff will verify that all required information has been provided, and will route the proposal for review by Public Works, Community Development and Fire staff, which will review the proposal within one business day. If the review results in approval, staff will send a reply email stating that the outdoor exercise area has been approved or will state any conditions of approval (if applicable), and will state that the operator must call to schedule an inspection, if applicable. The business owner or representative must be present at the inspection to immediately address any compliance issues. If the inspection is approved, an email will be sent stating that the new/additional outdoor is approved to begin operation.
7. Approval of a temporary outdoor exercise area shall be in effect for such time as restrictions for indoor exercise facility operations remain in effect, (90 days for City sidewalks), or until such time as the City suspends, terminates or amends these procedures.

Rules for Temporary Outdoor Exercise Area:

1. Valid City of Hanford Business License, (attach to application). If the exercise facility does not have a valid Business License, one must be obtained or renewed, please contact Olivia Morales at omorales@cityofhanfordca.com or (559) 585-2512.
2. Landlord/property owner authorization for new/additional outdoor exercise area (an email from the landlord/property owner is sufficient)
3. New/additional outdoor exercise area must comply with all applicable state and local laws and ordinances, including but not limited to the California Building Code and Fire Prevention Code and orders from the Kings County Public Health Department.
4. All sidewalks or other pedestrian paths must maintain a four-foot-wide clear pedestrian path.
5. A minimum of six feet distance must be maintained between individuals.
6. Any physical improvements in connection with the provision of new/additional outdoor exercise area that require a City permit shall be established and inspected only pursuant to such City permit.
7. Fire lanes shall not be blocked, and required fire access must be maintained.
8. Expanded outdoor exercise area shall not block or otherwise restrict access to disabled parking spaces.

Resources

<https://www.countyofkings.com/departments/administration/reopen-kings/checklists-for-businesses>



Temporary Outdoor Exercise Facility During COVID-19 Emergency

City of Hanford – Community Development
317 N. Douty Street, Hanford, CA 93230
(559) 585-2580 TDD/TYY, Dial 711

Business Name: _____ Address: _____

Applicant Information – Name: _____ Affiliation: _____

E-mail Address: _____ Phone #: _____

Proposed Hours of Operation(days/hours): _____

Approved by: _____ on: _____

☐ Application Submitted in Office? ☐ Application Submitted in Field?

☐ Physical Inspection by _____ on ____ / ____ / 2020.

All Exercise Areas

- ☐ Adequate area for minimum six-foot separation between individuals
- ☐ Lighting (only required if proposed outside of daylight hours)
- ☐ Exercise area does not block required fire lanes or fire access

Exercise Area within Private Parking Area

☐ Not Applicable

- ☐ Maintain ADA-parking spaces
- ☐ Barrier to protect the exercise area from vehicular encroachment

Exercise Area on City Sidewalk (limited to 90 days – then must reapply)

☐ Not Applicable

- ☐ Maintain four-foot path-of-travel to comply with Americans with Disabilities Act (ADA)

Tent/Canopies over 400 sq. ft.

☐ Under 400 sq. ft./Not Applicable

- ☐ Fire Inspection Required (**Fee \$105**)

- ☐ fire extinguisher required
- ☐ effective anchoring required

- ☐ You have satisfied all required criteria and are hereby approved for temporary outdoor exercise facility use.

Approval of this temporary outdoor exercise facility use shall be in effect for such time as capacity reductions/restrictions for indoor exercise facilities remain in effect (**90 days for City sidewalks**), or until such time as the City suspends, terminates, or amends these procedures.

Comply with all requirements provided.

Attachment: Temporary Outdoor Exercise Facility During COVID (CD: Temp Outdoor Gyms and Salons)

DECLARATION:

I agree that this approval is only in effect while the temporary emergency order is in place restricting normal indoor exercise facility capacity and agree to abide to all the rules of the temporary outdoor exercise facility permit.

(Signature of Business Owner)

Date

Internal Use Only

APPROVED COMMUNITY DEVELOPMENT

APPROVED PUBLIC WORKS

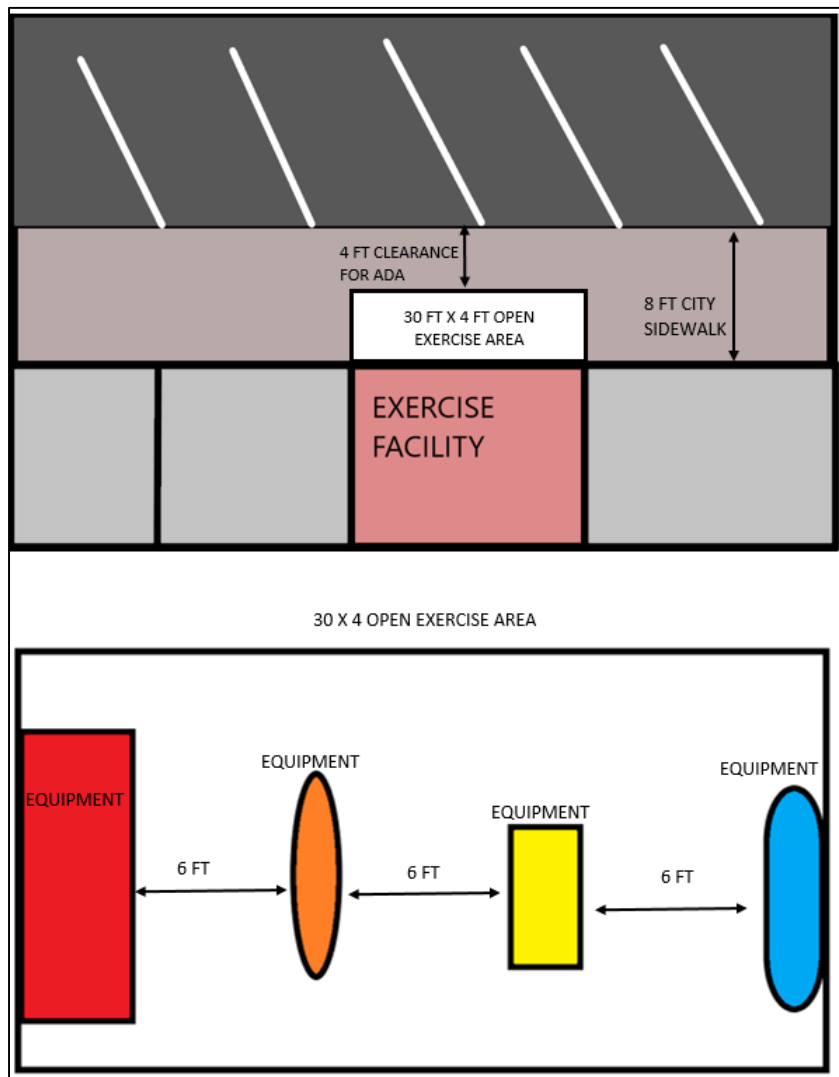
APPROVED FIRE

Requires Inspection: ☐ YES ☐ NO (Charge fee of \$105)

Conditions of Approval:

Emailed Business Owner on: _____

SAMPLE DIAGRAMS





Temporary Outdoor Salons During COVID-19 Emergency

City of Hanford – Community Development
317 N. Douty Street, Hanford, CA 93230
(559) 585-2580 TDD/TYY, Dial 711

The City of Hanford recognizes the challenges that current restrictions, placed on salons, barbershops and other personal care services by the State, are having on local businesses. In order to assist in easing those challenges, the City is enacting a Temporary Outdoor Salon Program. This will allow salons and barbershops to offer limited services outdoors while indoor operation restrictions are in place.

Procedures for Temporary Outdoor Salon or Barbershop Facilities

Any salon, which includes barbershops, that wishes to establish outdoor salon or barbershop operations shall register the outdoor facility by submitting the attached application via email to GMyers@cityofhanfordca.com. Applications will be subject to the following:

1. Personal care services provided outdoors must follow guidance by the California Department of Public Health and will be subject to Statewide orders (ongoing).
2. If the proposed new outdoor area includes private parking spaces or other areas designed for or typically utilized by vehicles (parking lots), submit a drawing (see examples) showing the location of proposed area to be used and any barrier or other method proposed to protect the outdoor salon area from vehicular encroachment. If operation of the outdoor salon area is proposed to be used outside of daylight hours, state how lights or other methods will be used to ensure that drivers are aware of and can avoid the outdoor salon area in the parking areas.
3. If a tent or canopy larger than 400 sq. ft. (including multiple attached canopies) is to be utilized, an inspection by the Fire Department will be required. (Inspection Fee **\$105**)
4. If the proposed outdoor salon area is located on City sidewalks, submit a drawing (see examples) showing the location of the area, the dimensions of the city sidewalk and how the Americans with Disabilities Act (ADA) will be complied with, which requires a clear four-foot path of travel. Describe any barrier to be used to identify the salon area from the path of travel. Use of City sidewalks will be limited to 90 days and must be renewed each 90 days.
5. Where the proposed outdoor salon area DOES NOT include use of the parking lot, staff will verify that all required information has been provided, and will send a reply email stating that the salon facility has been registered for the new outdoor salon area. Upon receipt of that email, the new outdoor salon area is approved to begin operation. City staff will subsequently visit the establishment to assist the operator in assuring compliance with all applicable rules.
6. Where the proposed outdoor salon area DOES include a salon area in a parking lot, City sidewalk, or a tent or canopy larger than 400 sq. ft., staff will verify that all required information has been provided, and will route the proposal for review by Public Works, Community Development and Fire staff, which will review the proposal within one business day. If the review results in approval, staff will send a reply email stating that the outdoor salon area has been approved or will state any conditions of approval (if applicable), and will state that the operator must call to schedule an inspection, if applicable. The business owner or representative must be present at the inspection to immediately address any compliance issues. If the inspection is approved, an email will be sent stating that the new/additional outdoor is approved to begin operation.
7. Approval of a temporary outdoor salon area shall be in effect for such time as restrictions for indoor salon operations remain in effect, (90 days for City sidewalks), or until such time as the City suspends, terminates, or amends these procedures.

Attachment: Temporary Outdoor Salon During COVID (CD: Temp Outdoor Gyms and Salons)

Rules for Temporary Outdoor Salon Area:

1. Valid City of Hanford Business License, (attach to application). If the salon facility does not have a valid Business License, one must be obtained or renewed, please contact Olivia Morales at omorales@cityofhanfordca.com or (559) 585-2512.
2. Landlord/property owner authorization for new/additional outdoor salon area (an email from the landlord/property owner is sufficient)
3. New/additional outdoor salon area must comply with all applicable state and local laws and ordinances, including but not limited to the California Building Code and Fire Prevention Code and orders from the Kings County Public Health Department.
4. All salons must also comply with all cleaning and disinfecting protocols established for hair salons, barbershops, and other cosmetology businesses by the California Board of Barbering and Cosmetology.
5. All hair and debris must be vacuumed, not swept, and placed in an appropriate trash receptacle. Disposal of hair or other items onto City streets or into the City sewer system will result in immediate revocation of an outdoor permit.
6. Use of water to wash off outdoor salon areas or wash dye and other chemicals into the City sewer system is prohibited and will result in immediate revocation of an outdoor permit.
7. All sidewalks or other pedestrian paths must maintain a four-foot-wide clear pedestrian path.
8. A minimum of six feet distance must be maintained between individuals.
9. Any physical improvements in connection with the provision of new/additional outdoor salon area that require a City permit shall be established and inspected only pursuant to such City permit.
10. Fire lanes shall not be blocked, and required fire access must be maintained.
11. Expanded outdoor salon area shall not block or otherwise restrict access to disabled parking spaces.
12. Electrical cords shall not cross city sidewalks or right of way.
13. Any outdoor shade or outdoor working area must have the same ventilation and airflow as the outdoors. Outdoor shaded areas can be configured to block wind but cannot be enclosed or partially enclosed on more than one side.
14. The establishment shall comply with the Cal/OSHA standard for heat illness prevention for outdoor workers, including the effective heat illness prevention plan with written procedures. See the Cal/OSHA heat illness prevention page for resources.

Resources

<https://www.countyofkings.com/departments/administration/reopen-kings/checklists-for-businesses>



Temporary Outdoor Salon Facility During COVID-19 Emergency

City of Hanford – Community Development
317 N. Douty Street, Hanford, CA 93230
(559) 585-2580 TDD/TYY, Dial 711

Business Name: _____ Address: _____

Applicant Information – Name: _____ Affiliation: _____

E-mail Address: _____ Phone #: _____

Proposed Hours of Operation(days/hours): _____

Approved by: _____ on: _____

☐ Application Submitted in Office? ☐ Application Submitted in Field?

☐ Physical Inspection by _____ on ____ / ____ / 2020.

All Salon Areas

- ☐ Adequate area for minimum six-foot separation between individuals
- ☐ Lighting (only required if proposed outside of daylight hours)
- ☐ Salon area does not block required fire lanes or fire access
- ☐ Verification of vacuum for hair and debris

Salon Area within Private Parking Area

☐ Not Applicable

- ☐ Maintain ADA-parking spaces
- ☐ Barrier to protect the salon area from vehicular encroachment

Salon Area on City Sidewalk (limited to 90 days – then must reapply)

☐ Not Applicable

- ☐ Maintain four-foot path-of-travel to comply with Americans with Disabilities Act (ADA)

Tent/Canopies over 400 sq. ft.

☐ Under 400 sq. ft./Not Applicable

- ☐ Fire Inspection Required (**Fee \$105**)
 - ☐ fire extinguisher required
 - ☐ effective anchoring required

☐ You have satisfied all required criteria and are hereby approved for temporary outdoor salon facility use.

Approval of this temporary outdoor salon facility use shall be in effect for such time as capacity reductions/restrictions for indoor salon facilities remain in effect (**90 days for City sidewalks**), or until such time as the City suspends, terminates, or amends these procedures.

Attachment: Temporary Outdoor Salon During COVID (CD: Temp Outdoor Gyms and Salons)

Comply with all requirements provided.

DECLARATION:

I agree that this approval is only in effect while the temporary emergency order is in place restricting normal indoor salon facility capacity and agree to abide to all the rules of the temporary outdoor salon facility permit.

(Signature of Business Owner)

Date

Internal Use Only

_____ APPROVED COMMUNITY DEVELOPMENT

_____ APPROVED PUBLIC WORKS

_____ APPROVED FIRE

Requires Inspection: ☐ YES ☐ NO (Charge fee of \$105)

Conditions of Approval:

Emailed Business Owner on: _____

Attachment: Temporary Outdoor Salon During COVID (CD: Temp Outdoor Gyms and Salons)

SAMPLE DIAGRAMS





AGENDA STAFF REPORT

MEETING DATE: 8/4/2020

AGENDA SECTION: G

SUBJECT:

Public Works: Award the annual contract for curb and gutter, sidewalk, driveways and ADA ramp repair work to to Cen-Cal Paving Inc. of Lemoore CA for a not to exceed budgeted amount of \$90,000.00.

RECOMMENDATION:

That the City Council, by motion, award the annual contract for curb and gutter, sidewalk, driveways and ADA ramp repair work to to Cen-Cal Paving Inc. of Lemoore CA for a not to exceed budgeted amount of \$90,000.00.

BACKGROUND:

On July 7, 2020 a request for bids to provide curb, gutter, sidewalk and ADA improvements was provided to several local contractors and published on the Tulare-Kings and Fresno Builders Exchanges.

On July 22, 2020 bids were opened from three (3) companies as shown in the table below.

Contractor	Sidewalk Cost SF	Curb and Gutter Cost LF	ADA SF Cost	Driveway SF Cost
Todd Companies	\$42.00	\$200.00	\$45.00	\$59.00
Bush Construction	\$11.05	\$59.27	\$12.90	\$14.90
Cen Cal Paving	\$10.00	\$40.00	\$15.00	\$12.00

Bids were evaluated based upon previous year's work quantities. Based upon that evaluation, the low cumulative bidder was Cen-Cal Paving of Lemoore CA. Cen-Cal Paving has been the awarded concrete contractor for the previous three years. City staff has expressed that their work has been completed in a timely and efficient manner. See attached Bid Tabulation.

FISCAL IMPACT:

Funds for the proposed contract are budgeted at \$104,000 for construction and contingency. Funds will come from the three attached CIP projects which are funded from the Gas Tax and Storm Drainage Reserve accounts. Based on the proposed Sidewalk ordinance, which Council recently reviewed, the annual cost to the City may end up being less.

ATTACHMENTS:

FY21 Concrete

Bid Tabulation

FY21 CIP

CITY OF HANFORD

CALIFORNIA

Notice to Bidders

Sealed proposals for the **ANNUAL CONTRACT FOR CURB, GUTTER, SIDEWALK, DRIVEWAYS AND ADA RAMP CONCRETE REPAIRS PROJECT** will be received at the office of the Finance Director, City Offices, 315 N. Douty Street, Hanford, California, 93230, until **2:00 p.m., July 22, 2020**

If there are any questions, please direct them to:

Russ Sterling, Streets Superintendent
City of Hanford
900 South 10th Avenue
Hanford, California 93230
(559) 585-2565

An executed copy of the contract will be issued to the successful bidder that shall constitute acceptance of the Bidder's Proposal.

Each **sealed** proposal shall be addressed to the Finance Director, City of Hanford, 315 North Douty Street, Hanford, California, 93230, be endorsed with the name of the bidder, and be plainly marked **"ANNUAL CONTRACT FOR CURB, GUTTER, SIDEWALK, DRIVEWAYS AND ADA RAMP CONCRETE REPAIRS PROJECT"**

The City reserves the right to reject any or all proposals.

Attachment: FY21 Concrete (PW: Award annual concrete contract)

CITY OF HANFORD

**ANNUAL CONTRACT FOR CURB, GUTTER, SIDEWALK, DRIVEWAYS AND ADA RAMP
CONCRETE REPAIRS PROJECT**

This contract is made and entered into this _____ day of _____ 2020, by and between the City of Hanford, a Municipal Corporation ("City"), and Cen-Cal Paving, Inc. ("Contractor")

The undersigned hereby agrees to the terms of the contract, which shall run from the date signed by City Official through June 30, 2021

1. **Scope of Services**

The Contractor hereby agrees to perform curb, gutter, sidewalk, driveway and ADA ramp repair services at various locations in the City of Hanford, in accordance with all provisions of this Agreement. The total amount of work anticipated to be completed for the fiscal year is approximately \$90,000. The City shall perform all demolition work and inspections. The Contractor shall construct the requested concrete work including compaction, forming, pouring, finishing, and providing all materials, labor and incidentals necessary to repair curb, gutter, sidewalk, driveway approaches and ADA ramps. All ADA repairs shall include detectable warning surfaces meeting ADA compliance. All work performed shall meet City Standards and Specifications. Concrete shall conform to Section VI, Subsection 1 "Portland Cement Concrete" of City of Hanford Standard Specifications. Concrete for curbs, gutters, sidewalks and curb ramps shall be a minimum five sack mix with 28-day compression strength of 2,500 psi minimum.

Demolition shall be performed by the City and shall include saw cutting, removing, clearing, grubbing and hauling of materials at a specific work area. Sprinklers or other appurtenances damaged during demolition shall be repaired by the City. Damages occurring after the demolition work is completed shall be the responsibility of the Contractor. The Contractor shall grade and compact the work area to the required compaction, per City Standards, prior to any concrete replacement. The City shall provide compaction testing and shall report any deficiencies to the Contractor for corrections. The Contractor shall work with the City on scheduling of jobs based on the City work load. The amount of \$90,000 is a budget for repairs; no guarantee of the entire budget is implied. City staff will identify locations, meet with contractor and guarantee a minimum value of work to be set at \$3,000 based off of final unit cost of winning bid, per job. The Contractor shall have 10 working days to complete all work as agreed upon by the City and Contractor. All scheduling and agreed upon start dates will be communicated via email between the City and the contractor, thus beginning the 10-day completion period. If the Contractor fails to be available for work in a timely manner, or fails to leave jobs incomplete for more than 10 working days, the City reserves the right to void the contract and use an outside vendor for needed repairs.

Attachment: FY21 Concrete (PW: Award annual concrete contract)

2. Notice to Contractor Requirements

- A. No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].
- B. No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.
- C. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

3. Prevailing Wage Requirement

In accordance with the provisions of Section 1770 to 1780 of the Labor Code, the City of Hanford has ascertained that the general prevailing rate of per diem wages applicable to the work to be done is contained in the wage schedule of the General Prevailing Wage Determinations made by the State of California Director of Industrial Relations. A copy of said schedule is now on file in the office of the City Engineer and by reference incorporated herein as if set out in full.

The Contractor to whom the contract is awarded shall pay not less than the specified wages to all workmen employed in the execution of the contract.

The Contractor agrees to comply with Sections 1810-1817 of the Labor Code prohibiting employment for over eight (8) hours in any one day or forty (40) hours in one week unless compensated at the rate of 1½ times the basic rate of pay (LC 1815).

4. Insurance Requirements

The Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Contractor's bid.

A. Minimum Scope of Insurance

Coverage shall be at least as broad as:

- 1. Insurance Service Office Commercial General Liability coverage "occurrence" form CG 2010 (Ed. 11/85) for ongoing operations and CG 2037 for completed operations.
- 2. Insurance Services Office form Number CA 0001 (Ed. 10/01) covering Automobile Liability, Code 1 "any auto."
- 3. Workers' Compensation Insurance as required by the Labor code of the State of California and Employers Liability Insurance.

B. Minimum Limits of Insurance

Contractor shall maintain limits no less than:

1. Comprehensive General Liability: TWO MILLION AND NO/100 DOLLARS (\$2,000,000) combined single limit per occurrence for bodily injury, personal injury and property damage.
2. Automobile Liability: ONE MILLION AND NO/100 DOLLARS (\$1,000,000) combined single limit per accident for bodily injury and property damage.
3. Workers' Compensation and Employers Liability: Workers' Compensation limits as required by the Labor Code of the State of California and Employers' Liability limits of ONE MILLION AND NO/100 DOLLARS (\$1,000,000) per accident for bodily injury or disease.

C. Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, officials, and employees; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

D. Other Insurance Provisions

The policies are to contain, or be endorsed to contain, the following provisions:

1. General Liability-Automobile Liability Coverages.
 - a. The City, its officers, officials, employees and volunteers are to be covered as insured with respect to liability arising out of omissions and/or activities performed by, or on behalf of, the Contractor; products used by the Contractor; or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officers, officials, employees or volunteers.
 - b. The Contractor's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.
 - c. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its officers, officials, employees or volunteers.
 - d. The Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

2. All Coverages

- a. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, cancelled by either party, reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.
- b. Contractor shall cause each of its insurers to waive all rights of subrogation against the City and the City's elected and appointed officers, officials, employees and volunteers.

E. Acceptability of Insurers

Insurance is to be placed with insurers with a Best's rating of no less than A:VII.

F. Verification of Coverage

Contractor shall furnish the City with original certificates and amendatory endorsements affecting coverage required by this clause. The certificates and endorsements for each insurance policy is to be signed by a person authorized by that insurer to bind coverage on its behalf. The only acceptable form for approval is the CG 2010, or its equivalent, for ongoing operations; the CG 2037, or its equivalent, for completed operations relating to commercial general liability; and the CA 0001 for automobile liability with Code 1, "any auto." All forms and endorsements are to list the City and its elected and appointed officers, officials, employees and volunteers as additional insured's. The City reserves the right to require complete, certified copies of all required insurance policies at any time.

5. City Indemnification

To the fullest extent allowable by law, Contractor agrees to indemnify, defend and hold harmless the City and its officials, officers, employees, agents and volunteers from and against all claims, demands, actions, injuries, liabilities, losses, costs or damages, direct or indirect, and any and all attorneys' fees and other expenses which City or its officials, officers, employees, agents or volunteers may sustain or incur as a consequence of or are in any way related to Contractor's or its owners, directors, officers, managers, employees, agents and subcontractor's willful or negligent acts or omissions in the performance of the services and Contractor's responsibilities and obligations to be performed under this agreement or its failure to perform or comply with any of its obligations or responsibilities contained in this agreement; excluding, however, such liability, claims, losses, damages or expenses arising from City's sole negligence or willful acts. This duty to indemnify, defend, and hold harmless shall survive the termination of this agreement. If Contractor maintains additional coverage or higher limits than those required herein, then City shall be entitled to additional coverage or higher limits maintained by Contractor.

6. Hold harmless

To the fullest extent allowable by law, contractor shall hold harmless, defend at its own expense, and indemnify Agency against any and all liability, claims, losses, damages or expenses, including reasonable attorney's fees, arising from all acts or omissions to act of contractor or its officers, agents or employees in rendering services under this contract; excluding, however, such liability, claims, losses, damages or expenses arising from Agency's sole negligence or willful acts. If the contractor maintains additional coverage or higher limits that those required within the Insurance Requirements section, then entity shall be entitled to additional coverage or higher limits maintained by contractor.

7. Time of Completion

The City shall issue a request for repairs to the Contractor, and work shall be completed within 10 days of each request for repairs.

8. Compliance with Laws

Contractor shall use the proper standard of care in performing the services and shall comply with all applicable federal, state and local laws, codes, ordinances and regulations. In addition, if the request for proposal to provide professional services which are the subject of this contract cited any federal or state financial assistance involved in the project for which the services are provided, the Contractor shall perform all services in accordance with all applicable federal and state laws, rates and regulations.

9. Licenses

Contractor represents and warrants to City that it has all licenses, permits, qualifications, insurance and approvals of whatsoever nature which are legally required of Contractor to lawfully and competently perform the services. Contractor represents and warrants to City that Contractor shall, at its sole cost and expense, keep in effect, or obtain at all times during the term of this contract, any licenses, permits, insurance and approvals which are legally required of Contractor to lawfully and competently perform the services. Contractor shall maintain a City of Hanford business license.

10. Assignment and Subcontracting

The parties recognize that a substantial inducement to City for entering into this contract is the reputation, experience and competence of Contractor. Assignments of any or all rights, duties or obligations of the Contractor under this contract will be permitted only with the express consent of the City, which consent may be withheld in the sole and absolute discretion of City. Contractor shall not subcontract any portion of the services to be performed under this contract without the written consent of the City, which consent may be withheld in the sole and absolute discretion of City. If City consents to such subcontract, Contractor shall be fully responsible to City for all acts or omissions of the subcontractor. Nothing in this contract shall: (1) create any contractual relationship between City and subcontractor; (2) create any obligation on the part of the City to pay or to see to the payment of any monies due to any such subcontractor; or (3) relieve Contractor of any of its obligations and responsibilities under this contract.

11. Attorney's Fees

If an action at law or in equity is necessary to enforce or interpret the terms of this contract, the prevailing party shall be entitled to reasonable attorneys' fees, costs and necessary disbursements, in addition to any other reasonable relief to which he may be entitled. With respect to any suit, action or proceeding arising out of or related to this contract or the documentation related hereto, the parties hereby submit to the jurisdiction and venue of the Superior Court in the County of Kings, State of California for any proceeding arising hereunder.

12. Sole and Only Contract

This contract supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the matters set forth herein and contains all of the covenants and agreements between the parties regarding said matters. Each party to this contract acknowledges that no representations, inducements, promises or agreements, orally or in writing, have been made by any party or anyone acting on behalf of any party which are not embodied in this contract, and no other agreement, statement or promise shall be valid or binding.

13. Invalidity

If any provision of this contract is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions shall nevertheless continue in full force and effect without being impaired or invalidated in any way.

14. Amendment

No change, amendment or modification of this contract shall be valid unless the same be in writing and signed by the parties hereto.

15. Governing Law

This contract shall be construed and governed pursuant to the laws of the State of California.

16. Waiver

Waiver of a breach or default under this contract shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this contract.

17. Authority to Enter Contract

Contractor has all requisite power and authority to conduct its business and to execute, deliver and perform the contract. Each party warrants that the individuals who have signed this contract have the legal power, right and authority to make this contract and to bind each respective party.

18. Notice

Except as otherwise expressly provided herein, any notice, consent, authorization or other communication to be given hereunder shall be in writing and shall be deemed duly given and received when delivered personally, when transmitted by facsimile or email if receipt is acknowledged by the addressee, one business day after being deposited for next-day delivery with a nationally recognized overnight delivery service, or three business days after being mailed by first class mail, charges and postage prepaid, properly addressed to the party to receive such notice at the address identified below.

City of Hanford
Attn: Russ Sterling, Streets Superintendent
900 S. 10th Ave.
Hanford CA 93230

19. Cost of Services

Contractor shall complete all work as identified in this agreement for the contract price of:

- | | | |
|-----------------------------|-----------------|------------------|
| 1) Replace Curb and Gutter | <u>\$ 40.00</u> | per linear foot. |
| 2) Replace Sidewalk | <u>\$ 10.00</u> | per square foot. |
| 3) Replace Driveway W/Rebar | <u>\$ 12.00</u> | per square foot. |
| 4) Replace ADA Ramp | <u>\$ 15.00</u> | per square foot. |

20. Measurement and Payment

Quantities of curb and gutter shall be paid for at the contract price per linear foot. Quantities of sidewalk (excluding curb ramp areas), shall be paid for at the contract price per square foot. Quantities of driveway approach, including any required steel rebar, shall be paid for at the contract price per square foot. Quantities of handicap ramps, including ADA compliant detectable warning surfaces, shall be paid for at the contract price per square foot. The contract prices shall include full compensation for furnishing all labor, materials, tools, equipment, and incidentals necessary for doing all work involved in constructing curbs, gutters, sidewalks, driveways, and ramps, excluding demolition, and no additional compensation will be made therefore.

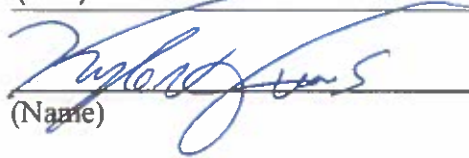
**ANNUAL CONTRACT FOR CURB, GUTTER, SIDEWALK, DRIVEWAYS AND ADA RAMP
CONCRETE REPAIRS PROJECT**

CONTRACTOR: CEN-CAL PAVING, INC.

ADDRESS: 19411 GRANGEVILLE BLVD. LEMOORE, CA 93245

PHONE NO: (559)924-1900

SIGNATURE:


(Name)

Kyle N. Evans

DATE: 7/22/20

RMO/CEO/President

(Title)

NOTE: The City of Hanford reserves the right to reject any and all bids.

CITY OF HANFORD

ACCEPTED BY:

Mario Cifuentes, City Manager

DATE: _____

Attachment: FY21 Concrete (PW: Award annual concrete contract)

Bid Evaluation					Bid Date: 07/22/2020	
Annual Concrete Contract						
	Cen-Cal Paving		Bush Const.		Todd Co.	
Estimated Quantities	Unit Price	Total	Unit Price	Total	Unit Price	Total
1540 ADA Ramps	\$15.00	\$23,100.00	\$12.90	\$19,866.00	\$45.00	\$69,300.00
230 lf Curb and Gutter	\$40.00	\$9,200.00	\$59.27	\$13,632.10	\$200.00	\$46,000.00
2160 sf sidewalk	\$10.00	\$21,600.00	\$11.05	\$23,868.00	\$42.00	\$90,720.00
500 sf driveway	\$12.00	\$6,000.00	\$14.90	\$7,450.00	\$59.00	\$29,500.00
Total Cost of Bid		\$59,900.00		\$64,816.10		\$235,520.00

Sidewalk and Miscellaneous Concrete Repairs

Project Background:

These funds will be used to repair sidewalks, drive approaches and other concrete improvements where city crews will be completing street reconstruction projects or in areas where the improvements are damaged by tree roots.

Existing Conditions:

Project Justification:

These funds will be used to repair sidewalks, drive approaches, and other public concrete improvements that are in disrepair and create potential safety hazards.

Fiscal Implications:

Funding for this project will be allocated from gas tax reserves.

Project Budget Summary:

		5-Year Funding Allocation				
		2021	2022	2023	2024	2025
Expenditure	Program or Project	Construction	Construction	Construction	Construction	Construction
	Engineering / Inspection	1,000	1,000	1,000	1,000	1,000
	Construction	35,500	35,000	35,000	35,000	35,000
	Contingency	3,500	3,500	3,500	3,500	3,500
	Department Overhead	3,604	500	500	500	500
Total Expenditure		\$43,604	\$40,000	\$40,000	\$40,000	\$40,000
Revenue	Funding					
	050 Gas Tax (TDA Transportation)	43,604	40,000	40,000	40,000	40,000
Total Funding		\$43,604	\$40,000	\$40,000	\$40,000	\$40,000

Attachment: FY21 CIP (PW: Award annual concrete contract)

New Sidewalk and ADA Improvements

Project Background:

These funds will be used to install sidewalks and other concrete improvements in areas currently void of such improvements. Improvement areas will be selected along arterial/collector streets with high pedestrian volume and where existing rights-of-ways exist to facilitate sidewalk installation. These funds will also be used to install accessibility ramps in compliance with American with Disabilities Act (ADA) standards.

Existing Conditions:

Project Justification:

Compliance with ADA standards is a federal law. Also, the installation of sidewalks provides pedestrians with a safe walkway located outside vehicular travel areas.

Fiscal Implications:

Funding for this project will be allocated from gas tax reserves.

Project Budget Summary:

		5-Year Funding Allocation				
		2021	2022	2023	2024	2025
Expenditure	Program or Project	Construction	Construction	Construction	Construction	Construction
	Engineering / Inspection	2,000	2,000	2,000	2,000	2,000
	Construction	45,500	45,000	45,000	45,000	45,000
	Contingency	2,500	2,500	2,500	2,500	2,500
	Department Overhead	4,505	500	500	500	500
Total Expenditure		\$54,505	\$50,000	\$50,000	\$50,000	\$50,000
Revenue	Funding					
	050 Gas Tax (TDA Transportation)	54,505	50,000	50,000	50,000	50,000
Total Funding		\$54,505	\$50,000	\$50,000	\$50,000	\$50,000

Attachment: FY21 CIP (PW: Award annual concrete contract)

Curb and Gutter Installation

Project Background:

This project involves the installation of new or replacement concrete curb & gutter to facilitate proper street drainage. Projects may include replacement of existing dilapidated curbs & gutter or installation of new curb & gutter in existing developed areas currently void of these improvements.

Existing Conditions:

A portion of the City's streets were not constructed with curb and gutter improvements. These improvements are necessary to ensure proper drainage and to alleviate localized flooding.

Project Justification:

Storm Drainage collection in the City is necessary to reduce localized flooding and damage to existing properties.

Fiscal Implications:

Funding for this project will be allocated for storm drainage reserves.

Project Budget Summary:

		5-Year Funding Allocation				
		2021	2022	2023	2024	2025
Expenditure	Program or Project	Construction	Construction	Construction	Construction	Construction
	Engineering/Inspection	3,000	3,000	3,000	3,000	3,000
	Construction	15,500	15,000	15,000	15,000	15,000
	Contingency	1,500	1,500	1,500	1,500	1,500
	Department Overhead	1,802	500	500	500	500
Total Expenditure		\$21,802	\$20,000	\$20,000	\$20,000	\$20,000
Revenue	Funding					
	358 Storm Drainage Capital	21,802	20,000	20,000	20,000	20,000
	Total Funding	\$21,802	\$20,000	\$20,000	\$20,000	\$20,000

Attachment: FY21 CIP (PW: Award annual concrete contract)



AGENDA STAFF REPORT

MEETING DATE: 8/4/2020	AGENDA SECTION: H
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SUBJECT:

Public Works: Approval of the Final Map and Subdivision Agreement for Tract No. 919, Unit II Bonterra, and accept all easements and dedications offered for public use and adopt the attached Resolution 20-20-R restructuring properties within Assessment District No. 18-01 (District Restructure No. 18-01-C) (Centennial Drive and Fargo Avenue)

RECOMMENDATION:

That the City Council, by motion,

1. Approve the Final Map and Subdivision Agreement for Tract No. 919 Unit II Bonterra and accept all easements and dedications offered for public use.
2. Adopt the attached Resolution 20-20-R restructuring properties within Assessment District No. 18-01 (District Restructure No. 18-01-C)

BACKGROUND:

The final subdivision map for Tract No. 919 Unit II, Bonterra Subdivision, a 61 -lot subdivision located as shown on the attached map, has been checked and approved by staff. The developer of Tract No. 919 Unit II, Bonterra Subdivision, is Presidio JJR Bella Vista, L.L.C.. All required fees have been paid, and proper improvement security for all required subdivision improvements has been posted in accordance with the attached Subdivision Agreement, which has been reviewed and approved by the Utilities and Engineering Department and signed by the developer.

FISCAL IMPACT:

There will be no financial impact to the City of Hanford.

ATTACHMENTS:

Resolution Restructure 20-20-R Additional Property and Confirming Levy of Assessments LAD (18-01-C) Exhibit

Tract 919 Unit II - Subdivision Map Agreement
LAD (18-01-C) Engineer Report TR 919 Unit II

RECORDING REQUESTED BY:

CITY OF HANFORD

WHEN RECORDED RETURN TO:

CITY CLERK

CITY OF HANFORD

319 North Douty Street

Hanford, California 93230

RESOLUTION NO. 20-20-R

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HANFORD
RESTRUCTURING PROPERTIES WITHIN ASSESSMENT DISTRICT
NO. 18-01, AND CONFIRMING LEVY AND COLLECTION OF ANNUAL
ASSESSMENTS FOR TRACT NO. 918, UNIT NO. I and UNIT NO. II, BELLA
VISTA SUBDIVISION AND TRACT NO. 919 UNIT NO. I AND UNIT NO. II,
BONTERRA SUBDIVISION.**

(Assessment District Restructure No. 18-01-C)

At a regular meeting of the City Council of the City of Hanford, duly called and held on August 4, 2020, it was moved by Council Member _____, seconded by Council Member _____, and duly carried that the following resolutions be adopted:

WHEREAS, the additional territory proposed to be restructured into the District includes properties known as Tract No. 919, Unit No. II (APN 009-030-154) ("Restructuring Properties");

WHEREAS, the restructure of Additional Properties into the District will provide for maintenance of the following improvements:

1. Decorative masonry block fencing, and landscaping & irrigation system improvements located along Fargo Avenue adjacent to Tract 919 Unit II; and,

1 3. Street Lighting within Tract No. 919 Unit II.

2 WHEREAS, the owners of all land within the boundaries of the District and the
3 restructured Properties have filed their consent to restructuring of the Properties into the
4 District, and have also consented to adoption of the Engineer's Report and the levy of
5 assessments identified therein.

6 WHEREAS, the owners of the restructured Properties, including the owners of
7 such lots and parcels as shall be created therefrom, should share in the cost of maintaining
8 the District improvements through payment of District assessments.

9 NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of
10 Hanford hereby orders the restructure of Properties as shown and described in the
11 Engineer's Report into the District, so that the District henceforth shall include the
12 restructured Properties, including such lots and parcels as shall be created therein, so that
13 the owners thereof shall share in the cost of maintenance of the public improvements
14 located within the District and on the Additional Properties; and,

15 RESOLVED FURTHER, that the City Council of the City of Hanford hereby
16 confirms the diagram and assessments for the District contained in the Engineer's Report,
17 and levies such assessments for the Fiscal Year 2020-2021; and,

18 RESOLVED FURTHERMORE, commencing with the calendar year 2020-2021,
19 and January 1 of each calendar year ("Adjustment Date") thereafter during the life of the
20 District, the Total Annual Subdivision Assessment amount for the next calendar year shall
21 be an amount equal to the greater of:

- 22 (i) the Total Annual Subdivision Assessment amount in effect immediately
23 prior to the Adjustment Date; or
24

(ii) the product obtained by multiplying the Total Annual Subdivision Assessment in effect immediately prior to the Adjustment Date by a fraction, the numerator of which is the Index published nearest but prior to the Adjustment Date and the denominator of which is the Index published nearest but prior to January 1 of the first year the Subdivision Assessment became effective.

The term "Index" means the Consumer Price Index for Urban Wage Earners and Clerical Worker, San Francisco-Oakland-San Jose Consolidated Statistical Area, 1982-1984, equals 100, published by the Bureau of Labor Statistics of the United States Department of Labor. If the Bureau of Labor Statistics revises the Index, the Bureau of Labor Statistics will be the sole judge of the comparability of successive indexes, but if that agency fails to supply indexes that it deems comparable or if no succeeding index is published, the City shall determine an appropriate alternative published price index.

Passed and adopted at a regular meeting of the City Council of the City of Hanford on August 4, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

JOHN DRAXLER
MAYOR of the City of Hanford

Attest:

1 SARAH MARTINEZ
2 CITY CLERK

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

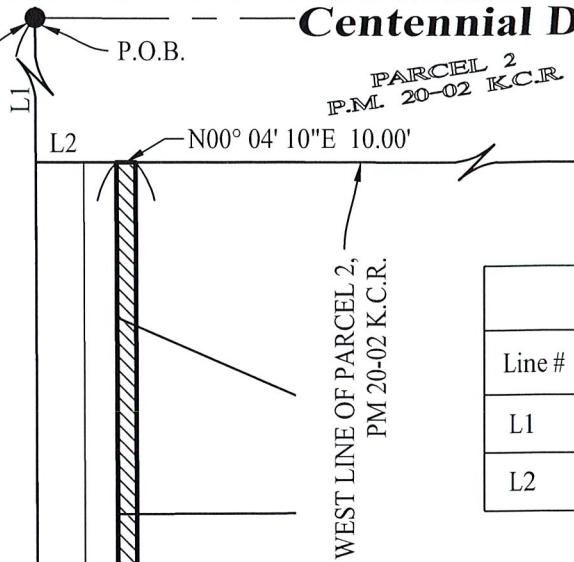
5 I, Sarah Martinez, City Clerk of the City of Hanford, do hereby certify the
6 foregoing Resolution was duly passed and adopted at a regular meeting of the City
7 Council of the City of Hanford held on the 4th day of August, 2020.

8
9 Date: _____

City Clerk

Centennial Dr.

N. $\frac{1}{4}$ COR. SECTION 22-18/21
FD 2-1/2" BRASS CAP STAMPED
LS4375 & W/SECTION INFO
FLUSH & IN CONCRETE PER
K.C.C.R. #1724



Line Table

Line #	Length	Bearing
L1	533.00'	N89° 50' 45"E
L2	42.00'	S00° 04' 10"W



NORTH
Scale 1"=100'

LANDSCAPE #1
7,948 SQ. FT.

NW COR. SECTION 22-18/21
FD 2-1/2" BRASS CAP STAMPED
LS4375 & W/SECTION INFO
FLUSH & IN CONCRETE PER
K.C.C.R. #1729

WEST LINE OF THE NE 1/4 OF THE
NW 1/4 OF SECTION 22-18/21



CIVIL ENGINEERS

**ZUMWALT
HANSEN & ASSOCIATES**

LAND SURVEYORS

609 N. Irwin St.
Hanford, CA 93230
Office: (559) 582-1056
Fax: (559) 584-4143

**Tract 919 Unit 2
Area to be Maintained
for
S.J.V. Homes**

Job No. 0762113
Drawn By: JB
Checked By: AD
Indexed By:
Date: 7/21/2020

Sheet No.

1 of 1

All that portion of the Northeast Quarter of the Northwest Quarter of Section 22, Township 18 South, Range 21 East, Mount Diablo Base and Meridian, in the City of Hanford, County of Kings, State of California, according to the approved Government Township Plats thereof, described as follows:

The Southerly 10.00 feet of the Northerly 52.00 feet of said Northeast Quarter of the Northwest Quarter;

Excepting therefrom all the area lying East of the West line of Parcel Two as shown on a map recorded in Book 20 at Page 2, of Parcel Maps, in the Office of the Kings County Recorder;

Also excepting therefrom the Westerly 8.00 feet thereof;

Containing 7,948 square feet, more or less.



**CITY OF HANFORD
SUBDIVISION AGREEMENT**

TRACT NO. 919 Unit II Bonterra Subdivision

THIS SUBDIVISION AGREEMENT ("Agreement") is made and entered into this ____ day of _____, 2020, by and between Presidio JJR Bonterra 113, LLC ("SUBDIVIDER"), and the City of Hanford, a Municipal Corporation ("CITY").

RECITALS

A. The SUBDIVIDER has presented to the CITY a final map of the proposed Subdivision of certain real property located within the city limits of the City and more particularly described in Exhibit "A" which has been filed with the City Engineer and is made a part hereof by reference ("Final Map") and identified as Tract No. 919 Unit II Bonterra ("SUBDIVISION"). The real property is to be developed in accordance with subdivision improvement plans, which have been filed with the City Engineer and are made a part hereof by reference and identified as Exhibit "B" ("Improvement Plans"). SUBDIVIDER has requested that the CITY accept and approve the Final Map and the dedications delineated and shown on the Final Map for the use and purposes specified thereon, and otherwise approve the Final Map in order that the same may be recorded as required by law.

B. The CITY requires as a condition precedent to the acceptance and approval of the Final Map, the dedication of such streets and easements as are delineated and shown on the Final Map, and deems the same as necessary for the public use, and requires that any and all streets and easements delineated and shown thereon shall be improved by the construction thereon and the installation therein of the improvements specified herein.

C. Certain public improvements are required to be made by SUBDIVIDER in accordance with the approved tentative map of the SUBDIVISION. Section 66462 of the California Government Code provides, as a condition precedent to the approval of the Final Map, that the City Council shall require the SUBDIVIDER to enter into an agreement to complete said public improvements.

D. Chapter 16.24.070 of the Hanford Municipal Code requires the SUBDIVIDER to enter into an agreement with the CITY to perform and complete the work and matters as hereinafter described in this Agreement, in conformance with Sections 16.24.010 through 16.24.120, inclusive of the Hanford Municipal Code, which Sections by reference are incorporated into this Agreement and made a part hereof.

NOW THEREFORE, it is hereby agreed as follows:

1. Improvements

SUBDIVIDER shall complete all required public improvements in the Subdivision as identified in Exhibit "B" of this Agreement (collectively "IMPROVEMENTS") and in accordance with all of the requirements and standards as set forth in the approval or conditional approval of the Tentative Map of the SUBDIVISION, the Hanford Municipal Code, all applicable laws, codes and regulations and the terms and conditions of this Agreement. In accordance with Section 16.24.110 of the Hanford Municipal Code, all of the Improvements shall be completed no later than two (2) years from the date of approval of this Agreement by the City of Hanford. A request to extend the time for completion of the Improvements must be in written form and received by the CITY not less than thirty (30) days prior to expiration of this Agreement and shall include facts in support of the request for such extension of time. Only the City shall have the authority to extend such time period. The extension period shall not exceed twelve (12) months.

Within thirty (30) days after the SUBDIVIDER notifies the City Engineer that the required work has been completed, the City Engineer shall inspect such work, and if such work has been performed in the required manner and in accordance with this Agreement, the Final Map, the Hanford Municipal Code and all other applicable laws, codes and regulations, the City Engineer shall advise the City Council that the public improvements are ready for acceptance by the CITY.

2. Inspection

The CITY shall inspect all work in accordance with Section 16.24.100 of the Hanford Municipal Code including the SUBDIVIDER'S conformance with CITY Standards and

Specifications and any and all conditions, standards or requirements identified at the preconstruction conference held prior to commencing construction.

CITY shall schedule a preliminary final inspection and a deficiency list shall be compiled and submitted to the SUBDIVIDER for correction. Upon completion of all corrections or additional work as outlined by the deficiency list, the SUBDIVIDER shall certify in writing that all corrections have been completed and request a final inspection. Upon finding that all items have been corrected and upon receipt of as-built improvement plans, the Improvements may be provisionally accepted by the CITY pending approval of the final map and subdivision agreement for Tract No. 919 Unit II, by the City Council.

The completion of corrections indicated by the deficiency list shall not relieve the SUBDIVIDER from the responsibility of correcting any deficiency not shown on the list that may be subsequently discovered. Should the CITY require payment of additional engineering and inspection fees and costs for improvements constructed after the stated date of completion, the SUBDIVIDER must pay said additional fees and costs prior to acceptance by the City Council of the IMPROVEMENTS.

3. Costs and Fees.

The SUBDIVIDER shall be responsible for the work, including without limitation, the costs identified in the IMPROVEMENT COST ESTIMATE attached hereto and made a part hereof and identified as Exhibit "C" to this Agreement. SUBDIVIDER agrees to the amount thereof and agrees to pay, when due, all amounts identified therein, including without limitation, all CITY engineering and inspection fees.

4. Security.

SUBDIVIDER agrees to furnish security, which complies with Section 66499 et. seq. of the California Government Code, in such amounts as are fixed by the CITY, to guarantee

the faithful performance of this Agreement, including without limitation, the construction of the IMPROVEMENTS and to guarantee payment to contractors, subcontractors, laborers, material men and other persons employed in the performance of the work under this Agreement.

In the sole discretion of the CITY and with the written authorization of the CITY, the sureties provided by the SUBDIVIDER may be released in whole or in part in the following manner:

a. Faithful performance sureties, not in excess of ninety percent (90%) of the estimated costs of the individual items of public improvements, may be released or the required surety amounts may be reduced as work is satisfactorily completed and tentatively accepted by the CITY.

b. Forty-five (45) days after recordation of the Notice of Completion for the Subdivision, the sureties securing the payment to contractors and subcontractors and to persons furnishing labor, materials, or equipment may be released if claims, including without limitation, stop notices have not been filed.

c. Ten percent (10%) of the total faithful performance surety, retained as the public improvement warranty, may be released one year after the Notice of Completion has been recorded. In the alternative, SUBDIVIDER shall provide CITY with new warranty security of not less than ten percent (10%) of the Improvement Cost Estimate identified in Exhibit "C" hereto, which security shall have a term of one (1) year from the date of recordation of the Notice of Completion.

In accordance with Section 16.24.080 of the Hanford Municipal Code, the SUBDIVIDER shall furnish, in writing, proof of adequate security deposit to all utility companies for the installation of electricity, gas, telephone, cable television and any other utility which charges are not part of the Improvement Cost Estimate set forth in Exhibit "C."

No final map shall be signed by the City Engineer or recorded until all improvement securities required by Section 16.24.080 of the Hanford Municipal Code and under this Agreement have been received and approved. The form of securities shall be one or the combination of forms as approved by the CITY.

5. Liability.

As a condition precedent and prior to commencement of the work to be performed pursuant to this Agreement, SUBDIVIDER shall furnish the CITY with a certificate of insurance with a separate endorsement evidencing the following insurance coverages:

a. **Commercial General Liability (CGL):** Insurance Services Office (ISO) Form CG 0001, including products and completed operations, with limits of no less than FIVE MILLION AND NO/100 DOLLARS (\$5,000,000) per occurrence for bodily injury, personal injury, and property damage. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be TEN MILLION AND NO/100 DOLLARS (\$10,000,000), twice the required occurrence limit.

b. **Automobile Liability:** ISO Form Number CA 0001 covering any auto (Code 1), with a limit no less than FIVE MILLION AND NO/100 DOLLARS (\$5,000,000) per accident for bodily injury and property damage.

c. **Workers' Compensation:** as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with a limit of no less than ONE MILLION AND NO/100 DOLLARS (\$1,000,000) per accident for bodily injury or disease.

If SUBDIVIDER maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by SUBDIVIDER. SUBDIVIDER's insurance policies shall be "occurrence" policies and not "claims-made" coverage.

SUBDIVIDER may maintain an Umbrella policy in conjunction with the insurance policies referenced above. In such case, SUBDIVIDER shall be deemed to have satisfied the insurance requirements of this contract as long as: (i) the coverage limits of the Umbrella policy and of the underlying liability policy(ies), when combined, satisfy each of the per occurrence and aggregate requirements identified in this subsection a.; and (ii) coverage under the Umbrella policy

is as broad as and includes all incidents and events covered by the underlying insurance that it supplements.

d. Any deductibles or self-insured retentions must be declared to and approved by the City. The City may require SUBDIVIDER to purchase coverage with a lower deductible or retention or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. Alternatively, the City may require SUBDIVIDER to provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration, and defense expenses within the retention.

e. The policies are to contain, or be endorsed to contain, the following provisions:

i. The City and its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL and automobile liability policies with respect to liability arising out of work or operations performed by or on behalf of SUBDIVIDER including materials, parts, or equipment furnished in connection with such work or operations; products used by SUBDIVIDER; or automobiles owned, leased, hired or borrowed by SUBDIVIDER. General liability coverage can be provided in the form of an endorsement to SUBDIVIDER's insurance at least as broad as ISO Form CG 20 10 11 85 or if not available, through the addition of both CG 20 10 and CG 20 37 if a later edition is used. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officers, officials, employees or volunteers.

ii. For any claims related to this contract, SUBDIVIDER's insurance coverage shall be primary insurance as respects the City and its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City and/or its officers, officials, employees, or volunteers shall be in excess of SUBDIVIDER's insurance and shall be non-contributory.

iii. Each insurance policy required above shall provide that coverage shall not be canceled, except with notice to the City.

f. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A.

g. SUBDIVIDER shall furnish the City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the SUBDIVIDER's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

h. SUBDIVIDER hereby grants to City and its officers, officials, employees, and volunteers a waiver of any right to subrogation which any insurer of SUBDIVIDER may acquire against the City and/or its officers, officials, employees, and volunteers by virtue of the payment of any loss under such insurance. SUBDIVIDER agrees to obtain endorsements necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer.

i. The City reserves the right to modify the insurance requirements contained in this contract, including, without limitation, coverage limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

6. Indemnification

SUBDIVIDER hereby agrees to and shall protect, indemnify and hold harmless the CITY and all officials, officers, agents, representatives and employees thereof from and against any and all liability, loss, claims or damages of whatsoever kind or character, including attorneys' fees and costs of all types, to the extent arising out of, or related, directly or indirectly, to the work to be performed pursuant to this Agreement or the acts or omissions of the SUBDIVIDER, SUBDIVIDER's independent contractors, employees, representatives, agents and invitees. These indemnification and hold-harmless provisions shall be in full force and effect regardless of whether or not there shall be insurance policies covering such damages, claims, or liability. This indemnification shall be binding upon the SUBDIVIDER whether or not there are any allegations

of fault, negligence or liability of the parties indemnified hereunder and shall survive the completion of construction of the IMPROVEMENTS.

SUBDIVIDER agrees that the use of any and all public streets and improvements, which are part of the Subdivision, shall be at all times, prior to the final acceptance by the CITY, the sole and exclusive risk of the SUBDIVIDER.

7. Permits and Compliance.

Should SUBDIVIDER be required to perform any work within any public rights-of-way or easements located beyond the Subdivision limits, SUBDIVIDER shall satisfy any and all requirements, other than the payment of fees, as necessary to obtain an encroachment permit for said work.

SUBDIVIDER shall make arrangements for the relocation of all overhead and underground public utility facilities that interfere with the construction of the IMPROVEMENTS. The SUBDIVIDER shall be responsible for the full cost of relocating such facilities.

The SUBDIVIDER shall repair any damage to public streets or other public property or improvements resulting from or incidental to, the construction of the Improvements, or in lieu of making such repairs, the SUBDIVIDER shall pay to the CITY the full cost of such repairs.

Building permits for individual lots of the Subdivision will not be issued until all underground utilities are installed within the public right-of-way, the trenches have been backfilled, and an approved all-weather road is constructed for street frontage and access.

No occupancy permit for any dwelling to be constructed within the Subdivision shall be issued until all Improvements are completed and accepted by the City Council.

In accordance with Section 16.24.090 of the Hanford Municipal Code, construction methods and materials for all Improvements shall conform to the Standards and Specifications of the CITY. Construction shall not commence until required Improvement Plans have been approved by the City Engineer and payment of all fees have been received by the CITY.

The IMPROVMENTS shall be constructed in accordance with all applicable street, plumbing, building, electrical and zoning codes and any other codes, rules or regulations of the CITY and the State of California.

The SUBDIVIDER shall require contractors and subcontractors to provide and maintain barricades and warning signs to protect and warn the public of construction hazards. Traffic control shall conform to a traffic control plan approved by the City Engineer. If, in the opinion of the City Engineer, proper barricades and warning signs are not being provided, the Contractor will be required to immediately stop work until proper traffic control is provided and approved by the City Engineer.

The SUBDIVIDER shall require all contractors and subcontractors to conform to the applicable provisions of the California Occupational Safety and Health Act ("OSHA"). Onsite inspection of the work will be requested of OSHA officials, and all work subject to this Agreement shall immediately stop if, in the opinion of the City Engineer, any such work is being performed in violation of OSHA or when appropriate safety measures are not being utilized for said work.

The SUBDIVIDER and its contractors and subcontractors shall pay for any materials, provisions and other supplies used in, upon, for, or about the performance of the work to be performed hereunder and for any and all work or labor associated therewith and for all amounts due under the Workers' Compensation and the unemployment insurance acts and all other applicable laws or regulations of the State of California or the United States with respect to such work or labor, including without limitation, as required by Section 3200 of the California Labor Code and Section 4200 of the California Government Code.

8. Scheduling.

It shall be the responsibility of the SUBDIVIDER to coordinate all work performed by its contractors and subcontractors, such as scheduling the sequence of operations and the determination of liability if one operation delays another. In no case shall representatives of the CITY be placed in the position of making decisions that are the responsibility of the SUBDIVIDER. It shall further be the responsibility of the SUBDIVIDER to give the City Engineer written notice

not less than two (2) working days in advance of the actual date on which work is to be started. Failure on the part of the SUBDIVIDER to notify the City Engineer may cause delay for which the SUBDIVIDER shall be solely responsible.

9. Soil and Dust Control Provisions.

The SUBDIVIDER is responsible for arrangement for and payment of all CITY-required soil tests at locations as determined by the City Engineer. Payment for said tests shall be made directly by the SUBDIVIDER to the certified testing firm of the SUBDIVIDER's choice. Adequate dust control shall be maintained by the SUBDIVIDER on all streets within and outside of the Subdivision on which work is required to be performed under this Agreement, from the time work is first commenced until all work is completed. "Adequate dust control" as used herein shall mean the sprinkling of the streets with water or approved dust palliative with sufficient frequency to prevent the scattering of dust by wind or the activity of vehicles and equipment onto any street area or private property adjacent to the Subdivision. Whenever, in the opinion of the City Engineer, adequate dust control is not being maintained on any street or streets or other areas of the Subdivision, the City Engineer shall give notice to the SUBDIVIDER to comply with the provisions herein, or, at the election of the City Engineer, notice may be mailed to the SUBDIVIDER at his address on file with the City Engineer. If, within twenty-four (24) hours after personal service or within forty-eight (48) hours after mailing of notice, the SUBDIVIDER has not commenced to maintain adequate dust control or at any time thereafter fails to maintain adequate dust control, the City Engineer may, without further notice of any kind, cause any street or streets to be sprinkled with water or an approved dust palliative as may be deemed necessary by the City Engineer to eliminate the scattering of dust. Such dust control shall be performed by equipment and personnel of the CITY or by contract as the City Engineer shall determine, and the SUBDIVIDER agrees to pay to CITY, upon receipt of the billing, therefore, the entire cost to the CITY of such dust control.

When the surfacing on any existing street is disturbed, the surfacing shall be immediately replaced with temporary surfacing and permanently paved within fourteen (14) calendar days

thereafter. The streets shall be maintained in a safe and passable condition at all times between the commencement of construction of IMPROVEMENTS and final completion thereof.

10. Reimbursement.

If the City Municipal Code provides SUBDIVIDER with the right to receive cash reimbursement or impact fee credit because of the construction of certain improvements or the oversizing thereof, SUBDIVIDER must request payment of the cash reimbursement or preparation of a reimbursement agreement, whichever is applicable, or the impact fee credit prior to the date of final acceptance of all subdivision improvements by the City Council. Such request must be made in writing and received by the City Engineer prior to the date of final acceptance of the IMPROVEMENTS by City Council. SUBDIVIDER agrees that should it fail to make such written request by the date identified herein, SUBDIVIDER forever waives its right to request and receive any cash reimbursement, reimbursement agreement or impact fee credit.

11. Prevailing Wage Laws, Rules and Regulations.

SUBDIVIDER shall comply with and shall require all contractors to comply with all prevailing wage laws, rules and regulations applicable to the SUBDIVISION. Unless otherwise advised in writing by the City, SUBDIVIDER shall be solely responsible for making any and all decisions regarding any portion or aspect of the SUBDIVISION including, without limitation, any form of reimbursement by the City to the SUBDIVIDER or any contractor, that will require the payment of prevailing wages. Further, SUBDIVIDER will be solely responsible for the payment of any claims, fines, penalties, reimbursements, payments or any other actions that may be initiated against applicant or any contractor as a result of failure to pay prevailing wages.

SUBDIVIDER shall defend, indemnify and hold harmless the City of Hanford, its officials, officers, employees, representatives, agents and attorneys from and against any and all claims, damages, losses, judgments, liabilities, expenses and other costs, including, without limitation, litigation costs and attorney's fees arising out of, to the extent resulting from any violation or claim of violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the SUBDIVISION. SUBDIVIDERS's obligation to defend, indemnify and hold the City harmless

specifically includes, but is not limited to, any suit or administrative action against the City which claims a violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the SUBDIVISION.

SUBDIVIDERS's obligations to defend, indemnify and hold the City, its officials, officers, employees, representatives, agents and attorneys harmless as set forth herein, shall include, but shall not be limited to, staff time, copying costs, court costs, the costs of any judgments or awards against the City for damages, losses, litigation costs or attorney fees arising out of any violation or claim of violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the SUBDIVISION and costs of any settlement representing damages, litigation costs and attorney's fees to be paid to other parties arising out of any such proceeding or suit.

The City may, at any time, require the SUBDIVIDER to reimburse the City for costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of any action. SUBDIVIDER shall reimburse the City within thirty (30) days of receipt of an itemized written invoice from the City for costs actually incurred. Failure of the SUBDIVIDER to timely reimburse the City shall be considered a material violation of the conditions of approval of the SUBDIVISION.

12. Sole and Only Agreement.

This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the matters set forth herein and contains all of the covenants and agreements between the parties regarding such matters. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or in writing, have been made by any party or anyone acting on behalf of any party which are not embodied in this Agreement, and no other agreement, statement or promises shall be valid or binding.

13. Severability.

If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions shall nevertheless continue in full force and effect without being impaired or invalidated in any way.

14. Attorneys' Fees.

If an action at law or inequity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees, costs and necessary disbursements in addition to any other reasonable relief to which he may be entitled. With respect to any suit, action or proceeding arising out of or related to this Agreement or the documentation related hereto, the parties hereby submit to the jurisdiction and venue of the

Superior or Municipal Court, whichever is applicable, in the County of Kings, State of California for any proceeding arising hereunder.

15. Successors and Assigns.

The covenants and agreements contained in this Agreement shall be binding upon and shall inure to the benefit of the heirs, successors and assigns of the parties hereto. This Agreement shall not be assignable by SUBDIVIDER without the express prior written consent of CITY.

16. Governing Law.

This Agreement shall be construed and governed pursuant to the laws of the State of California.

17. Time of the Essence.

Time is of the essence of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the _____ day of _____, 2020.

SUBDIVIDER:

**Presidio JJR Bella Vista 113, LLC.
A Limited Liability Company**

By: _____
Jim Robinson, Vice President

CITY OF HANFORD APPROVAL:

By: _____
Johnathan L. Doyel, P.E., P.L.S.
Public Works Director, City of Hanford

ATTEST:

By: _____
Sarah Martinez
City Clerk, City of Hanford

Attachment: Tract 919 Unit II - Subdivision Map Agreement (PW: Tract No. 919 Unit II, Final Subdivision and Restructure)

EXHIBIT "C"**SUBDIVISION IMPROVEMENT COST ESTIMATE**

In accordance with Section 16.24.080 of the Hanford Municipal Code, estimated construction costs used in this Agreement are increased for projected inflation computed to the estimated mid-point of construction.

ESTIMATE
CONSTRUCTION COST

Sanitary Sewers

Construction of sanitary sewer mains, manholes and appurtenances as shown on the approved improvement plans in accordance with City Standards and Specifications.

\$238,831.30

Storm Sewers

Construction of storm drain mains, manholes, catch basins and disposal facilities as shown on the approved improvement plan in accordance with City Standards.

\$68,341.00

Water System

Construction of water mains, hydrants, services and appurtenances as shown on the approved Improvement Plans in accordance with City Standards and Specifications.

\$275,298.40

Curb and Gutter and Other Concrete Construction

Construction of curb and gutter, sidewalk, wheelchair ramps, drive approaches, valley gutter and other concrete improvements as shown on the approved Improvement Plans in accordance with City Standards and Specifications.

\$292,167.48

Street Surfacing

Construct Type "B" asphalt concrete surfacing over Class II aggregate base as shown on the approved Improvement Plans in accordance with City Standards and Specifications.

\$845,246.80

Street Lighting

Install street lighting as shown on the approved Improvement Plans in accordance with City Standards and Specifications.

\$39,975.00

Street Barricades

Install street barricades as shown on the approved Improvement Plans in accordance with City Standards and Specifications.

\$3,120.00

Fencing, Landscaping, and Irrigation System

Construct fencing and install landscape and irrigation system improvements, Misc. as shown on the approved Improvement Plans in accordance with City Standards and Specifications.

\$316,326.40**Monuments and Lot Markers**

Install permanent monuments and lot markers in accordance with City Standards and Specifications.

\$5,200.00**Engineering Services**

Engineering, surveying, & geotechnical services associated with Completion of the Subdivision Improvements.

\$119,600.00**Earthwork Improvements**

• Excavation & Compaction (Completed under separate permit.)	<u>\$66,332.50</u>
• Subgrade Compaction & Fine Grade	<u>\$43,027.40</u>
• Final Lot Grading	<u>\$11,895.00</u>
• Total Improvements subject to Plan Review & Insp. Fees	<u>\$2,240,845.50</u>

Private Utilities

• Applicant Install Utilities Onsite Construct	<u>\$422,398.60</u>
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Total Estimated Improvement Cost (To be bonded with Final Map)	<u>\$2,662,884.10</u>
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SECURITY REQUIREMENTS

Performance	<u>\$2,662,884.10</u>
Labor and Materials	<u>\$1,331,442.05</u>
Warranty (Minimum 12-mo. from N.O.C.)	<u>\$266,288.10</u>

City Engineering Plan Review and Inspection Fee Schedule

City Engineering and Inspection Fees are established by Council Resolution No.1902, and are set forth below:

(1) 6% of first	\$ 5,000.00	\$ 300.00
(2) 5% of next	\$ 20,000.00	\$ 1,000.00
(3) 4.5% of next	\$ 75,000.00	\$ 3,375.00
(4) 3.5% of next	\$150,000.00	\$ 5,250.00
(5) 2% over	\$250,000.00	\$ 48,257.60
Total City Engineering Review and Inspection Fee obligation		\$ 58,062.68
Fee balance payable with this Agreement Acct. #001-2010-4937		\$ 58,062.68

NOTE:

- Engineering Plan Review & Inspection Fees are based on estimated cost of Improvements, including all items constructed both prior to & following posting of security.

- Private utility costs are not included in determination of City Engineering Plan Review and Inspection fee calculation.

Note: Additional fees and charges will be payable prior to approval of Final Map and Final Subdivision Agreement by the City Council, including:

12 th Ave. Sewer Benefit District, Acct. #161-2161-5494 (14.72 Ac @ \$1,734.30/Ac) (Determined at completion of final map review.)	<u>\$25,528.90</u>
Street Sign Fee, Acct. #0010-2010-4937 (6 @ \$200.00 Ea.) (Per intersection cost for sign blades furnished by City.)	<u>\$ 1,200.00</u>
Final Map Review Fee, Acct. #001-2010-4937 (Determined at completion of final map review.)	<u>\$ 845.00</u>
Engineering Plan Review & Inspection Fees, Acct. #001-2010-4937	<u>\$58,182.68</u>
Storm Drainage Impact Fees, Acct. #184-2184-5504 (N/A) (Onsite drainage Basin provided, no impact to existing City drainage facilities)	<u>\$ 0.00</u>
Building Dept. block wall plan review fees paid from Acct. #001-2010-4937	<u>\$ 1,007.39</u>
SUBTOTAL	<u>\$86,763.97</u>
PAID	<u>\$85,918.97</u>
BALANCE DUE:	<u>\$ 845.00</u>

ATTACHMENT "A"

ENGINEER'S REPORT
ASSESSMENT DISTRICT RESTRUCTURE NO. 18-01-C
(Pursuant to the Landscaping and Lighting Act of 1972)

Tract No. 918 Unit I & II – Bella Vista Subdivision and Tract 919 Unit I & II - Bonterra Subdivision

NOTE: Assessment District Restructure No. 18-01-C is the third modification of Landscape Assessment District No. 18-01.

Johnathan L. Doyel, P.E., P.L.S., Public Works Director/City Engineer and Engineer of Work for the existing Landscape Assessment District No. 18-01, City of Hanford, Kings County, California, makes this report for the inclusion of Assessment District Restructure No. 18-01-C into Landscape Assessment District No. 18-01 as directed by City Council, pursuant to Section 22585 of the Streets and Highways Code (Landscaping and Lighting Act of 1972).

The improvements to be constructed and maintained in the District provide special benefits to all of the parcels within the District about and beyond general benefits conferred on parcels located in the District or to the public at large. Specifically, the particular and distinct special benefits include:

1. Reduction of traffic noise level from the street located adjacent to the District;
2. Restriction of unwanted pedestrian access onto the lots and parcels within the District;
3. Enhancement of appearance of the entrance into the subdivision which is included within the District;
4. Reduction of impact of dust and other particulate matter onto the lots and parcels within the District;

The improvements which are the subject of this report are briefly described as follows:

1. Decorative masonry block fencing, and landscaping & irrigation system improvements located along Centennial Drive, Fargo Avenue, and Devon Street adjacent to Tract No. 918 Unit I & II and Tract 919 Unit I & II
2. The public park located at the north side of Vineyard Court fronting lots 39 through 44 of Tract No. 918
3. Interior street lighting with Tract No. 918 Unit I & II and Tract No. 919 Unit I & II.

This report consists of six parts as follows:

Exhibit "A": Plans and specifications for the improvements are filed with the City Clerk. Although separately bound, the plans and specifications are a part of this report and are incorporated herein by reference.

Exhibit "B": An estimate of costs to maintain the improvements.

Exhibit "C": An assessment of the estimated maintenance costs on each benefited parcel of land within the Assessment District.

Exhibit "D": A statement of the method by which the undersigned has determined the amount proposed to be assessed against each parcel.

Attachment: LAD (18-01-C) Engineer Report TR 919 Unit II (PW: Tract No. 919 Unit II, Final Subdivision and Restructure)

Exhibit “E”: A list of the names and addresses of the property owners of real property within each assessment district as shown on the last equalized assessment roll for taxes, or known to the Clerk. The list is keyed to Exhibit “C” by assessment number.

ATTACHMENT “A” continued...

Exhibit “F”: A diagram showing all of the parcels of real property within this assessment district. The diagram is keyed to Exhibit “C” by lot number.

Respectfully submitted,

Johnathan L. Doyel, P.E., P.L.S.
Public Works Director
And City Engineer

ENGINEER'S REPORT

ASSESSMENT DISTRICT RESTRUCTURE NO. 18-01-C
(Pursuant to the Landscaping and Lighting Act of 1972)

Tract No. 918 Unit I & II – Bella Vista Subdivision and Tract 919 Unit I & II – Bonterra Subdivision

The undersigned hereby respectfully submits the enclosed Engineer's Report as directed by the City Council.

DATED: _____

Johnathan L. Doyel, P.E., P.L.S.
Public Works Director
And City Engineer

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessments and Assessment Diagram thereto attached was filed with me on the _____ day of _____, 20____.

Sarah Martinez
City of Hanford
Kings County, California

By _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessments and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Hanford, California, on the _____ day of _____, 20____.

Sarah Martinez
City of Hanford
Kings County, California

By _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessments and Assessment Diagram thereto attached, was filed with the County Auditor of the County of Kings on the _____ day of _____, 20____.

Sarah Martinez
City of Hanford
Kings County, California

By _____

Attachment: LAD (18-01-C) Engineer Report TR 919 Unit II (PW: Tract No. 919 Unit II, Final Subdivision and Restructure)

EXHIBIT "A"

ASSESSMENT DISTRICT RESTRUCTURE NO. 18-01-C
(Pursuant to the Landscaping and Lighting Act of 1972)

Tract No. 918 Unit I & II – Bella Vista Subdivision and Tract 919 Unit I & II – Bonterra Subdivision

NOTE: Assessment District Restructure No. 18-01-C is the third Annexation of Additional Property into Landscape Assessment District No. 18-01.

Plans and specifications for the improvements are those prepared by Zumwalt-Hansen & Associates and San Joaquin Valley Homes for the City Engineer. These plans and specifications have been filed separately with the Clerk of the Legislative Body and are incorporated in this report by reference.

Attachment: LAD (18-01-C) Engineer Report TR 919 Unit II (PW: Tract No. 919 Unit II, Final Subdivision and Restructure)

EXHIBIT "B"

CITY OF HANFORD
ENGINEER'S REPORTASSESSMENT DISTRICT RESTRUCTURE NO. 18-01-C
FISCAL YEAR 2020-2021

ESTIMATED ASSESSMENTS

Tract No. 918 Unit I & II – Bella Vista Subdivision and Tract 919 Unit I & II – Bonterra Subdivision

ITEM NO.	DESCRIPTION	FY 2020-2021 ESTIMATE UNITS	RATE	AMOUNT
A. MAINTENANCE COSTS				
1.	Landscape and Irrigation System along Centennial Drive and Fargo Avenue (Labor and Materials)	185,001 SF ±	\$ 0.3/SF	\$ 55,500.30
2.	Decorative Block Walls along Centennial Drive and Fargo Avenue (Labor and Materials)	4,980 LF ±	\$ 0.50/LF	\$ 2,490.00
3.	Water Usage (\$200/mo./Service x 12 = \$2400.00/Service)	Five services	\$ 2400.00/ea	\$ 12,000.00
4.	Electricity Usage (\$30/mo./Meter x 12 = \$360.00/Meter)	Four meters	\$ 360.00/ea	\$ 1,440.00
5.	Street Light Usage (\$13/Lt./Mo. x 12 = \$156.00/Lt./Yr.)	54 St. Lights	\$ 156.00/ea	\$ 8,424.00
B. INCIDENTAL COSTS/FORMATION COSTS				
1.	Staff Preparation of Documents		\$ 325.00	\$ 325.00
2.	Notice of Public Hearing		\$ 75.00	\$ 75.00
3.	Collection of Assessment		\$ 121.00	\$ 121.00
TOTAL ANNUAL SUBDIVISION ASSESSMENT AMOUNT				<u>\$ 80,375.30</u>
TRACT NO. 918, LOTS 1 THROUGH 68, TRACT NO 918 LOTS 69 THROUGH 142, TRACT 919 LOTS 1 THROUGH 64, TRACT NO 919 LOTS 65 THROUGH 125 SHALL BE ASSESSED:				<u>\$ 301.03</u>

Attachment: LAD (18-01-C) Engineer Report TR 919 Unit II (PW: Tract No. 919 Unit II, Final Subdivision and Restructure)

C. ADJUSTMENT FOR INFLATION IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 53739(b)(1).

The Annual Total Subdivision Assessment Amount will be adjusted for inflation on an annual basis in accordance with the following formula:

Commencing with the calendar year 2020-2021, and January 1 of each calendar year (“Adjustment Date”) thereafter during the life of the District, the Total Annual Subdivision Assessment Amount for the next fiscal year shall be an amount equal to the greater of:

- (i) the Total Annual Subdivision Assessment amount in effect immediately prior to the Adjustment Date, or
- (ii) the product obtained by multiplying the Total Annual Subdivision Assessment in effect immediately prior to the Adjustment Date by a fraction, the numerator of which is the Index published nearest but prior to the Adjustment Date and the denominator of which is the Index published nearest but prior to January 1 of the first year the Subdivision Assessment became effective.

The term “Index” means the Consumer Price Index for Urban Wage Earners and Clerical Workers, San Francisco-Oakland-San Jose Consolidated Statistical Area, 1982-1984, equals 100, published by the Bureau of Labor Statistics of the United States Department of Labor. If the Bureau of Labor Statistics revises the Index, the Bureau of Labor Statistics will be the sole judge of the comparability of successive indexes, but if that agency fails to supply indexes that it deems comparable or if no succeeding index is published, the City shall determine an appropriate alternative published price index.

EXHIBIT "C"

ASSESSMENT ROLL AND
ESTIMATED ASSESSMENTS

Tract No. 918 Unit I & II – Bella Vista Subdivision and Tract 919 Unit I & II – Bonterra Subdivision

ASSESSMENT NUMBER	AMOUNT OF ASSESSMENT	PROPERTY DESCRIPTION OR ASSESSOR PARCEL NUMBER
1 Through 68	\$301.03	Lot 1 through 68, Tract 918 Unit I
69 Through 132	\$301.03	Lot 1 through 64, Tract 919 Unit I
133 Through 206	\$301.03	Lot 69 through 142, Tract 918 Unit II
207 through 267	\$301.03	Lot 65 through 125, Tract 919 Unit II

Total Assessment: \$ 80,375.30

* NOTE: Assessment amount for Lots 1 Thru 206 have been previously included in Landscape Assessment District No. 18-01 (Tract No. 918 Unit I and Unit II and Tract No. 919 Unit I)

EXHIBIT “D”

METHOD OF APPORTIONMENT OF ASSESSMENT

ASSESSMENT DISTRICT ANNEXATION NO. 18-01-C
(Pursuant to the Landscaping and Lighting Act of 1972)

Tract No. 918 Unit I & II – Bella Vista Subdivision and Tract 919 Unit I & II – Bonterra Subdivision

NOTE: Assessment District Restructure No. 18-01-C is the third Annexation of Additional Property into Landscape Assessment District No. 18-01.

The method of apportionment of Landscape Assessment District 18-01 maintenance costs is as follows:

100% of the maintenance costs divided equally between Lots 1 through 267 of Tract 918 Unit I & II and Tract 919 Unit I & II.

EXHIBIT “E”

PROPERTY OWNERS LIST

ASSESSMENT DISTRICT ANNEXATION NO. 18-01-C

Tract No. 918 Unit I & II – Bella Vista Subdivision and Tract 919 Unit I & II

ASSESSMENT NUMBERS	PROPERTY DESCRIPTIONS	OWNERS NAME AND ADDRESS
1	Lot 1 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
2	Lot 2 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
3	Lot 3 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
4	Lot 4 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
5	Lot 5 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
6	Lot 6 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
7	Lot 7 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
8	Lot 8 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
9	Lot 9 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
10	Lot 10 Tract 918, Unit I	Mejia, Ronald & Barbara B 2237 Cortner Street Hanford, CA 93230
11	Lot 11 Tract 918, Unit I	Hernandez, Domingo & Ruth 2237 Cortner Street Hanford, CA 93230

Attachment: LAD (18-01-C) Engineer Report TR 919 Unit II (PW: Tract No. 919 Unit II, Final Subdivision and Restructure)

EXHIBIT "E" PROPERTY OWNERS LIST, continued...

ASSESSMENT NUMBERS	PROPERTY DESCRIPTIONS	OWNERS NAME AND ADDRESS
12	Lot 12 Tract 918, Unit I	Pimentel, Raul 2253 Cortner Street Hanford, CA 93230
13	Lot 13 Tract 918, Unit I	Steven, Stefanie M 2261 Cortner Street Hanford, CA 93230
14	Lot 14 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
15	Lot 15 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
16	Lot 16 Tract 918, Unit I	Camara, Brandon D 2301 Cortner Street Hanford, CA 93230
17	Lot 17 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
18	Lot 18 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
19	Lot 19 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
20	Lot 20 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
21	Lot 21 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
22	Lot 22 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
23	Lot23 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
24	Lot 24 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291

Attachment: LAD (18-01-C) Engineer Report TR 919 Unit II (PW: Tract No. 919 Unit II, Final Subdivision and Restructure)

EXHIBIT “E” PROPERTY OWNERS LIST, continued...

ASSESSMENT NUMBERS	PROPERTY DESCRIPTIONS	OWNERS NAME AND ADDRESS
25	Lot 25 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
26	Lot 26 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
27	Lot 27 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
28	Lot 28 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
29	Lot 29 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
30	Lot 30 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
31	Lot 31 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
32	Lot 32 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
33	Lot 33 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
34	Lot 34 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
35	Lot 35 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
36	Lot 36 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291

Attachment: LAD (18-01-C) Engineer Report TR 919 Unit II (PW: Tract No. 919 Unit II, Final Subdivision and Restructure)

EXHIBIT “E” PROPERTY OWNERS LIST, continued...

ASSESSMENT NUMBERS	PROPERTY DESCRIPTIONS	OWNERS NAME AND ADDRESS
37	Lot 37 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
38	Lot 38 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
39	Lot 39 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
40	Lot 40 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
41	Lot 41 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
42	Lot 42 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
43	Lot 43 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
44	Lot 44 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
45	Lot 45 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
46	Lot 46 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
47	Lot 47 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
48	Lot 48 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291

Attachment: LAD (18-01-C) Engineer Report TR 919 Unit II (PW: Tract No. 919 Unit II, Final Subdivision and Restructure)

EXHIBIT "E" PROPERTY OWNERS LIST, continued...

ASSESSMENT NUMBERS	PROPERTY DESCRIPTIONS	OWNERS NAME AND ADDRESS
49	Lot 49 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
50	Lot 50 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
51	Lot 51 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
52	Lot 52 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
53	Lot 53 Tract 918, Unit I	Gomez, Dario & Charlotte B 2286 Cortner Street Hanford, CA 93230
54	Lot 54 Tract 918, Unit I	Valenzuela, David & Jessica 2278 Cortner Street Hanford, CA 93230
55	Lot 55 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
56	Lot 56 Tract 918, Unit I	Houk, Rick & Cynthia 2262 Cortner Street Hanford, CA 93230
57	Lot 57 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
58	Lot 58 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
59	Lot 59 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
60	Lot 60 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291

Attachment: LAD (18-01-C) Engineer Report TR 919 Unit II (PW: Tract No. 919 Unit II, Final Subdivision and Restructure)

EXHIBIT “E” PROPERTY OWNERS LIST, continued...

ASSESSMENT NUMBERS	PROPERTY DESCRIPTIONS	OWNERS NAME AND ADDRESS
61	Lot 61 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
62	Lot 62 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
63	Lot 63 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
64	Lot 64 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
65	Lot 65 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
66	Lot 66 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
67	Lot 67 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
68	Lot 68 Tract 918, Unit I	Presidio JJR Bella Vista 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
69 through 132	Lots 1 through 64 of Tract 919 Unit I	Madrugá, Janice I Survivor’s Trust 12581 Fargo Avenue Hanford, CA 93230
133 through 206	Lots 69 through 142 of Tract 918 Unit II	Presidio JJR Bella 128 LLC 222 N Garden St Ste 100 Visalia, CA 93291
207 through 267	Lots 65 through 125 of Tract 919 Unit II	Presidio JJR Bella 113 LLC 222 N Garden St Ste 100 Visalia, CA 93291

NOTE: * 1 through 68 of Tract No. 918 Unit I, 69 through 132 of Tract 919 Unit I, and 133 through 206 of Tract 918 Unit II have been previously included in Landscape Assessment District No. 18-01.

Attachment: LAD (18-01-C) Engineer Report TR 919 Unit II (PW: Tract No. 919 Unit II, Final Subdivision and Restructure)



AGENDA STAFF REPORT

MEETING DATE: 8/4/2020	AGENDA SECTION: I
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SUBJECT:

Public Works: Award of a contract to Papich Construction Co., Inc. of Arroyo Grande in the amount of \$161,733.00 for the FY 19/20 Pavement Resurfacing on Idaho Avenue from the BNSF Railroad to 10th Avenue Project, and establish a construction contingency of \$13,000.00 for this project.

RECOMMENDATION:

That the City Council, by motion:

1. Award a contract to Papich Construction Co., Inc. of Arroyo Grande, in the amount of \$161,733.00 for the FY 19/20 Pavement Resurfacing on Idaho Avenue from BNSF Railroad to 10th Avenue Project; and,
2. Establish a construction contingency of \$13,000.00 for this project.

BACKGROUND:

This project involves the resurfacing of Idaho Avenue in Kings Industrial Park between B.N. & S.F. Railroad and 10th Avenue. Streets in the Industrial Park get heavily used by trucks, and as a result, Idaho Avenue between BNSF Railroad and 10th Avenue is in need of repairs. The contractor will install a new 4" asphalt pavement section.

In accordance with bidding procedures, bids were solicited and opened on July 28, 2020 for the FY 19/20 Pavement Resurfacing on Idaho Avenue from BNSF Railroad to 10th Avenue Project. A total of seven (7) responsive bids were received ranging from a low bid of \$160,733.00 from Papich Construction Co., Inc., to a high bid of \$280,269.00. A detailed copy of the bid tabulations is attached for review and a summary of the total bid prices is included below:

Contractor	Total Bid
Papich Construction Co.	\$ 161,733.00
Granite Construction Co.	\$ 168,500.00
BUSH Engineering	\$ 176,300.00
Mac General Engineering	\$ 180,150.00
Cal Valley Construction	\$ 183,025.00
Central Valley Asphalt	\$ 214,450.00
Seal Rite Paving	\$ 280,269.00

The contract stipulates that the Project be completed within four (4) calendar days from the date of the Notice to Proceed. If approved, work on this project is expected to begin after the BNSF permit is obtained in September 2020.

FISCAL IMPACT:

The FY 19/20 Capital Improvement Budget provides \$175,000 for this project. A copy of the budget page is attached for Council review.

ATTACHMENTS:

Bid Schedule

Budget Page

FY 19/20 Pavement Resurfacing, Idaho Avenue from BNSF Railroad to 10th Avenue
26670000-800200-CIP0000027

July 28, 2020 2:00 p.m.

Lic. No.

767055		89		888139		988712	
1. Papich Construction Co.		2. Granite Construction Co.		3. BUSH Engineering		4. Mac General Engineering	
Unit Cost	Subtotal	Unit Cost	Subtotal	Unit Cost	Subtotal	Unit Cost	Subtotal
17,085.00	\$17,085.00	\$25,000.00	\$25,000.00	\$4,100.00	\$4,100.00	\$10,000.00	\$10,000.00
70.56	\$144,648.00	\$70.00	\$143,500.00	\$84.00	\$172,200.00	\$83.00	\$170,150.00
	\$161,733.00		\$168,500.00		\$176,300.00		\$180,150.00

ITEM	QUANTITY	UNIT
1 Site Preparation, Mobilization, Traffic Control, and I	1	LS
2 4" Asphalt Concrete, Type B, 3/4" Max, med. Grade	2,050	TON

Total written in Bid if discrepancy exists

873800		777434		805585	
5. Cal Valley Construction		6. Central Valley Asphalt		7. Seal Rite Paving	
Unit Cost	Subtotal	Unit Cost	Subtotal	Unit Cost	Subtotal
\$18,000.00	\$18,000.00	\$23,800.00	\$23,800.00	\$64,937.00	\$64,937.00
\$80.50	\$165,025.00	\$93.00	\$190,650.00	\$105.04	\$215,332.00
	\$183,025.00		\$214,450.00		\$280,269.00

1 Site Preparation, Mobilization, Traffic Control, and I	1	LS
2 4" Asphalt Concrete, Type B, 3/4" Max, med. Grade	2,050	TON

Total written in Bid if discrepancy exists

Attachment: Bid Schedule (PW: Award the FY 19/20 Pavement Resurfacing on Idaho Avenue.)

Pavement Treatment Various Streets

CIP0000027

Project Background:

This project provides funds to perform various pavement rehabilitation / surfacing treatments to extend the useful life of streets in the Industrial Park. Pavement treatment may include reclaimite, crack filling, cape seal coating or deep patching.

Existing Conditions:

The Kings Industrial Park consists of 1,000 acres of developed and vacant land. The park is mostly developed with most infrastructure in place. Infrastructure in the park dates back to the 1970's. Streets in the park are heavily used by semi-trucks and vehicles and as a result are in varying degrees of disrepair.

Project Justification:

The Kings Industrial Park provides significant jobs to the City. Infrastructure must be in good repair in order to attract new businesses and keep the existing businesses content. This is an effective way to make the Industrial Park more business friendly. This will attract new investment, core jobs and lead to a fully occupied Industrial Park.

Fiscal Implications:

Funds for this project will be allocated from Accumulated Capital Outlay (ACO) Reserves.

Project Budget Summary:

		5-Year Funding Allocation				
		2020	2021	2022	2023	2024
Expenditure	Program or Project	Construction				
	Construction	175,000	50,000	50,000	50,000	50,000
	Total Expenditure	\$175,000	\$50,000	\$50,000	\$50,000	\$50,000
Revenue	Funding					
	0004 Accumulated Capital Outlay	50,000	50,000	50,000	50,000	50,000
	0050 Gas Tax (TDA Transportation)	125,000				
	Total Funding	\$175,000	\$50,000	\$50,000	\$50,000	\$50,000



AGENDA STAFF REPORT

MEETING DATE: 8/4/2020	AGENDA SECTION: A
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SUBJECT:

Police Department: Conduct a public hearing to Authorize the City Manager to execute an MOU between City of Hanford and Kings County, which would allocate the County's share of the JAG funding to the City and Approve the use of \$17,684 in FY2020 Jag Grant funding to purchase needed equipment for the Police Activities League Program.

RECOMMENDATION:

That the City Council conduct a public hearing and, by motion, Authorize the City Manager to execute an MOU between City of Hanford and Kings County, which would allocate the County's share of the JAG funding to the City and approve the use of the FY2020 Jag Grant funding to purchase needed equipment for the Police Activities League Program.

BACKGROUND:

The City of Hanford has been notified that the Hanford Police Department is eligible to receive \$17,684 in grant funds from the fiscal year 2020 Jag Grant monies to purchase equipment for our Hanford Police Activities League Program. The grant will require the signing of a Memorandum of Understanding between the City of Hanford and Kings County. Per this MOU, Kings County would receive \$0 of the grant funding from the 2020 Jag Grant.

The Police Activities League (PAL) is a youth crime prevention program providing civic, athletic, recreational and educational opportunities and resources to our local youth. The Hanford PAL, in partnership with the Hanford Police Department, is committed to creating a safer environment for at-risk youth and reducing juvenile crime. The Hanford PAL currently coordinates four different programs, which are the Junior Explorers, Police Explorers Post, Jiu Jitsu and Hanford PAL boxing. A weightlifting and strength conditioning program will be added in the near future. The program currently serves upwards of 240 juveniles and operates daily from morning to night.

The Hanford PAL program is funded strictly through grants, community donations, and the fundraising efforts of the Board of Directors, volunteers and participants and parents.

In addition to these programs, the officers of the Hanford Police Department use the PAL building regularly as a fitness program, training center and classroom. The program equipment is available anytime for officers' use, as we recognize the importance of physical fitness for law enforcement officers. Some of our officers participate in the Boxing and Jiu Jitsu programs, as a means of exercise and as a means of learning self-defense tactics. Equipment associated with these programs is also used to provide weaponless defense tactics for police officers.

At the current time, our programs are limited by our existing equipment, some of which is outdated and of limited use. We are proposing to expand the youth service programs and training programs offered to our officers with the purchase of additional equipment for weightlifting, strength conditioning and physical fitness.

This Grant funding would be used to purchase rubber gym floor mats, free weights weight benches, kettle bells, and weightlifting machines, treadmills, punching bags, boxing gloves, hand wraps, focus gloves, and jumping ropes..

Other items, which we intend to add in the future following the purchase of all of the above listed equipment, include energy efficiency lighting and television monitors. Monitors would be used for the boxing program to review fights and practices, as well as for officer training. The addition of a single person sauna would also be beneficial to the boxing program.

FISCAL IMPACT:

FY2020 Grant funding would provide the Hanford Police Department \$17,684 to be used to purchase needed equipment for the Police Activities League Program.

ATTACHMENTS:



AGENDA STAFF REPORT

MEETING DATE: 8/4/2020	AGENDA SECTION: A
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SUBJECT:

Administration: Introduction and First Reading of Ordinance No. 20-08 amending Municipal Code Section 2.01.18 fixing salaries for the City Council at \$500.00 per month pursuant to Government Code Section 36516 (a)(2)(C).

RECOMMENDATION:

That the City Council, by motion, approve the Introduction of Ordinance No. 20-08, amending Municipal Code Section 2.01.18 fixing salaries for the City Council at \$500.00 per month pursuant to Government Code Section 36516 (a)(2)(C).

BACKGROUND:

At the June 16, 2020, City Council meeting, Council directed staff to bring back a future item for Council consideration of an increase to the monthly compensation for Council members.

Pursuant to Government Code §36516 (a) (1) a City Council may adopt an Ordinance setting the salary of Councilmembers based on the population of the City. According to the California Department of Finance the population of Hanford is approximately 59,349.

The last time an Ordinance was adopted to increase Council Salaries was in 1996. Therefore, the current salary for City Council members is \$400.00 per month, based on a population of 35,000 to 50,000. Section 36516(a) (2) (C) provides that, in Cities with a population over 50,000 and up to and including 75,000, the salary may be up to \$500.00 per month.

Government Code §36516.5 prohibits any change in compensation during the council member's term of office. This does not mean that a Councilmember, elected in 2018, must wait until their next term of office begins in 2022. Because city council members serve staggered terms, a Councilmember will be eligible for an increase following the next municipal election in November 2020, when two of their compatriots must run for reelection, even though that Councilmember is in the middle of their own term. Therefore, by Council adopting this Ordinance now, the entire Council will begin to receive the adjusted compensation amount (\$500/month) following the installation of new Councilmembers later this year.

FISCAL IMPACT:

The adoption of this resolution, and corresponding raise to the monthly compensation for each Councilmember, would result in an additional cost to the General Fund of \$4,800 per year with a potential increase of \$6,000 per year if all members of a future Council accept the salary.

ATTACHMENTS:

GOV_36516. Council Salary Statute
Proposed Ordinance 20-08 Council Salaries

State of California

GOVERNMENT CODE

Section 36516

36516. (a) (1) A city council may enact an ordinance providing that each member of the city council shall receive a salary based on the population of the city as set forth in paragraph (2).

(2) The salaries approved by ordinance under paragraph (1) shall be as follows:

(A) In cities up to and including 35,000 in population, up to and including three hundred dollars (\$300) per month.

(B) In cities over 35,000 up to and including 50,000 in population, up to and including four hundred dollars (\$400) per month.

(C) In cities over 50,000 up to and including 75,000 in population, up to and including five hundred dollars (\$500) per month.

(D) In cities over 75,000 up to and including 150,000 in population, up to and including six hundred dollars (\$600) per month.

(E) In cities over 150,000 up to and including 250,000 in population, up to and including eight hundred dollars (\$800) per month.

(F) In cities over 250,000 population, up to and including one thousand dollars (\$1,000) per month.

(3) For the purposes of this subdivision, the population of a city shall be determined by the last preceding federal census, or a subsequent census, or estimate validated by the Department of Finance.

(4) The salary of council members may be increased beyond the amount provided in this subdivision by an ordinance or by an amendment to an ordinance, but the amount of the increase shall not exceed an amount equal to 5 percent for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance or amendment is enacted. No ordinance shall be enacted or amended to provide automatic future increases in salary.

(b) Notwithstanding subdivision (a), at any municipal election, the question of whether city council members shall receive a salary for services, and the amount of that salary, may be submitted to the electors. If a majority of the electors voting at the election favor it, all of the council members shall receive the salary specified in the election call. The salary of council members may be increased beyond the amount provided in this section or decreased below the amount in the same manner.

(c) Unless specifically authorized by another statute, a city council may not enact an ordinance providing for compensation to city council members in excess of that authorized by the procedures described in subdivisions (a) and (b). For the purposes of this section, compensation includes payment for service by a city council member on a commission, committee, board, authority, or similar body on which the city

council member serves. If the other statute that authorizes the compensation does not specify the amount of compensation, the maximum amount shall be one hundred fifty dollars (\$150) per month for each commission, committee, board, authority, or similar body.

(d) Any amounts paid by a city for retirement, health and welfare, and federal social security benefits shall not be included for purposes of determining salary under this section, provided that the same benefits are available and paid by the city for its employees.

(e) Any amounts paid by a city to reimburse a council member for actual and necessary expenses pursuant to Section 36514.5 shall not be included for purposes of determining salary pursuant to this section.

(f) A city council member may waive any or all of the compensation permitted by this section.

(Amended by Stats. 2009, Ch. 332, Sec. 68. (SB 113) Effective January 1, 2010.)

ORDINANCE NO. 20-08

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF HANFORD FIXING SALARIES FOR CITY COUNCIL MEMBERS
PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 36516

The City Council of the City of Hanford does hereby ordain as follows:

Section 1.

WHEREAS, California Government Code Section 36516(a)(l) provides that "A city council may enact an ordinance providing that each member of the city council shall receive a salary based on the population of the city as set forth in paragraph (2) ...

"(C) In cities over 50,000 up to and including 75,000 in population, up to and including five hundred dollars (\$500) per month."

WHEREAS, Section 2-1.18 of the Hanford Municipal Code provides that salaries of City Council members may be fixed in accordance with the provisions of California Government Code Section 36516 and any amendments thereto; and

WHEREAS, as of the date of passage of this Ordinance, the latest estimate of the population of the City of Hanford made by the Department of the Finance of the State of California is 59,349.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 2. Compensation.

a. On the effective date of this Ordinance, the salary for each member of the Hanford City Council shall be the sum of Five Hundred Dollars (\$500) per month. Said salary shall be payable at the same time and in the same manner as salaries of other officers and employees of the City of Hanford.

b. The salary as fixed in this Ordinance shall, per Government Code Section 36516.5, become payable to all Hanford City Council members only on and after the date upon which one or more members of the Hanford City Council become eligible therefore by virtue of beginning a new term of office.

Section 3. This Ordinance shall be listed in Table 4 of the Appendix of the Hanford Municipal Code as a general ordinance not codified but to remain in effect pending revision or repeal.

Section 4. Any and all existing ordinances regarding compensation of City Council members of the City of Hanford are hereby repealed.

Section 5. This Ordinance shall take effect thirty (30) days after its passage, and shall be published once in the Hanford Sentinel within fifteen (15) days after its passage.

Passed and adopted at a regular meeting of the City Council of the City of Hanford, duly called and held on the 4th day of August, 2020, by the following vote:

AYES
NOES
ABSENT
ABSTAIN

APPROVED

JOHN DRAXLER
Mayor

ATTEST:

NATALIE ORTEGA
INTERIM CITY CLERK

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

I, NATALIE ORTEGA, Interim City Clerk of the City of Hanford, do hereby certify that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Hanford held on the 4th day of August, 2020.



AGENDA STAFF REPORT

MEETING DATE: 8/4/2020	AGENDA SECTION: B
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SUBJECT:

Parks and Community Services: Adoption of Resolution 20-21-R; a resolution of the City Council of the City of Hanford approving applications (s) for the Prop 68 Per Capita Grant funding program and update on various park projects and improvements.

RECOMMENDATION:

Staff Recommends that the City Council, by motion, adopt Resolution 20-21-R, approving applications for the Per Capita Program with the State of California - The Natural Resources Agency, Department of Parks and Recreation, Office of Grants and Local Services (OGALS)

BACKGROUND:

This program originates from Proposition 68, placed on the ballot via Senate Bill 5, and approved by voters on June 5, 2018. Funds for the program are found in the Public Resources Code (PRC). OGALS retains the right to waive requirements not mandated by statute.

The Per Capita Program funds are available for local park rehabilitation, creation and improvement grants to local governments on a per capita basis. Grant recipients are encouraged to utilize awards to rehabilitate existing infrastructure and to address deficiencies in neighborhoods lacking access to the outdoors.

The Authorizing Resolution serves two purposes:

1. It is a means by which the grantee's governing body agrees to the terms of the contract; it provides confirmation that the grantee has the funding to complete, operate and maintain the projects associated with the contract.
2. Designates a position title to represent the governing body on all matters regarding projects associated with the contract. The incumbent in this position is referred to as the authorized representative.

During the Council study session on July 7th, the Parks and Community Services Director presented four potential projects funded through the Prop 68 Per Capita Program. Those projects include:

- Construction of six pickleball courts at Lacey Park
- Replace of playground equipment at Centennial Park
- Replace of playground equipment at Earl F. Johnson Park
- Video surveillance cameras at Centennial, Freedom and Hidden Valley parks

The Council was supportive of the construction of six pickleball courts at Lacey Park to provide this opportunity to the growing number of resident pickleball enthusiasts. Park activation is another benefit of this project. The Council has received several emails from residents in support of this project. Council also stated that if additional funding remained upon completion of the project, other projects such as additional surveillance cameras and repair of the barbecue pits at Centennial Park is recommended.

The Prop 68 Per Capita Program was placed on the agenda as a study session item of the Parks and Recreation Commission on July 13th. During public comment at this meeting several pickleball enthusiasts expressed their support for this project. Currently, there are no permanent pickleball courts within the City of Hanford. With limited access to the Hanford High School tennis courts, many travel to Visalia to play pickleball. After questions and discussion, the Commissioners voted unanimously in agreement that the new activity/project for new pickleball courts located at Lacey Park is a good use of Prop 68 Per Capita funding. The Commission also amended the motion to include use of unspent funding would be allocated for video surveillance systems and minor repairs at other park sites.

FISCAL IMPACT:

The Per Capita Program will provide the City of Hanford with \$177,952 in new funding, which Council has directed staff to use for capital outlay for recreational purposes.

ATTACHMENTS:

Per Capita Resolution

RESOLUTION

PARKS AND COMMUNITY SERVICES: ADOPTION OF RESOLUTION 20-21-R; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HANFORD APPROVING APPLICATIONS (S) FOR THE PROP 68 PER CAPITA GRANT FUNDING PROGRAM AND UPDATE ON VARIOUS PARK PROJECTS AND IMPROVEMENTS.

At a regular meeting of the City Council of the City of Hanford duly called and held on August 4, 2020 at 7:00 PM, it was moved by , and seconded by and duly carried, that the following Resolution be adopted:

Passed and adopted at a regular meeting of the City Council of Hanford duly called and held on August 4, 2020, by the following vote:

RUSS CURRY
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 4th day of August, 2020.

Date: _____

City Clerk

**Resolution Number: _____ RESOLUTION OF THE CITY COUNCIL OF HANFORD
APPROVING APPLICATION(S) FOR PER CAPITA GRANT FUNDS**

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application(s); and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the grantee's Governing Body to certify by resolution the approval of project application(s) before submission of said applications to the State; and

WHEREAS, the grantee will enter into a contract(s) with the State of California to complete project(s);

NOW, THEREFORE, BE IT RESOLVED that the Hanford City Council hereby:

1. Approves the filing of project application(s) for Per Capita program grant project(s); and
2. Certifies that said grantee has or will have available, prior to commencement of project work utilizing Per Capita funding, sufficient funds to complete the project(s); and
3. Certifies that the grantee has or will have sufficient funds to operate and maintain the project(s), and
4. Certifies that all projects proposed will be consistent with the park and recreation element of the City of Hanford general or recreation plan (PRC §80063(a)), and
5. Certifies that these funds will be used to supplement, not supplant, local revenues in existence as of June 5, 2018 (PRC §80062(d)), and
6. Certifies that it will comply with the provisions of §1771.5 of the State Labor Code, and
7. (PRC §80001(b)(8)(A-G)) To the extent practicable, as identified in the "Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters," dated January 12, 2017, the City of Hanford will consider a range of actions that include, but are not limited to, the following:

(A) Conducting active outreach to diverse populations, particularly minority, low income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.

(B) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.

(C) Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations. 9

(D) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.

(E) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.

(F) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.

(G) Identifying possible staff liaisons to diverse populations.

Agrees that to the extent practicable, the project(s) will provide workforce education and training, contractor and job opportunities for disadvantaged communities (PRC §80001(b)(5)).

8. Certifies that the grantee shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient's annual expenditures. (PRC §80062(d)).
9. Certifies that the grantee has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Procedural Guide; and
10. Delegates the authority to the City Manager, or designee to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope(s); and
11. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

Approved and adopted the day ____ of , _____ 2020. I, the undersigned, hereby certify that the foregoing Resolution Number was duly adopted by the Hanford City Council following a roll call vote:

Ayes: _____

Noes: _____

Absent: _____

(Clerk)



AGENDA STAFF REPORT

MEETING DATE: 8/4/2020

AGENDA SECTION: C

SUBJECT:

Fire Department: Presentation to Council regarding a proposed modification to the Staffing Levels for Fire Station No. 2 and possible direction and authorization from Council.

RECOMMENDATION:

It is recommended that Council receive this report from the Fire Command Staff on proposed modifications to the staffing levels at Fire Station No. 2. After receiving this report, Council may elect to Authorize the following actions:

1. Approve the elimination of six (6) firefighter positions;
2. Approve the creation of a three (3) Engineer positions;
3. Approve the creation of a three (3) Captain positions; and
4. Appropriate an additional \$142,386 in funding for the Fire operating budget to cover salaries; and
5. Authorize the City Manager to implement the associated changes to the Budget as outlined in this report and begin the recruitments.

BACKGROUND:

In 2018, Council recognized the need to better serve the community through increased services provided by the fire department. The actions taken by Council have decreased response times to, and increased services provided for, a large underserved area of the City. These actions included the following:

Acceptance of the SAFER grant - adding three (3) Firefighter positions
Purchase of a Ladder Truck
Construction of a new Fire Station (Station 3)

To ensure these actions approved by Council are providing the most efficient and effective services to the Community, now and in the future, the Fire Department is requesting the reclassification of existing positions. These reclassifications will ensure that the correct amount of staffing is provided at each station, as well as critical roles in each station are met - such as

company officers and fire apparatus driver/operators.

The primary responsibility of the company officer (Captain) is to provide leadership, supervision, and direction during routine and emergency activity. The geographical separation of the stations makes it impossible for a Captain to manage multiple stations. The critical nature of leadership during emergency activity is obvious, but it must be also recognized that the first few minutes of a call have a direct impact on the outcome.

Comparable agencies from the Bryce Study, as well as most fire departments within the state, the National Fire Protection Agency (NFPA), International Association of Fire Chiefs (IAFC), as well as the National Institute of Standards and Technology (NIST) recognize and utilize a company officer as the leadership at the station level. In order to predict and limit risks that the Fire Department faces each day, it is crucial to have a Company Officer located at each station.

The primary responsibility of the fire apparatus operator (Engineer) is the daily maintenance and safe operations of the apparatus owned by the City, which are valued at \$1.8 million collectively. The various Fire apparatuses weigh from 30,000 to 80,000 lbs. and require significant training and experience to safely navigate city roadways when driving these vehicles.

Cost Analysis

The proposed staffing modification would consist of the following:

Reclassifying six (6) existing Firefighter positions to three (3) Captains and three (3) Engineers.

The current annual salary cost for all Captains, Engineers, and Firefighters is \$4,723,776. Reclassifying six (6) of the Firefighter positions into three (3) Captains and three (3) Engineers would cost \$4,866,162; a increase in total personnel costs for the Fire department of \$142,386.

The cost of this proposal is as follows:

Full Staffing Pattern with 9 Capt. / 9 Eng. / 12 FF's					
Rank	Rate	Current Staffing	Total	Proposed Staffing	Total
Captain	\$163,364	6	\$ 981,804	9	\$ 1,472,706
Engineer	138,086	6	\$ 828,516	9	\$ 1,242,774
Firefighter	127,129	18	\$ 2,288,776	12	\$ 1,525,548
Total			\$ 4,723,776	Total	\$ 4,866,162
				Increase	\$ 142,386

Funding Source

For the current fiscal year, the removal of the Spartan Ferrara Fire Engine, which was approved by Council on July 7, 2020, resulted in the reimbursement of additional funds to the General Fund in the amount of \$313,000. Additional funding to the General Fund for this fiscal year is approximately \$20,000 from the sale of the old engine and parts. However, these are one-time

funds for this fiscal year only.

Current and future sources of continuous additional revenue for the Fire department include the annual vehicle replacement reserve contributions, annual maintenance savings, and annual Fire Cost reimbursement revenues (OES). These total approximately \$57,238 annually. The table below illustrates both of these one-time and ongoing funding sources:

FUNDING FOR FIREFIGHTER RECLASSIFICATION	
SOURCE	AMOUNT
Equipment Maintenance Reserves	\$285,370
Equipment Replacement Reserve Funds to General Fund	\$27,630
Sale of Engine (estimated)	\$10,000
Annual Vehicle Replacement Reserve Savings	\$14,238
Annual Maintenance Savings (estimated base on 3-year average)	\$9,000
Equipment Off Engine being Sold (estimated)	\$10,000
Annual Fire Cost Reimbursement Administration Fees	\$34,000
TOTAL	\$390,238

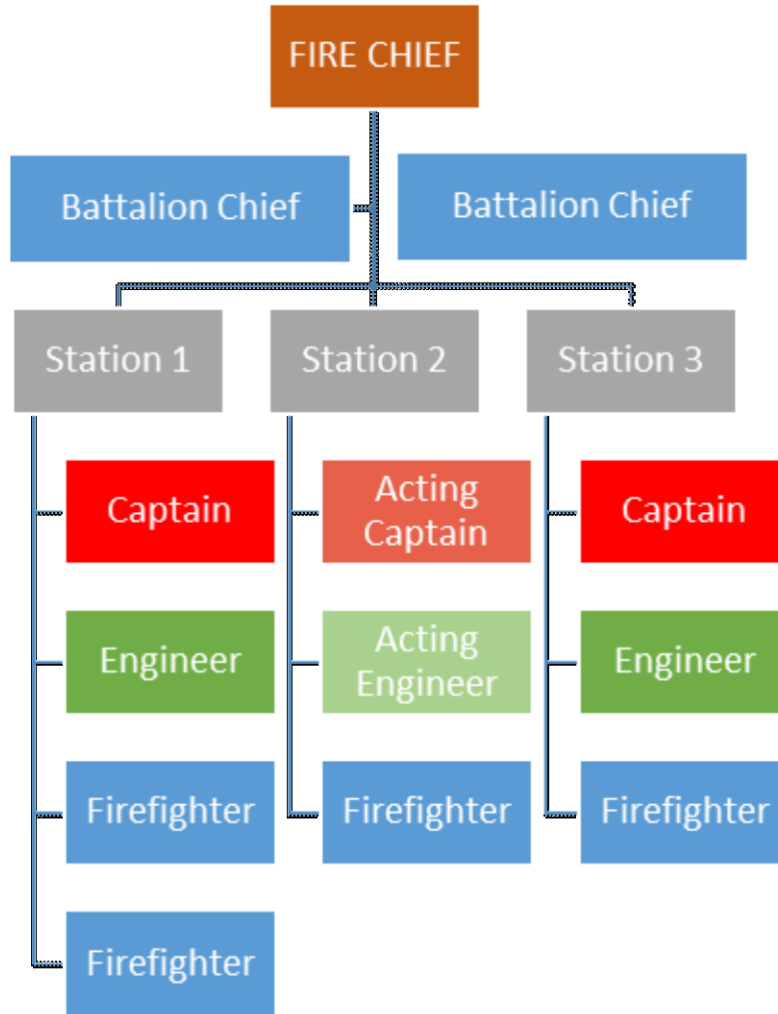
The reclassification costs of \$142,386 would be covered this current fiscal year with the one-time funding sources mentioned above. After this fiscal year, however, ongoing cost savings of \$57,238, identified in blue above, would help to offset the annual cost of the reclassification for future Fiscal Years beyond FY21.

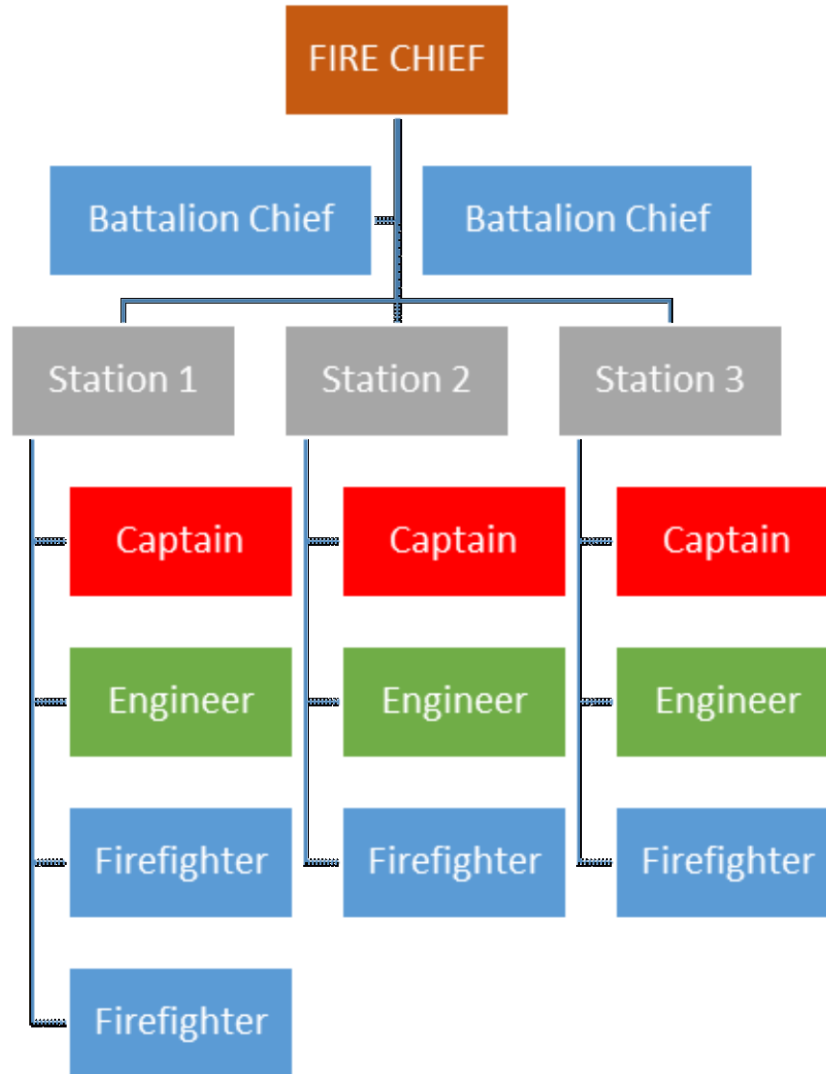
Benefit Analysis

The reorganization to be discussed during the presentation will allow for all three Fire Stations to be fully staffed with the required and necessary personnel.

NFPA 1710 sets the national standard for adequate staffing of engine companies and truck companies which requires a company officer (Captain) and a pump operator (Engineer) in addition to firefighters. This reclassification presented here provides continuity of management throughout the department for the day to day duties such as personnel evaluations, accident investigations, training, and emergency activity. The current and proposed model of staffing with the reclassification is illustrated below.

CURRENT MODEL

**RECOMMENDED MODEL**



FISCAL IMPACT:
\$142,386

ATTACHMENTS:



**AGENDA
STAFF REPORT**

MEETING DATE: 8/4/2020	AGENDA SECTION: A
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SUBJECT:

Council Future Agenda Items

FISCAL IMPACT:

ATTACHMENTS:

Council Future Agenda Items

Council Future Agenda Items

Originated Date	Item	Originator	Staff Lead	Date Estimate
6/5/18	Comprehensive Study of downtown businesses, including crosswalks. Study to change 7 th Street one-way going WEST and 6 th Street going EAST to increase angled parking.	Council Consensus	John Doyel	9/15/20 Delayed for Public Outreach Meetings
6/17/18	Develop a naming policy for facilities/parks/structures	Council Consensus	Brad Albert	P&R Comm - 8/25/20 Council 9/1/20
1/24/19	Develop a food truck ordinance	Council Consensus	Darlene Mata	Plan Comm - 8/25/20 Council 9/15/20
5/22/19	Abandoned shopping cart ordinance	Brieno	Parker Sever, Karl Anderson	10/6/20 Delayed for Public Outreach Meetings
5/22/19	Parks/Camping Ordinance	Council Consensus	Parker Sever	9/1/20
6/17/19	Review of properties that may be eligible for Prop 68 funding	Brieno	Brad Albert	8/18/20
6/18/20	Review and adjustment of Local Preference for Vendors	Council Consensus	Mario Cifuentez	8/18/20
6/18/20	Discussion of Courthouse improvements, funding sources, and potential revenue	Council Consensus	Various Staff	9/1/20

Attachment: Council Future Agenda Items (Council: Future Agenda Items)