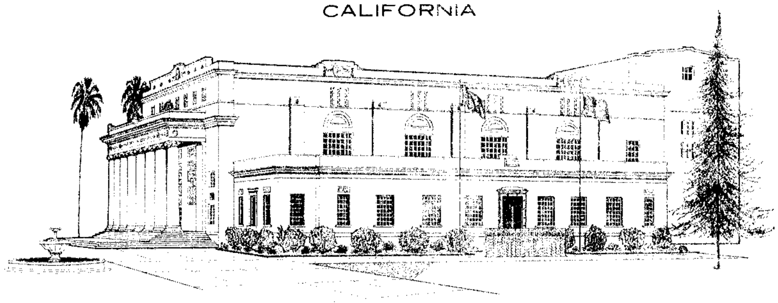
The City of Hanford

CALIFORNIA



City Council Meeting
Agenda

February 15, 2022
7:00 PM – Regular Meeting
Council Chambers
400 N. Douty St.

Council Members will meet in-person in the Council Chambers. The meeting will also be lived streamed on the City's website: http://livestream.hanford.city/

6:00 PM CALL TO ORDER STUDY SESSION AND CLOSED SESSION:

ROLL CALL BY THE CITY CLERK :

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.*

STUDY SESSION :

Presentation and Update on the design of the new KART Transit Center in Downtown Hanford

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

CONFERENCE WITH LEGAL COUNSEL-INITIATION OF LITIGATION (GC 54956.9 (d)(4)):

One potential case.

CALL TO ORDER REGULAR SESSION:

ROLL CALL:

INVOCATION:

Frank Saldana

FLAG SALUTE:

CLOSED SESSION ACTION REPORT:

COUNCIL REPORTS/GENERAL REPORTS:

Brief information-only reports from City Council and/or Staff, including committee reports and reports by City Council related to meetings attended at City expenses (AB1234).

PUBLIC COMMENT:

This is the time for citizens to comment on subject matters 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. State law does not allow the Council to discuss or take action on issues not on the agenda, except that members of the Council or staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights (GC 54954.2). 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. PROCEDURAL WAIVER: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title the only.

B. City Clerk: Approval of the Minutes of the June 15, 2021 Meeting

C. City Clerk: Approval of the Minutes of the July 6, 2021 Meeting

D. Public Works: Authorization to advertise for bids for the FY 21/22 Pavement Resurfacing Treatment Project, and Pre-Authorize the City Manager to award and execute the contract on behalf of the City to the lowest responsible bidder providing project bid is within current budget appropriation.

E. Public Works: Approval of a payment to King's Petroleum, for the purchase of diesel fuel for Fleet Operations, in the amount is $31,826.76.

GENERAL BUSINESS:

A. Public Works: Authorization to Reject the bid from Maggiora Bros. Drilling as a non-responsive bid; Award a contract to Zim Industries, of Fresno CA, in the amount of $3,588,500.00 for the Well No. 51 and Well No. 52 Drilling Project; Establish a construction contingency of $358,850.00; and Approve an additional appropriation of $867,350.00 from the Water Impact Fee Reserves to fully fund this project.

B. Council: Adoption of Resolution No. 22-06-R, expressing the City's opposition to the Statewide Initiative 21-0042A1, billed as the Taxpayer Protection and Government Accountability Act, and consistent with the Policy direction from the League of California Cities.

COUNCIL COMMENTS AND COMMUNICATIONS :

At this time, any Council Member may ask a question for clarification, make an announcement, or report briefly on their activities. In addition, subject to Council Policies and Procedures, they may request staff to report back to the Council at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (GC 54954.2)

Council Future Agenda Items

Upcoming Events and Important Dates:

February 18: Deadline for the public to submit draft maps for consideration at the 3rd Redistricting Public Hearing
February 21: Holiday – City offices will be closed
March 1: City Council Meeting - 3rd Redistricting Public Hearing at 8:00 p.m.
March 15: City Council Meeting - 4th Redistricting Public Hearing at 8:00 p.m.

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: 2/15/2022	**AGENDA SECTION:** B

SUBJECT:
City Clerk: Approval of the Minutes of the June 15, 2021 Meeting

Recommendation:

Approve the minutes of the June 15, 2021 Meeting.

FISCAL IMPACT:

ATTACHMENTS:
6.15.2021

The City of Hanford
CALIFORNIA

CITY COUNCIL MEETING
MINUTES
June 15, 2021 7:00 PM
Council Chambers
400 N. Douty St.

4:30 PM CALL TO ORDER STUDY SESSION AND CLOSED SESSION:

Mayor Ramirez called the meeting to order at 4:31 p.m.

ROLL CALL BY THE CITY CLERK:

Present: Francisco Ramirez, John Draxler, Kalish Morrow, Art Brieno

Late: Diane Sharp

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.*

None.

STUDY SESSION :

A. FIRE: Report and Overview of the City of Hanford Fire Department Suppression Division

Fire Chief Pendergrass presented an overview of the roles and responsibilities of the Fire Department and the Fire Suppression Division. He also handed out a FAQ sheet that was not included in the staff report. Chief Pendergrass will present the Guiding Documents and Fire Master Plan at a future meeting for the Council's review and direction. Chief Pendergrass answered questions from the Council.

B. Study Session: Presentation by the Hanford Chamber of Commerce regarding accomplishments for the prior contract year and goals for the upcoming year.

The Hanford Chamber of Commerce Executive Director Amory Marple presented the organizations' accomplishments, events, and activities. Ms. Marple also discussed the organizations' future goals and answered questions from the Council. The Council commended Ms. Marple on her success with the organization.

Mayor Ramirez adjourned to Closed Session at 5:30 p.m.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

CONFERENCE WITH LEGAL COUNSEL-PUBLIC PERFORMANCE EVALUATION (GC 54957(b)(1))

Title: City Attorney

CALL TO ORDER REGULAR SESSION:

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

ROLL CALL:

Attendee Name	Title	Status	Arrived
John Draxler	Council Member	Present	4:25 PM
Diane Sharp	Vice Mayor	Late	4:35 PM
Art Brieno	Council Member	Present	4:29 PM
Kalish Morrow	Council Member	Present	4:25 PM
Francisco Ramirez	Mayor	Present	4:10 PM

INVOCATION:

The invocation was led by Pastor Mark Curts.

FLAG SALUTE:

The flag salute was led by Council Member Brieno.

CLOSED SESSION ACTION REPORT:

None.

RECOGNITIONS/PROCLAMATIONS:

A. Recognition of Curtis Marple for his emergency awareness during a residential fire

Chief Pendergrass and Senator Melissa Hurtado presented Curtis Marple with certificates of recognition.

B. Recognition of Departing Council Member John Draxler

Each of the Council Members thanked Council Member Draxler. Mayor Ramirez presented Council Member Draxler with a plaque in recognition of his service to the community.

SPECIAL BUSINESS ITEM:

A. Appointment of Amanda Saltray to the District A City Council Seat for the remainder of the unexpired term.

City Manager Cifuentez provided a brief overview of Council Member Draxler's resignation and the appointment process of Amanda Saltray to the District A seat for the remainder of the term.

Motion to approve Resolution 21-25-R, appointing Amanda Saltray to serve the remainder of the unexpired term of Council Member Draxler.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Francisco Ramirez, Mayor
SECONDER:	Diane Sharp, Vice Mayor
AYES:	Draxler, Sharp, Brieno, Morrow, Ramirez

B. Administration of the Oath to Council Member Amanda Saltray

Senator Melissa Hurtado administered the oath of office to Amanda Saltray.

STAFF COMMUNICATIONS:

City Manager Cifuentez discussed the meetings he attended and upcoming events.

COUNCIL REPORTS/COMMENTS:

Vice Mayor Sharp discussed the events and meetings that she attended.

Council Member Morrow commended the Public Works Department for their responsiveness to the community.

Council Member Brieno had nothing to report.

Council Member Saltray discussed the community events that she attended.

Mayor Ramirez had nothing to report.

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.*

Bob Ramos commented on consent Item C and requested that it be pulled from the consent calendar. He also commented on the censure of Council Member Brieno.

Jerry Irons commented on his past proposal for the Bastille.

Rene Irons commented on behalf of Mr. Iron's past proposal for the Bastille.

Greg Enloe expressed his interest in the Bastille.

Nancy Silva, Spencer Hoash, and Stan Billswalley commented on the Bastille and spoke highly of Greg Enloe.

Nathan Vosburg, former mayor of Coalinga, shared his thoughts on the importance of public comment at a city council meetings.

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.

Motion to approve the Consent Calendar except for the items pulled for separate consideration.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Art Brieno, Council Member
SECONDER:	Diane Sharp, Vice Mayor
AYES:	Saltray, Sharp, Brieno, Morrow, Ramirez

A. PROCEDURAL WAIVER: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title the only.

B. Administration: Adoption of Resolution No, 21-24-R, delegating authority for determining Industrial Disability pursuant to Government Code Sections 21156 and 21173.

C. Public Works: Authorization for the Director of Public Works to send a letter to the Local Agency Formation Commission (LAFCO), requesting the Extension of Services to the proposed dwelling unit in the County without annexation by the City of Hanford. (11530 10 1/2 Ave south of Hanford-Armona Road)

PULLED ITEMS:

1. City Attorney: Approval of the Exclusive Negotiating Agreement between 4Creeks, Inc., and the City of Hanford for the property more commonly referred to as the Bastille

[Item C]

Item pulled by the public (Bob Ramos).

City Attorney Ty Mizote provided a background of the item. He also addressed Mr. Irons comment made during public comment and answered questions from the Council. Mayor Ramirez, Vice Mayor Sharp, and Council Member Morrow spoke in favor of the agreement.

Motion to table the item was introduced by Council Member Brieno. Motion not seconded. Motion died.

Motion to approve as presented.

RESULT:	**APPROVED [4 TO 1]**
MOVER:	Kalish Morrow, Council Member
SECONDER:	Diane Sharp, Vice Mayor
AYES:	Saltray, Sharp, Morrow, Ramirez
NAYS:	Brieno

GENERAL BUSINESS:

A. Community Development: Council Review and Consideration of Substantial Amendment No.4 to the City of Hanford Community Development Block Grant (CDBG) 2019-2020 Action Plan

Administrative Analyst Sandra Lerma-Martinez provided an overview of the 2019-2020 Action Plan Substantial Amendment No. 4 for the Council's review and direction. Ms. Lerma-Martinez invited questions from the Council.

Motion to approve.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Diane Sharp, Vice Mayor
SECONDER:	Amanda Saltray, Council Member
AYES:	Saltray, Sharp, Brieno, Morrow, Ramirez

B. FIRE: Approval of an annual contract with Lexipol, LLC for reviewing, developing, and updating the Fire Department policy and procedures; Authorization for the City Manager to execute the required Agreement for $51,902; and Appropriation of $42,000 from the City's General Fund in 2020/2021 to cover the cost of the implementation

Fire Chief Pendergrass discussed the annual contract with Lexipol, LLC and answered questions from the Council. Chief Pendergrass and Police Captain Karl Anderson answered questions from Council Member Brieno.

Motion to approve.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Art Brieno, Council Member
SECONDER:	Kalish Morrow, Council Member
AYES:	Saltray, Sharp, Brieno, Morrow, Ramirez

C. Council: Receive and discuss the list of committees and boards that have City Council representation directly appointed by the Council and make new Appointments as appropriate.

City Manager Cifuentez provided an updated representation list to the Council. The Council discussed appointments to the various committees and boards. The Council also discussed the possibility of Council Member Brieno participating on the committees or boards. City Attorney Ty Mizote clarified the censure resolution indicates that Council Member Brieno will not serve on any boards or committees until further action is taken by the Council. The Council came to a consensus on the selection of the Council representation for the various boards and committees.

Updated representation:

Parks and Recreation Commission	Amanda Saltray	Rep
	Kalish Morrow	Alt
Parking and Traffic Commission	Francisco Ramirez	Rep
	Amanda Saltray	Alt
Kings County Association of Governments	Kalish Morrow	Rep
Kings County Area Public Transit Agency (KART)	Diane Sharp	Alt
Kings County Abandoned Vehicle Authority		
Kings Community Action Organization (KCAO)	Amanda Saltray	Rep
	Diane Sharp	Alt
Kings Waste and Recycling Authority (KWRA)	Diane Sharp	Rep
	Francisco Ramirez	Alt
Kings County Homeless Commission (Police Chief Sever is the Rep)	Amanda Saltray	Alt
Special City Selection Committee (Mayor)	Francisco Ramirez	Rep

COUNCIL FUTURE AGENDA ITEMS:

None.

ADJOURNMENT:

Mayor Ramírez adjourned the meeting at 8:35 p.m.

Respectfully submitted,

Natalie Corral
City Clerk

AGENDA
STAFF REPORT

MEETING DATE: 2/15/2022	**AGENDA SECTION:** C

SUBJECT:
City Clerk: Approval of the Minutes of the July 6, 2021 Meeting

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Recommendation:

Approve the minutes of the July 6, 2021 Meeting.

FISCAL IMPACT:

ATTACHMENTS:
7.6.2021

The City of Hanford

CALIFORNIA

CITY COUNCIL MEETING
MINUTES
July 6, 2021 7:00 PM
Council Chambers
400 N. Douty St.

5:30 PM CALL TO ORDER STUDY SESSION:

Mayor Ramirez called the Study Session to order at 5:30 p.m.

ROLL CALL BY THE CITY CLERK:

Present: Francisco Ramirez, Diane Sharp, Kalish Morrow, Art Brieno

Late: Amanda Saltray

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.*

None.

STUDY SESSION:

A. Discussion and direction from the Council regarding the annexation of industrial property into the Kings Industrial Park

Senior Planner Gabrielle Myers discussed the background and the process of annexation of industrial land and presented three annexation options for the Council's review and direction. Staff answered questions from the Council. Vice Mayor Sharp, Council Member Morrow, and Council Member Saltray spoke in favor of option 1. Public Works Director John Doyel provided his requested feedback from Mayor Ramirez. Mayor Ramirez spoke in favor of option 3. The Council briefly discussed options 1 and 2. It was a consensus to direct staff to move forward on options 1 and 2 to be brought back to the Council for further review and discussion.

B. Update to the City Council regarding the upcoming City of Hanford's 130th Birthday Celebration

Parks and Community Services Director Brad Albert, Hanford Chamber of Commerce Executive Director Amory Marpel, and Carnegie Museum of Kings County President Jack Schwartz provided the details and plans for the upcoming Hanford's 130th Birthday Celebration event. The Council thanked everyone for participating in the event. Dir. Albert answered questions from the Council.

Mayor Ramirez adjourned the Study Session at 6:20 p.m.

CALL TO ORDER REGULAR SESSION:

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

ROLL CALL:

Attendee Name	Title	Status	Arrived
Diane Sharp	Vice Mayor	Present	5:16 PM
Art Brieno	Council Member	Present	5:29 PM
Kalish Morrow	Council Member	Present	5:28 PM
Amanda Saltray	Council Member	Late	5:31 PM
Francisco Ramirez	Mayor	Present	5:10 PM

INVOCATION:

Pastor Mark Curts led the invocation.

FLAG SALUTE:

Mayor Ramirez led the flag salute.

RECOGNITIONS/PROCLAMATIONS:

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

Mayor Ramirez presented the "Parks Make Life Better!" Month proclamation to Parks and Community Services Director Brad Albert.

STAFF COMMUNICATIONS:

City Manager Mario Cifuentez announced the cooling center operating hours and provided departmental updates. He also discussed ARPA funding grants.

COUNCIL REPORTS/COMMENTS:

Vice Mayor Sharp discussed the meetings she attended.

Council Member Morrow discussed the meetings she attended.

Council Member Brieno discussed the events he attended.

Council Member Saltray had nothing to report.

Mayor Ramirez discussed the events that he attended.

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.*

Travis Paden, Bob Ramos, Lou Martinez, Tammy Wheatley, Emily Burnias, and Jerry Irons commented on General Business Item B and the censure of Council Member Brieno.

Planning Commissioner Jason Kemp Van Ee addressed comments made by Mayor Ramirez.

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.

Council Member Brieno requested to pull Item I *[Approval of a sole-source contract with Telstar Inc. of Hanford, CA for the supply and installation of identified security measures at the City's Water Tank site No.4, No.5, and No. 6 in an amount of $255,878].*

Motion to approve the Consent Calendar except for the items pulled for separate consideration.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Diane Sharp, Vice Mayor
SECONDER:	Kalish Morrow, Council Member
AYES:	Sharp, Brieno, Morrow, Saltray, Ramirez

A. PROCEDURAL WAIVER: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title the only.

B. City Clerk: Approval of the Minutes of the April 6, 2021 Meeting

C. City Clerk: Approval of the Minutes of the April 20, 2021 Meeting

D. Administration: Approval of a letter of support, on behalf of the City of Hanford, for SB619 (Laird) Organic Waste Budget Ask

E. Administration: Approval of a letter of support, on behalf of the City of Hanford, for AB122 - bicycle Stop as Yield Legislation.

F. Public Works: Authorization to Advertise for Bids for the FY 20/21 Pavement Resurfacing Treatment: Fiberized Micro Surfacing Project

G. Public Works: Authorization to Award a contract to Talley Oil Inc. of Madera Ca, in the amount of $147,945.20, for the FY 20/21 Reclamite Seal Treatment Project.

H. Public Works: Authorization to award a contract to Provost & Pritchard Consulting Group of Clovis Ca, in the amount of $38,000.00, for the FY 20/21 Survey Monumentation / Benchmark Update Project.

PULLED ITEMS:

1. Public Works: Approval of a sole-source contract with Telstar Inc. of Hanford, CA for the supply and installation of identified security measures at the City's Water Tank site No.4, No.5, and No. 6 in an amount of $255,878.

[Item I]

Pulled by Council Member Brieno

Public Works Director John Doyel provided a summary of the staff report and answered questions from Council Member Brieno.

Motion to approve.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Kalish Morrow, Council Member
SECONDER:	Art Brieno, Council Member
AYES:	Sharp, Brieno, Morrow, Saltray, Ramirez

GENERAL BUSINESS:

A. City Attorney: Introduction of Ordinance No. 21-01, Amending the Business License Ordinance and Municipal Code Chapters 5.04 and 5.08

City Attorney Ty Mizote provided a background and summarized the ordinance changes and annual fees. Financial Analyst Destiny Borba answered Council Member Brieno's questions regarding the fees and fee schedule. The fee schedule will be presented to the Council for review and consideration at a future meeting. City Attorney Mizote answered questions from the Council. Vice Mayor Sharp would like the listed business professions and job titles to be updated.

Motion to approve with the amendment of updating the business professions/job titles.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Diane Sharp, Vice Mayor
SECONDER:	Art Brieno, Council Member
AYES:	Sharp, Brieno, Morrow, Saltray, Ramirez

B. Council Discussion and Consideration of appropriating up to $2,000 from the City's General fund to the Council District E Travel Budget for FY 21/22

The City Council discussed appropriating up to of $2,000 from the City's General Fund to the Council District E Travel Budget for FY 21/22. Council Member Brieno expressed the importance of attending conferences and training opportunities. He also addressed the censure, his resignation, and comments made by the community. Each of the Council Members also expressed their concerns about reinstating the District E travel budget. Vice Mayor Sharp, Council Member Morrow spoke in opposition of appropriating up to $2,000 from the City's General Fund to the Council District E Travel Budget for FY 21/22. City Attorney Ty Mizote answered questions from the Council.

Motion to table was introduced by Council Member Brieno. Seconded by Mayor Ramirez. Motion failed (2/3).

Motion to deny appropriating up to $2,000 from the City's General Fund to the Council District E Travel Budget.

RESULT:	**APPROVED [3 TO 2]**
MOVER:	Diane Sharp, Vice Mayor
SECONDER:	Kalish Morrow, Council Member
AYES:	Sharp, Morrow, Saltray
NAYS:	Brieno, Ramirez

COUNCIL FUTURE AGENDA ITEMS:

It was a consensus of the Council for future discussion of two items:
Removal of Jason Kemp Van Ee from the Planning Commission, brought forth by Council Member Morrow, and the continued funding and potential amendment to the Hanford Chamber of Commerce agreement, brought forth by Mayor Ramirez.

ADJOURNMENT:

Mayor Ramirez adjourned the meeting at 8:44 p.m.

Respectfully submitted,

Natalie Corral
City Clerk

AGENDA
STAFF REPORT

MEETING DATE: 2/15/2022	AGENDA SECTION: D

SUBJECT:
Public Works: Authorization to advertise for bids for the FY 21/22 Pavement Resurfacing Treatment Project, and Pre-Authorize the City Manager to award and execute the contract on behalf of the City to the lowest responsible bidder providing project bid is within current budget appropriation.

RECOMMENDATION:
That the City Council, by motion, authorize staff to advertise for bids for the FY 21/22 Pavement Resurfacing Treatment Project, and Pre-Authorize the City Manager to award and execute the contract on behalf of the City to the lowest responsible bidder providing project bid is within current budget appropriation.

BACKGROUND:
Pavement resurfacing treatment is a surface protection and pavement preservation treatment for city streets. The location of streets and the types of treatment processes will be determined by Public Works Department staff and is dependent on pavement conditions. Treatments may include slurry seal, cape seal or fiber seal coatings or other pavement preservation treatments needed to extend the useful life of roadways. See attached location maps for specific streets.

Asphalt concrete pavement surfaces deteriorate over time due to loss of oil content from naturally occurring processes and vehicular traffic loads. Pavement resurfacing treatments will extend the useful life of asphalt concrete pavement surfaces, thereby reducing street maintenance costs. This project will provide surface treatment for approximately seven miles of roadways (207,300 SY).

After bid opening, Staff will examine the bids, validate the lowest bidder's contractor's license status, and verify the contractor is in good standing. Staff is requesting the pre-authorization to award and execute the contract in order to expedite the process of delivery of projects to avoid winterization. With Council approval, staff will solicit bids for this project. If awarded, construction is anticipated to begin in June 2022.

FISCAL IMPACT:
The FY 21/22 Capital Improvement budget provides $996,850.00 for construction, including contingencies. A copy of Budget Page is attached for Council review.

ATTACHMENTS:
Budget Page
FY 21-22 Single and Double Fiber Locations

822615
823618

Pavement Resurfacing Treatment

Project Background:

Pavement resurfacing treatment is a surface protection and pavement preservation treatment for city streets. The location of streets and the types of treatment processes will be determined by Public Works Department staff and is dependent on pavement conditions. Treatments may include slurry seal, cape seal or fiber seal coatings or other pavement preservation treatments needed to extend the useful life of roadways.

Existing Conditions:

Asphalt concrete pavement surfaces deteriorate over time due to loss of oil content from naturally occurring processes and vehicular traffic loads.

Project Justification:

Pavement resurfacing treatments will extend the useful life of asphalt concrete pavement surfaces, thereby reducing street maintenance costs. This project will provide surface treatment for approximately seven miles of roadways (207,300 SY).

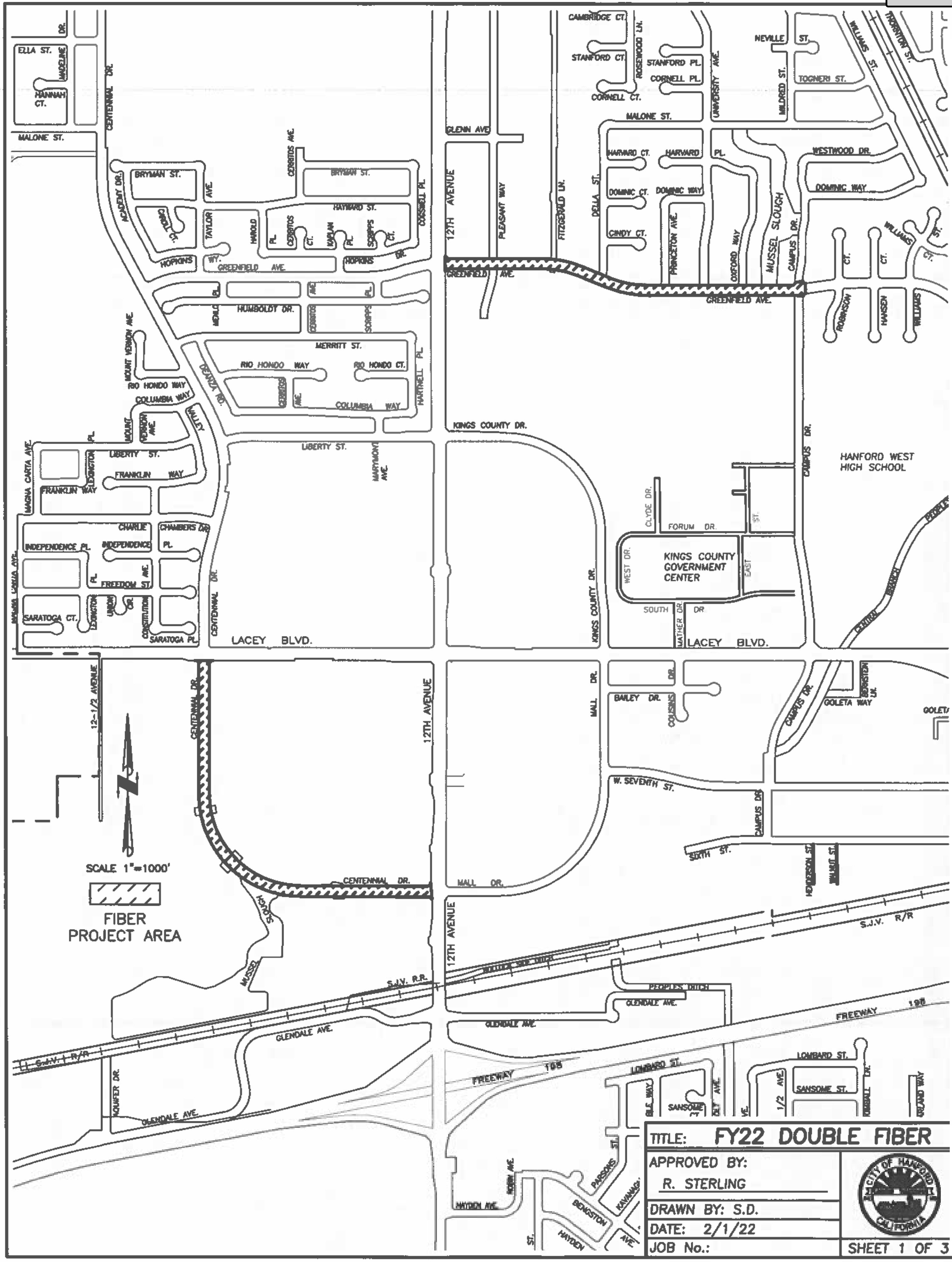
Fiscal Implications:

Funding for this project will be allocated from Gas Tax Reserves.

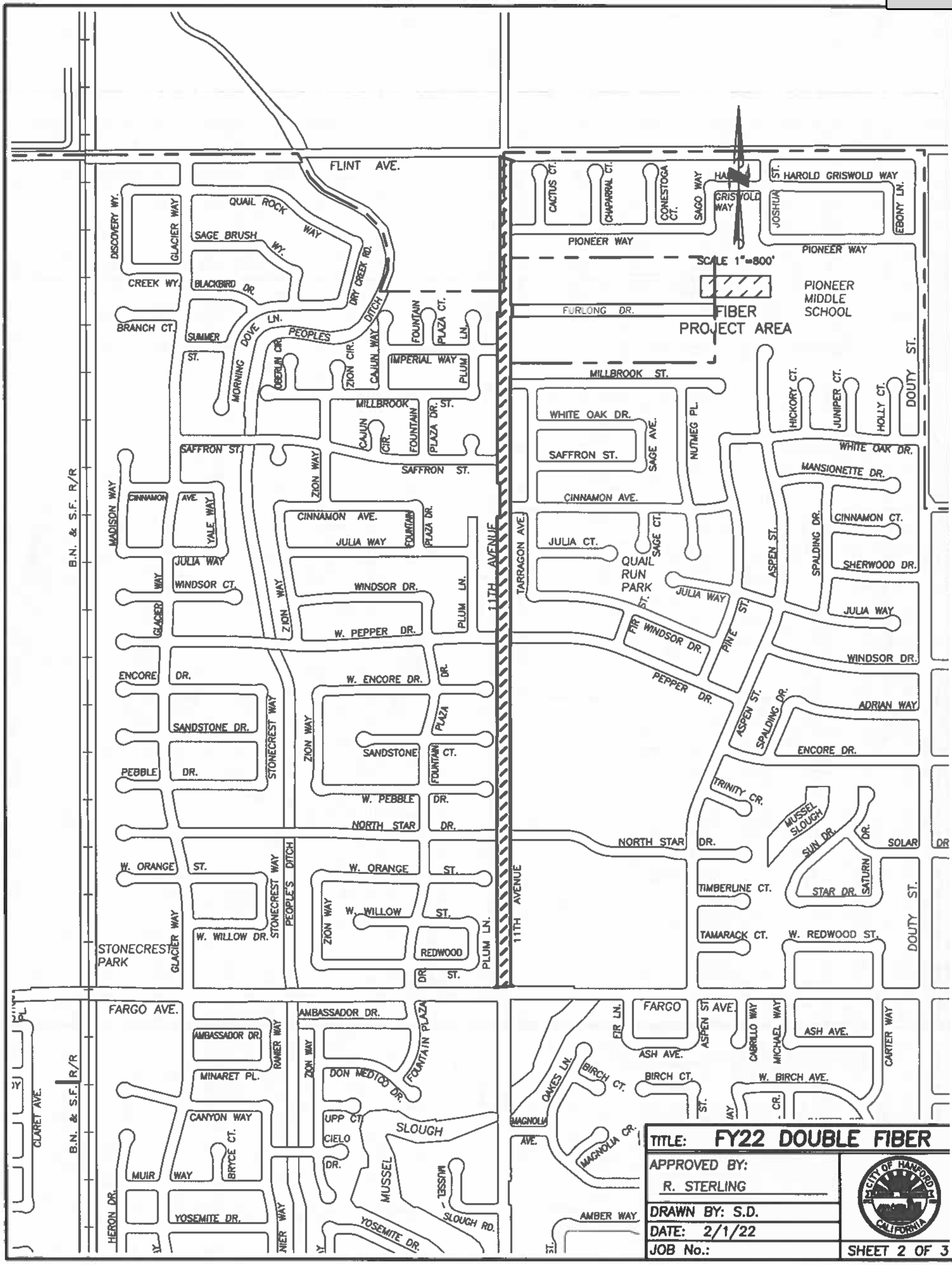
Project Budget Summary:

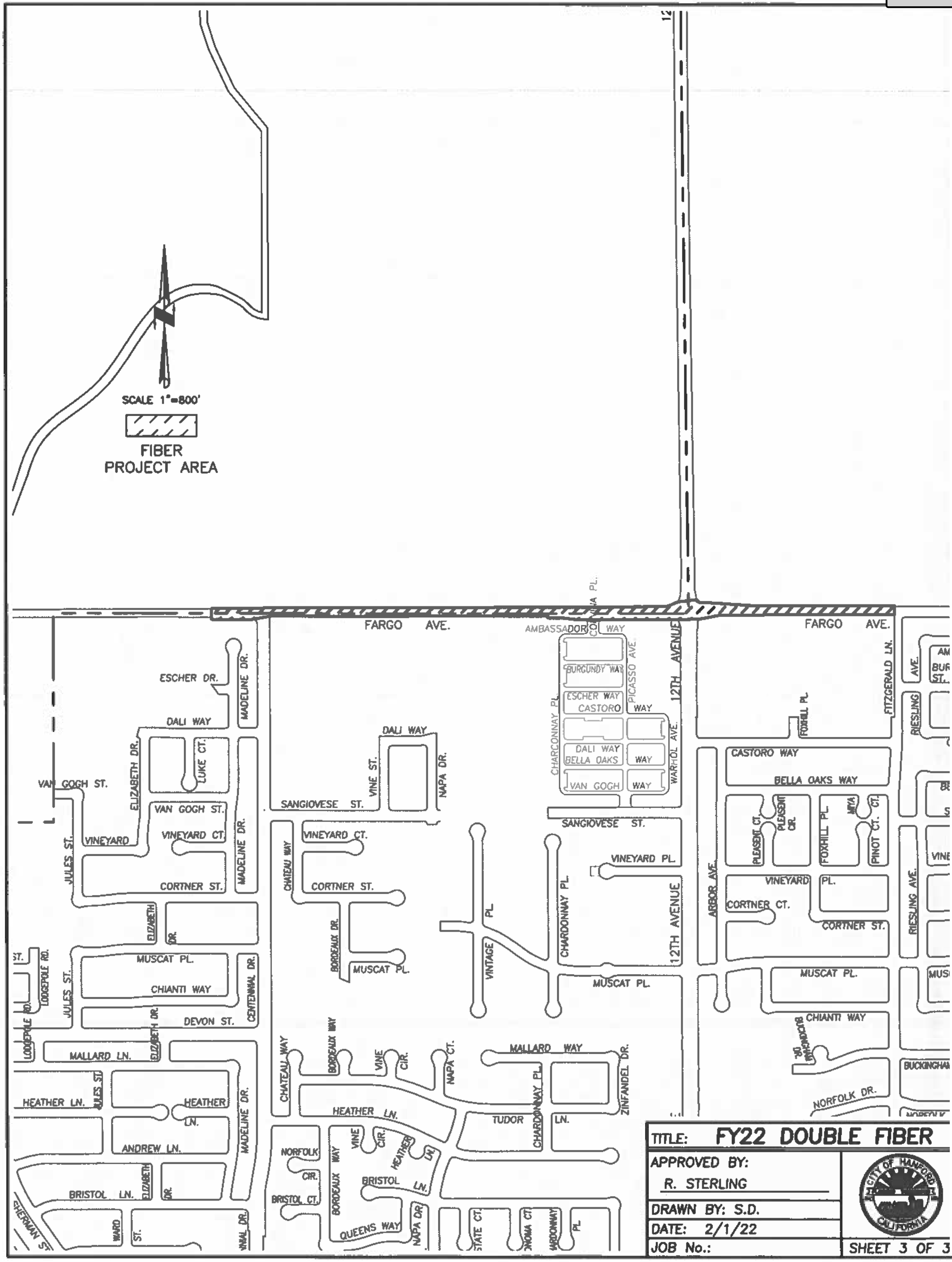
		5-Year Funding Allocation				
		2022	2023	2024	2025	2026
	Program or Project	Construction	Construction	Construction	Construction	Construction
Expenditure	Engineering / Inspection	12,000	12,000	12,000	12,000	12,000
	Construction	850,000	850,000	850,000	850,000	850,000
	Contingency	85,000	85,000	85,000	85,000	85,000
	Department Overhead	49,850	36,690	3,000	3,000	3,000
	Total Expenditure	$996,850	$983,690	$950,000	$950,000	$950,000
	Funding					
Revenue	0040 Gas Tax	367,261	362,412	350,000	350,000	350,000
	0050 Gas Tax (TDA Transportation)	629,589	621,278	600,000	600,000	600,000
	0045 Gas Tax (RMRA)					
	Total Funding	$996,850	$983,690	$950,000	$950,000	$950,000

Attachment: Budget Page (PW: Permission to Advertise the FY 21/22 Pavement Resurfacing Treatment Project)



Attachment: FY 21-22 Single and Double Fiber Locations (PW: Permission to Advertise the FY 21/22 Pavement Resurfacing Treatment Project)


FLINT AVE.
PIONEER WAY
SCALE 1"=800'
FIBER
PROJECT AREA
PIONEER
MIDDLE
SCHOOL
HAROLD GRISWOLD WAY
GRISWOLD WAY
FURLONG DR.
MILLBROOK ST.
WHITE OAK DR.
SAFFRON ST.
CINNAMON AVE.
JULIA CT.
QUAIL
RUN
PARK
JULIA WAY
WINDSOR DR.
PEPPER DR.
W. PEPPER DR.
W. ENCORE DR.
SANDSTONE DR.
W. PEBBLE DR.
NORTH STAR DR.
W. ORANGE ST.
W. WILLOW DR.
REDWOOD ST.
STONECREST
PARK
11TH AVENUE
B.N. & S.F. R/R
FARGO AVE.
AMBASSADOR DR.
MINARET PL.
CANYON WAY
YOSEMITE DR.
SLOUGH
MUSSEL
SLOUGH RD.
AMBER WAY
ASH AVE.
BIRCH CT.
W. BIRCH AVE.
DOUTY ST.
W. REDWOOD ST.
TITLE: FY22 DOUBLE FIBER
APPROVED BY:
R. STERLING
DRAWN BY: S.D.
DATE: 2/1/22
JOB No.:
SHEET 2 OF 3
CITY OF HANFORD
CALIFORNIA



TITLE: FY22 DOUBLE FIBER

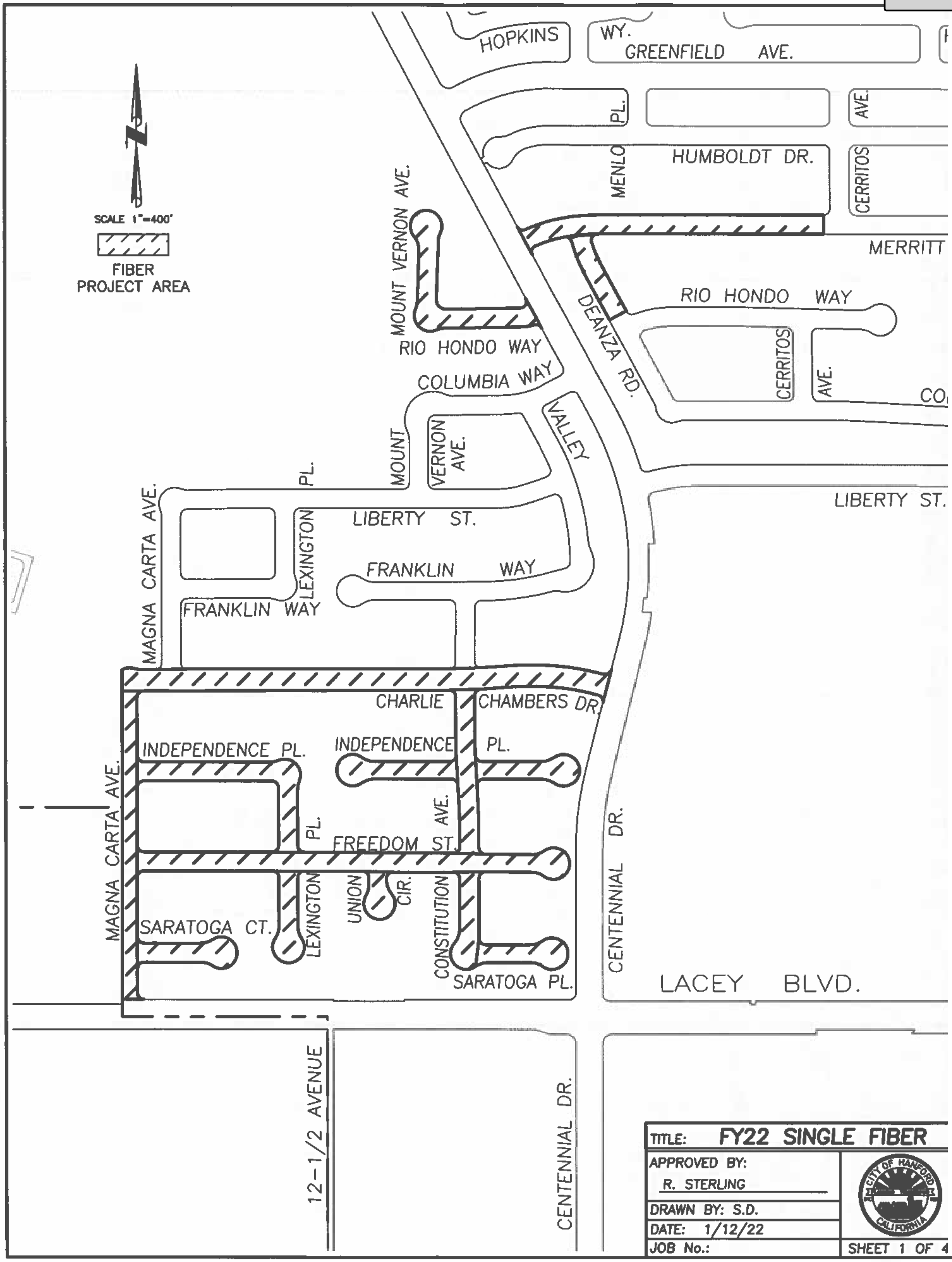
APPROVED BY: R. STERLING

DRAWN BY: S.D.

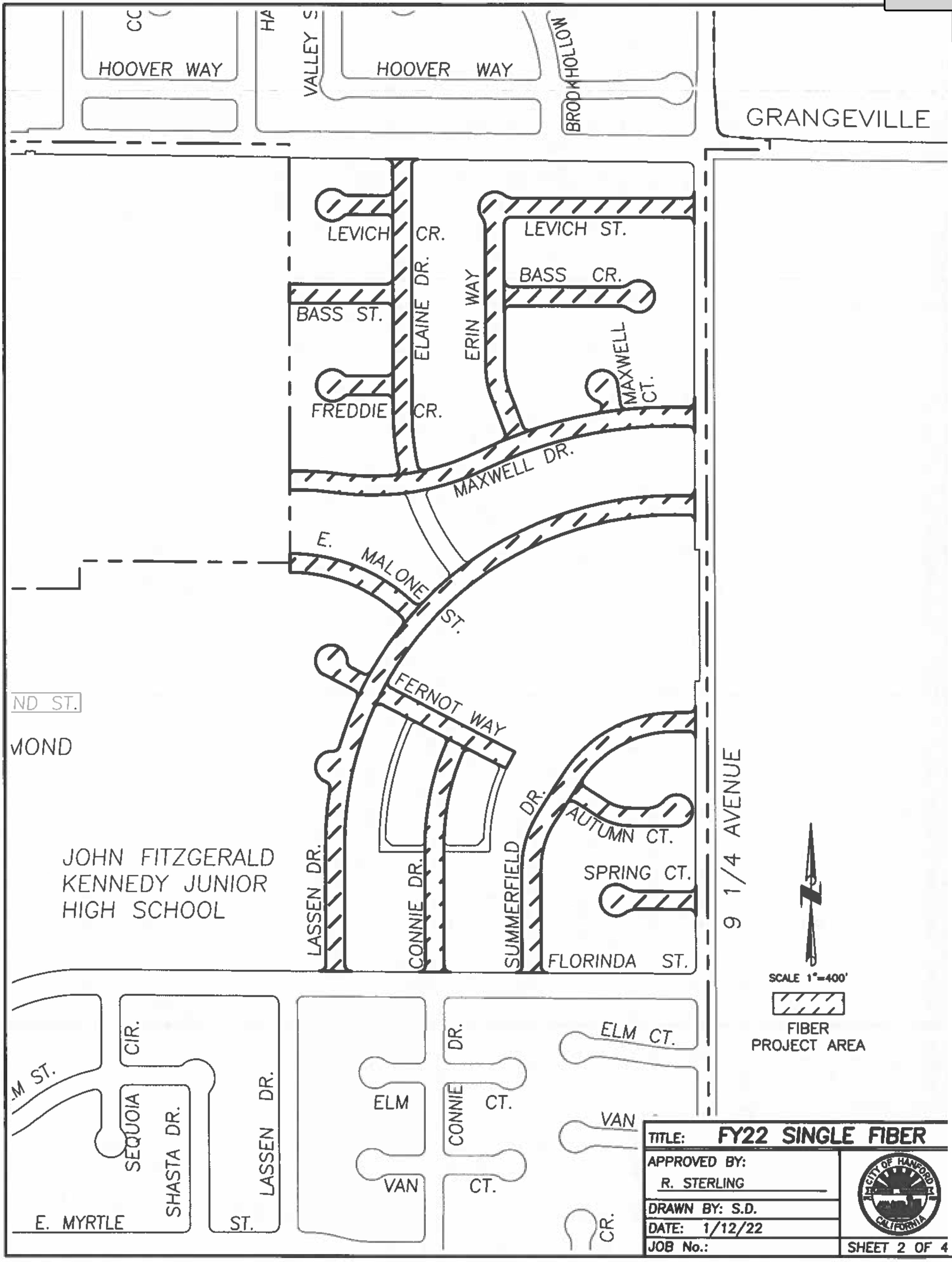
DATE: 2/1/22

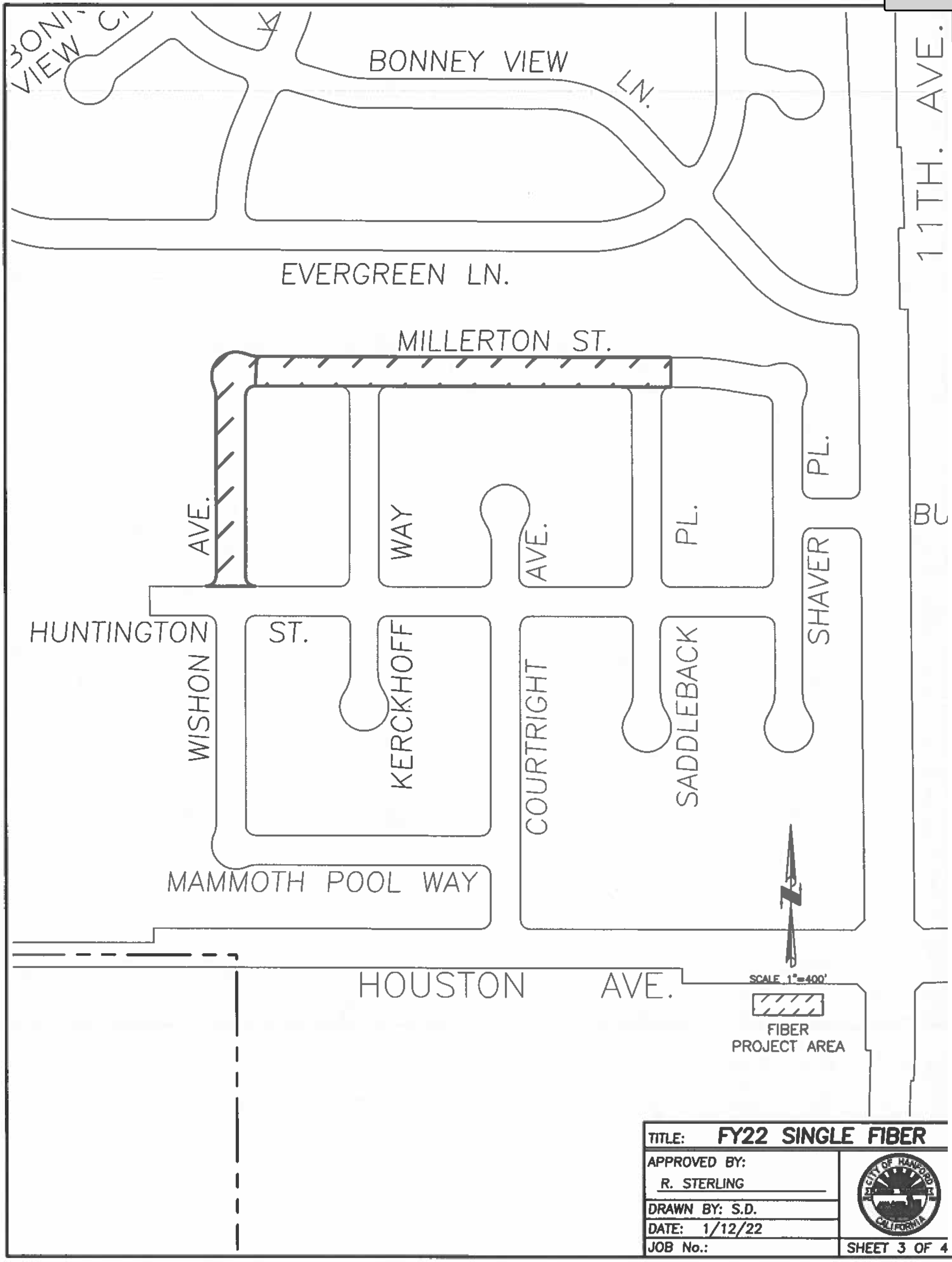
JOB No.:

SHEET 3 OF 3

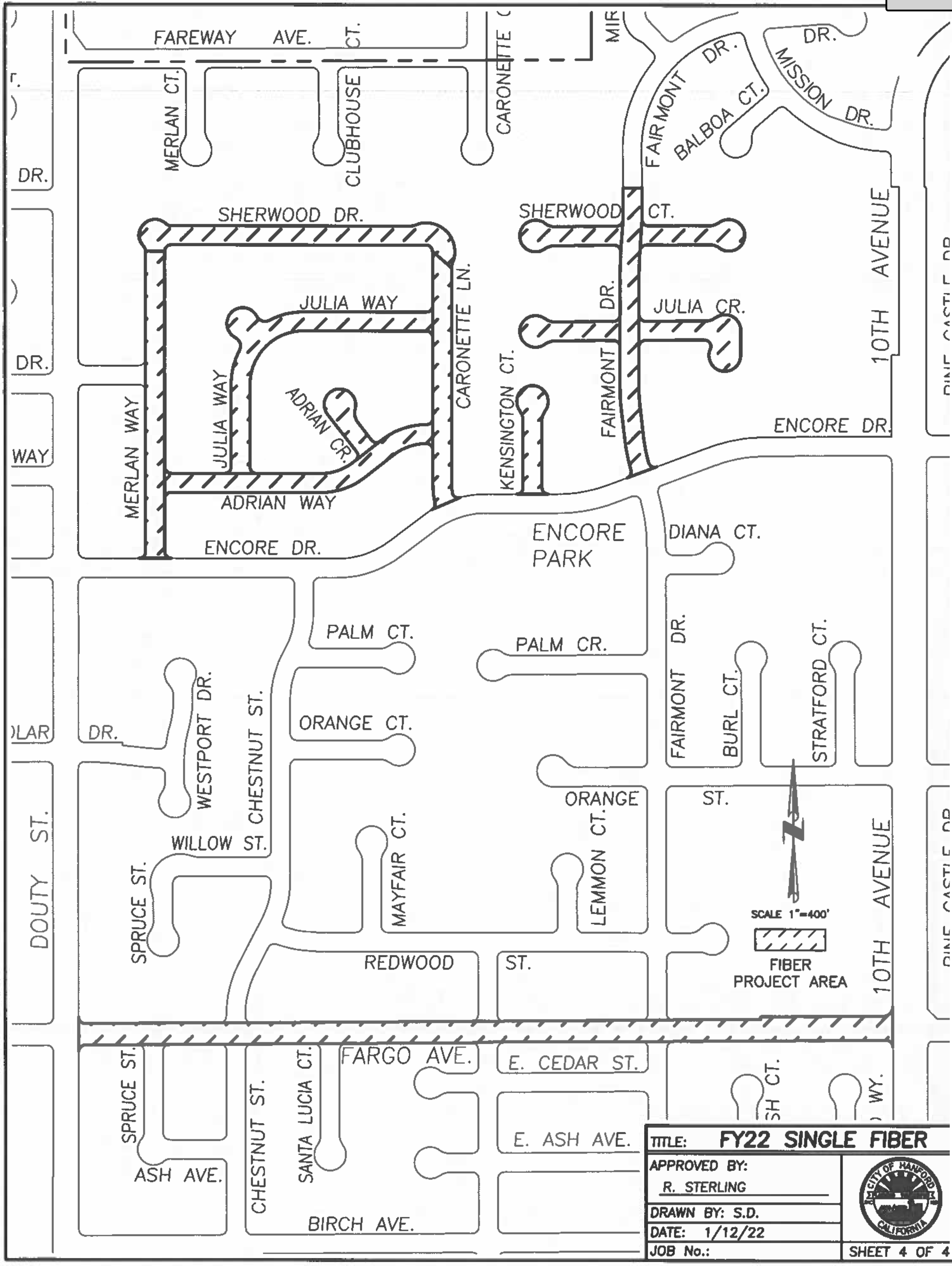


Attachment: FY 21-22 Single and Double Fiber Locations (PW: Permission to Advertise the FY 21/22 Pavement Resurfacing Treatment Project)


HOOVER WAY
VALLEY
HOOVER WAY
BROOKHOLLOW
GRANGEVILLE
LEVICH CR.
BASS ST.
ELAINE DR.
ERIN WAY
LEVICH ST.
BASS CR.
MAXWELL CT.
FREDDIE CR.
MAXWELL DR.
E. MALONE ST.
FERNOT WAY
ND ST.
MOND
JOHN FITZGERALD KENNEDY JUNIOR HIGH SCHOOL
LASSEN DR.
CONNIE DR.
SUMMERFIELD DR.
AUTUMN CT.
SPRING CT.
FLORINDA ST.
9 1/4 AVENUE
SCALE 1"=400'
FIBER PROJECT AREA
CIR.
M ST.
SEQUOIA
SHASTA DR.
LASSEN DR.
E. MYRTLE ST.
ELM CT.
CONNIE DR.
VAN CT.
ELM CT.
VAN
CR.
TITLE: FY22 SINGLE FIBER
APPROVED BY: R. STERLING
DRAWN BY: S.D.
DATE: 1/12/22
JOB No.:
SHEET 2 OF 4
CITY OF HANFORD CALIFORNIA



Attachment: FY 21-22 Single and Double Fiber Locations (PW: Permission to Advertise the FY 21/22 Pavement Resurfacing Treatment Project)



FAREWAY AVE.
CT.
CARONETTE CT.
MERLAN CT.
CLUBHOUSE
DR.
SHERWOOD DR.
SHERWOOD
CT.
JULIA WAY
CARONETTE LN.
JULIA WAY
ADRIAN CR.
MERLAN WAY
WAY
ADRIAN WAY
ENCORE DR.
KENSINGTON CT.
FAIRMONT DR.
JULIA CR.
FAIR MONT DR.
BALBOA CT.
MISSION DR.
10TH AVENUE
ENCORE DR.
ENCORE PARK
DIANA CT.
PALM CT.
PALM CR.
ORANGE CT.
FAIRMONT DR.
BURL CT.
STRATFORD CT.
DR.
WESTPORT DR.
CHESTNUT ST.
ORANGE ST.
LEMMON CT.
MAYFAIR CT.
WILLOW ST.
SPRUCE ST.
DOUTY ST.
SCALE 1"=400'
FIBER PROJECT AREA
10TH AVENUE
REDWOOD ST.
FARGO AVE.
E. CEDAR ST.
SPRUCE ST.
CHESTNUT ST.
SANTA LUCIA CT.
ASH AVE.
E. ASH AVE.
BIRCH AVE.
CT.
WY.
TITLE: FY22 SINGLE FIBER
APPROVED BY:
R. STERLING
DRAWN BY: S.D.
DATE: 1/12/22
JOB No.:
SHEET 4 OF 4
CITY OF HANFORD CALIFORNIA

AGENDA
STAFF REPORT

MEETING DATE: 2/15/2022	**AGENDA SECTION:** E

SUBJECT:
Public Works: Approval of a payment to King's Petroleum, for the purchase of diesel fuel for Fleet Operations, in the amount is $31,826.76.

RECOMMENDATION:
That the City Council, by motion, approve a payment to King's Petroleum, for the purchase of diesel fuel for Fleet Operations, in the amount is $31,826.76.

BACKGROUND:
Section 2.48.060 of the Hanford Municipal Code governs how the City must process the purchase of any goods or services that exceed $20,000. As stated below, it requires that Council approve all purchases over that threshold. For the purpose of this invoice, it sets a different limit for Council's approval of fuels and other specific items:

Purchases exceeding twenty thousand dollars ($20,000.00) may be made either on an informal basis or on a formal competitive basis as identified below. In either case, however, the decision as to the acceptance or rejection of any bid shall be the responsibility of the council. The provisions of this section 2.48.060 shall not apply to the purchase of fuels, bituminous materials, and aggregate base for street purposes and related delivery costs provided that any such purchase shall not exceed the sum of thirty thousand dollars ($30,000.00).

The recent approval of the amended purchasing ordinance will make this practice obsolete but not until the Ordinance becomes effective on March 3, 2022. This approval is needed to get this invoice paid and allow for continued operations until that date.

FISCAL IMPACT:
Quotes were received from local vendors. There are sufficient funds available in the Fleet Operations account to fund this purchase.

ATTACHMENTS:
KING'S_PETROLEUM_INV#115918_W/QUOTES

KING'S PETROLEUM LLC

PROPANE • GASOLINE • DIESEL • OIL
559.733.4717 • VISALIA, CA

STOCK ID #11768

INVOICE

Customer #:	800350
Payment Terms:	Net 10
Invoice #:	115918
PO #:	22200485 FUEL
Invoice Date	2022-02-03
Due Date:	Net 10th of the month
Total Due	$31,826.76

Make Check Payable to: King's Petroleum LLC

Amount Enclosed: $

Remit To:
King's Petroleum LLC
PO BOX 841318
LOS ANGELES, CA 90084-131

City Of Hanford Corp

900 S 10th Ave
Hanford, CA 93230

0000800350000011591800031826760003182676

Customer Name	Delivery/Service Address	Cust #	Invoice #	Inv Date
City Of Hanford Corp	900 S 10th Ave - Hanford, CA 93230	800350	115918	2022-02-0

Quantity	Item Number	Description	Unit Price	TOTAL
1.00	Regulatory Complianc	Regulatory Compliance Fee	$9.5000	$9.5
7814.00	Clear Diesel Ultra Low	Clear Diesel Ultra Low Sulfur Diesel #2 PO #: Delivered By: Richard B on 02/03/2022	$3.2510	$25,403.3
		AB 32 - .005/Gal:		$39.0
		California State - Diesel - 13%:		$3310.7
		California State Excise - Diesel - .389/Gal:		$3039.6
		Federal L.U.S.T - .001/Gal:		$7.8
		Kings County - Standard:		$0.0
		Spill Fee - Diesel - .00214/Gal:		$16.7

Tank/Equipment: Bulk Tank - Clear Diesel Tank - 910 S 10th Ave.

For Fuel or Service At:
900 S 10th Ave - Hanford, CA 93230

Sub Total	$25,412.8
Charges	$0.0
Tax Total	$6,413.9
TOTAL DUE	$31,826.7

City Of Hanford - 2/3/22
BOL #2745892

King's Petroleum LLC
PO BOX 841318
LOS ANGELES, CA 90084-131

Attachment: KING'S_PETROLEUM_INV#115918_W/QUOTES (PW: Approve Fuel Purchase)

Date	2-3-22
BOL#	2745892
Ref#	
PO#	
Customer	city of hanford

KING'S PETROLEUM LLC

PROPANE • GASOLINE • DIESEL • OIL

559.733.4717 • VISALIA, CA

CIRCLE THE NUMBERS THAT APPLY

#1 Excessive Load/Unload Time	#4 Split Load
#2 Split Delivery	#5 Retain
#3 Pump Out	#6 Pump Charge

Loading Information

Arrival Time 10:30

Departure Time 11:15

Total Time

Explanation

Unloading Information

Arrival Time 12

Departure Time 1245

Total Time

Explanation

Notes:

Delivered To: City of Hanford

Address: Hanford

Product	Gallons		Before	After
	Gross	Net	Inch	Inch
c/o	7800	7814		
Total	7800	7814	Rack K.M	

Retain/Diversion

From:

To:

Gallons:

Explanation of Additional Charges

Tractor	PRODUCT	PRODUCT	PRODUCT	PRODUCT
	c/o	—		—
GALS LOADED	4000	1900		1900

Date:	Truck No:	Trailer No:
2-3-22	26	26a

Drivers Printed Name: Kevin

THANK YOU FOR YOUR BUSINESS!

Customer Signature: Gustavo Marsh

HIGHWAY TRANSPORTATION RECEIPT

KINDER MORGAN 4149 S. Maple Ave, Fresno, CA, 93725
ORIGINAL BILL OF LADING - NOT NEGOTIABLE
(LOADING TICKET)

RECEIVED, THE PROPERTY DESCRIBED BELOW, IN APPARENT GOOD ORDER WHICH SAID TRANSPORTATION COMPANY (THE WORD "COMPANY" BEING UNDERSTOOD AS INCLUDING ANY PERSON OR CORPORATION IN POSSESSION OF THE PROPERTY) AGREES TO TRANSPORT AND DELIVER TO CONSIGNEE AT HIS USUAL PLACE OF DELIVERY (IF ON ITS OWN LONE ROUTE), OTHERWISE TO DELIVER TO ANOTHER CARRIER ON THE ROUTE TO SAID DESTINATION. IT IS MUTUALLY AGREED THAT THE TRANSPORTATION SERVICES HEREUNDER ARE SUBJECT TO ALL THE PRINTED TERMS AND CONDITIONS NOT PROHIBITED BY LAW, OF THE "TRANSPORTATION COMPANY'S" UNIFORM BILL OF LADING. "CONTRACT" OR "ANYWHERE-FOR-HIRE" SERVICES WILL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE CONTRACT, SERVICE ORDER OR OTHER AGREEMENT EXECUTED OR AGREED TO BETWEEN PARTIES HERETO WHEN NOT IN CONTRAVENTION OF ANY EXISTING LAW. WHEN MOVEMENT IS IN A VEHICLE OPERATED BY SHIPPER, OR OWNER OF PRODUCT, THIS DOCUMENT SERVES ONLY AS A RECEIPT FOR PRODUCT LOADED.

STATE EXCISE TAX, IF ANY, ON MOTOR VEHICLE FUEL COVERED BY THIS LOADING TICKET HAS BEEN ASSUMED AND WILL BE PAID BY THE SHIPPER.

CARRIER CERTIFIES THAT THE CARGO TANK SUPPLIED FOR THIS SHIPMENT IS A PROPER CONTAINER FOR THE TRANSPORTATION OF THIS COMMODITY AND COMPLIES WITH THE DEPT OF TRANSPORTATION SPECIFICATIONS AND REGULATIONS FOR THE TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES.

THIS IS TO CERTIFY THAT THE BELOW-NAMED MATERIALS ARE PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED, AND LABELED, AND ARE IN PROPER CONDITION FOR TRANSPORTATION, ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPT. OF TRANSPORTATION.

NOTE: NET VOLUME HAS BEEN ADJUSTED TO 60°F

FOR PRODUCT EMERGENCY
Spill, Leak, Fire, Exposure or Accident
CALL CHEMTREC-DAY OR NIGHT

800-424-9300

KINDER MORGAN
CCN12469

Destination 0000001025
King's Petroleum LLC
Visalia, CA 93292-6632

TRUCK NO.	TRUCK LICENSE NO.	TRAILER 1 NO.	TRAILER 1 LICENSE NO.	TRAILER 2 NO.	TRAILER 2 LICENSE NO.
26	49516C3	26A	4TL2540		

TERM NO.	HTR. NO.	TIME	DATE	DRIVER NO.	CARRIER	ORDER NO.
FR	0002745892	Card IN: 11:02	02/03/2022	11800005	KINGS PETROLEUM	
		Card OUT: 11:15	02/03/2022			

SHIPPER 0000000144
JACO OIL COMPANY
PO BOX 82515.
BAKERSFIELD, CA 93380 2515

CONSIGNEE 0000000146
Wholesale Fuels Inc.
2200 brundage lane
bakersfield, CA 93307

BAY NO: 5N

PRODUCT CODE	PRODUCT NAME	OCT.	TEMP.	GRAVITY	GROSS GALLONS	NET GALLONS
NA1993 DIESEL FUEL, 3, PG III /	1 CARGO TANK					
QQQ108	**CARB ULS DIESEL**	0.0	56.3	39.5	7800	7814

UNDYED CARB ULTRA LOW SULFUR DIESEL, 15 PPM OR LESS SULFUR, MAY CONTAIN UP TO 5% BIODIESEL

EPA DIESEL FACILITY ID - #4453-81834

SIGNATURE OF DRIVER: ______________________ RICHARD BOUDAKIAN

Attachment: KING'S_PETROLEUM_INV#115918_W/QUOTES (PW: Approve Fuel Purchase)

FUEL PRICE QUOTE REQUEST

February 3, 2022

Kings Petroleum
Attn: Shanoor
F: (559) 909-6330
shirani@kingspetro.com

Purchase Order #22200485

Please send a price quote on the Following Fuel:

- ☐ Unleaded Fuel
- ☒ Clear Diesel
- ☐ Red Diesel (for Generators)

BASE PRICE: $ 3.25 1 / per gal.

DELIVERY DATE: **Thur., Feb 3, 2022**

X____
Signature

Please sign on signature line to confirm quote; fax or email fuel quote to:

bvenegas@cityofhanfordca.com or vreitsma@cityofhanfordca.com
Fax: (559) 583-1529

Thank you,

Betty Venegas
Administrative Technician
P: (559) 585-2551

FUEL QUOTE SHEET

Date: Thur 2/3 **Quote For:** Diesel

Company	**Contact**	**Phone Number**	**FAX Number**		**Base Price** Unlead	**Base Price** Diesel	
G.V. Burrows Inc	Darryl	924-2064	924-9316	$			9:36 will c /per gal
J C Lansdowne	Ryan ryan@jclansdowne.com	651-1760	651-8156	$		3.499	9:4[illegible] will c be /per gal
Buford Oil	John/Leah	582-9028 / **816-2637/ 816-2638**	582-1902	$		3.26	/per gal
Silvas Oil	Carl carl.mccain@silvasoil.com fueldispatch@silvasoil.com	Small Loads / **Big Loads** 582-0221 / **445-1908**	445-1910			3.26^{04}	/per gal
Interstate Oil	Roland	233-3221/ **349-8514**	233-1532	$		3.31	/per gal
Kings Petroleum	Shanoor shirani@kingspetro.com	909-6330		$		3.251	/per gal
Gregs Petroleum Srvc	Bob patricia@gregspetro.com	661-535-4900	661-535-4990	$		3.27	/per gal

(Call Silva's Fresno number for truck/trailer loads (FLEET); Use the Hanford number for other Departments.)

REQUISITION NUMBER: ____________ P.O. NUMBER: ____________

Ordering Information

Company	**Vendor No.**	**PO No.**
G.V. Burrows, Inc	105591	
J C Lansdowne	105635	22200161
Buford Oil	105006	22200037
Silvas Oil	105011	22200164
Interstate Oil	104486	22200162
Kings Petroleum	105551	22200485
Gregs Petroleum	106520	

ORG	**OBJECT**
Fleet	20400000-743300
Utilities	20810000-778500
WWTP	20710000-778500

1 Load =
8,500 Gallons Unleaded
7,500 Gallons Diesel
2,000 WWTP Gallons

Tommy,
King petroleum will deliver diesel today.
Thanks,
Betty

Road Tax:
Is added to every truck/trailer load as a separate entry.
(Do not add sales tax to road tax.)
(Do not add road tax to WWTP or Utilities.)

Gas Type	**Amount of Road Tax to Add**
Diesel	$1,265.40
Unleaded	$1,504.80

If they should ask:
$.18 State Excise Tax (we pay)
$.243 Federal Tax (we don't pay)

ALWAYS ORDER:
- CLEAR DIESEL FOR FLEET
- RED DIESEL FOR GENERATORS

Locations: Tank 5 Grangeville / Centennial
Tank 6 Fargo / RR Tracks

Attachment: KING'S_PETROLEUM_INV#115918_W/QUOTES (PW: Approve Fuel Purchase)

AGENDA
STAFF REPORT

MEETING DATE: 2/15/2022	**AGENDA SECTION:** A

SUBJECT:
Public Works: Authorization to Reject the bid from Maggiora Bros. Drilling as a non-responsive bid; Award a contract to Zim Industries, of Fresno CA, in the amount of $3,588,500.00 for the Well No. 51 and Well No. 52 Drilling Project; Establish a construction contingency of $358,850.00; and Approve an additional appropriation of $867,350.00 from the Water Impact Fee Reserves to fully fund this project.

RECOMMENDATION:
That the City Council, by motion,

1. Reject the bid from Maggiora Bros. Drilling as a non-responsive bid.
2. Award a contract to Zim Industries of Fresno CA in the amount of $3,588,500.00 for the Well No. 51 and Well No. 52 Drilling Project
3. Establish a construction contingency of $358,850.00
4. Approve an additional appropriation of $867,350.00 from the Water Impact Fee Reserves to fully fund this project.

BACKGROUND:
This project funds the installation of (2) new deep water wells and associated pumping equipment to provide additional City water supply and service reliability. The City water system currently has 13 active water supply wells and one stand-by emergency well. The wells have a total production capacity of approximately 26 million gallons per day.

These wells will replace City Wells 33 and 44. Well No. 33 (located at the City Corporation Yard) has Arsenic levels that are above the standard, is nearly 40 years old, and has been repaired numerous times. Well No. 44 (located at Tank 6 on Fargo Avenue) failed last year due to subsidence and was unable to be repaired.

There were two bids received for this project. The lowest bid from Maggiora Bros. Inc., did not include the Non-Collusion affidavit, which is **required** to be included in the bid documents at the time of submittal of bid by Public Contract Code Section 7106 and cannot be waived by the

City. Accordingly, Staff recommends the Council reject this bid as non-responsive.

As a result, staff has examined and validated the lowest bidder's contractor's license status, and verified the contractor is in good standing. With Council approval, If awarded, drilling and development is anticipated to begin in Spring 2022.

The approval of all actions will result in the additional appropriation of $867,350.00 from the Water Impact Fee Reserves to fully fund this project. There is currently an unencumbered fund balance of $3,924,364.98 in the Water Impact Fee Reserves, which will leave $3,057,014.98 remaining in that fund for future projects.

FISCAL IMPACT:

The FY 21/22 Water Capital Budget and the FY 19/20 Water Capital Budget provides $3,080,000.00 for and construction, including contingencies. An additional appropriation of $867,350.00 from the Water Impact Fee Reserve is needed to fully fund the project. There is currently an unencumbered fund balance of $3,924,364.98 in the Water Impact Fee Reserves. A copy of the budget pages are attached for Council review.

ATTACHMENTS:

Well 51 Fargo & BNSF
Well 52 Public Works Corp Yard
Budget Page FY 21.22 New Water Supply Well
FY20 New Water Well Budget Page

Project Name: Well 51
Site Address: Fargo & BNSF / Well 44

Project Contacts:

Jennifer Minear
Project Manager
559-585-2559

Bob Williams
Utility Supervisor
559-585-2560

Project Name: Well 52
Site Address: 900 S. 10th Avenue, Hanford CA

Project Contacts:
Jennifer Minear
Project Coordinator
559-585-2559

Bob Williams
Utilities Supervisor
559-585-2560

822633
823637

New Water Supply Well

Project Background:

This project funds the installation of a new deep water well and associated pumping equipment to provide additional City water supply and service reliability.

Existing Conditions:

The City water system currently has 13 active water supply wells and one standby emergency well. The wells have a total production capacity of approximately 26 million gallons per day.

Project Justification:

As development occurs the need to provide additional water capacity and service reliability is necessary. This project would provide funding to install a new deep well as needed.

Fiscal Implications:

Funding for the new water supply well will be allocated from Water Capital Reserves.

Project Budget Summary:

		5-Year Funding Allocation				
		2022	2023	2024	2025	2026
	Program or Project	Construction	Design	Construction	Design	Construction
Expenditure	Engineering		35,000		35,000	
	Consultant		95,000		95,000	
	Equipment	350,000		350,000		350,000
	Construction	1,400,000		1,400,000		1,400,000
	Contingency	140,000		140,000		140,000
	Department Overhead	99,500	5,030	10,000		10,000
	Total Expenditure	$1,989,500	$135,030	$1,900,000	$130,000	$1,900,000
	Funding					
Revenue	0391 Water Capital	523,553	135,030	500,000	130,000	500,000
	0185 Water Impact Fees	1,465,947		1,400,000		1,400,000
	Total Funding	$1,989,500	$135,030	$1,900,000	$130,000	$1,900,000

Attachment: Budget Page FY 21.22 New Water Supply Well (PW: Authorization to Award the FY 20/21 New Water Supply Wells (Drilling &

New Water Supply Well

CIP0000023

Project Background:

This project funds the installation of a new deep water well and associated pumping equipment to provide additional City water supply and service reliability.

Existing Conditions:

The City water system currently has 13 active water supply wells and one standby emergency well. The wells have a total production capacity of approximately 26 million gallons per day.

Project Justification:

As development occurs the need to provide additional water capacity and service reliability is necessary. This project would provide funding to install a new deep well as needed.

Fiscal Implications:

Funding for the new water supply well will be allocated from water capital reserves.

Project Budget Summary:

		5-Year Funding Allocation				
		2020	2021	2022	2023	2024
	Program or Project	Design	Construction		Design	Construction
Expenditure	Engineering	70,000			35,000	
	Consultant	100,000			50,000	
	Equipment	350,000	350,000		350,000	
	Construction	1,400,000	1,400,000			1,400,000
	Contingency	140,000	140,000			140,000
	Department Overhead	40,000	10,000		25,000	10,000
	Total Expenditure	$2,100,000	$1,900,000	$0	$460,000	$1,550,000
	Funding					
Revenue	0391 Water Capital	2,100,000			460,000	550,000
	0185 Water Impact Fees		1,900,000			1,000,000
	Total Funding	$2,100,000	$1,900,000	$0	$460,000	$1,550,000

Attachment: FY20 New Water Well Budget Page (PW: Authorization to Award the FY 20/21 New Water Supply Wells (Drilling & Development)

AGENDA
STAFF REPORT

MEETING DATE: 2/15/2022	AGENDA SECTION: B

SUBJECT:
Council: Adoption of Resolution No. 22-06-R, expressing the City's opposition to the Statewide Initiative 21-0042A1, billed as the Taxpayer Protection and Government Accountability Act, and consistent with the Policy direction from the League of California Cities.

RECOMMENDATION:
That the City Council, by motion, adopt Resolution No. 22-06-R, expressing the City's opposition to the Statewide Initiative 21-0042A1, billed as the Taxpayer Protection and Government Accountability Act, consistent with the Policy direction from the League of California Cities.

BACKGROUND:
On September 21, 2021, Council adopted Resolution No. 21-42-R, expressing support for actions to further strengthen local democracy, authority, and control. This initiative, while billed as a taxpayer protection bill, will remove local control by creating loopholes for large corporations to avoid paying their fair of taxes and, therefore, placing that burden on local residents and taxpayers.

In 2018, the "Tax Fairness, Transparency and Accountability Act" or (AG# 17-0050 Amdt. #1), was being circulated to qualify for the November 2018 ballot. This initiative would have drastically limited local revenue authority.

Through the successful work and advocacy of the League of California Cities and its coalition, the measure's proponents withdrew the initiative from the ballot in June 2018.

On Jan. 4, 2022, the California Business Roundtable filed the Taxpayer Protection and Government Accountability Act or AG# 21-0042A1. This measure is far more detrimental to cities than the measure filed in 2018, because it would decimate vital local and state services to the benefit of wealthy corporations.

Cal Cities, along with a broad coalition of local governments, labor and public safety leaders, infrastructure advocates, and businesses, strongly oppose this initiative.

SUMMARY

The Taxpayer Protection and Government Accountability Act limits voters' authority, adopts new and stricter rules for raising taxes and fees, and makes it more difficult to hold violators of state and local laws accountable.

WHAT WOULD THIS MEASURE SPECIFICALLY DO?

1) Limit voter authority and accountability

- Limits voter input. Prohibits local voters from providing direction on how local tax dollars should be spent by prohibiting local advisory measures.
- Invalidates the Upland decision that allows a majority of local voters to pass special taxes. Taxes proposed by the Initiative are subject to the same rules as taxes placed on the ballot by a city council. All measures passed between January 2022 and November 2022 would be invalidated unless reenacted within 12 months.

2) Restrict local fee authority to provide local services

- Impacts franchise fees. Sets new standard for fees and charges paid for the use of local and state government property. The standard may significantly restrict the amount oil companies, utilities, gas companies, railroads, garbage companies, cable companies, and other corporations pay for the use of local public property. Rental and sale of local government property must be "reasonable" which must be proved by "clear and convincing evidence."
- Except for licensing and other regulatory fees, fees and charges may not exceed the "actual cost" of providing the product or service for which the fee is charged. "Actual cost" is the "minimum amount necessary." The burden to prove the fee or charge does not exceed "actual cost" is changed to "clear and convincing" evidence.

3) Restrict authority of state and local governments to issue fines and penalties for violations of law

- Requires voter approval of fines, penalties, and levies for corporations and property owners that violate state and local laws unless a new, undefined adjudicatory process is used to impose the fines and penalties.

4) Restrict local tax authority to provide local services

- Requires voter approval to expand existing taxes (e.g., UUT, use tax, TOT) to new territory (e.g., annexation) or expanding the base (e.g., new utility service).
- City charters may not be amended to include a tax or fee.
- New taxes can be imposed only for a specific time period.
- Taxes adopted after Jan. 1, 2022, that do not comply with the new rules, are void unless reenacted.
- All state taxes require majority voter approval.
- Prohibits any surcharge on property tax rate and allocation of property tax to state.

5) Other changes

- No fee or charge or exaction regulating vehicle miles traveled can be imposed as a condition of property development or occupancy.

TALKING POINTS

1) Gives wealthy corporations a major loophole to avoid paying their fair share - forcing local residents and taxpayers to pay more

- The measure creates new constitutional loopholes that allow corporations to pay far less than their fair share for the impacts they have on our communities, including local infrastructure, our environment, water quality, air quality, and natural resources - shifting the burden and making individual taxpayers pay more.

2) Allows corporations to dodge enforcement when they violate environmental, health, public safety, and other laws

- The deceptive scheme creates new loopholes that makes it much more difficult for state and local regulators to issue fines and levies on corporations that violate laws intended to protect our environment, public health and safety, and our neighborhoods.

3) Jeopardizes vital local and state services

- This far-reaching measure puts at risk billions of dollars currently dedicated to critical state and local services.
- It could force cuts to public schools, fire and emergency response, law enforcement, public health, parks, libraries, affordable housing, services to support homeless residents, mental health services, and more.
- It would also reduce funding for critical infrastructure like streets and roads, public transportation, drinking water, new schools, sanitation, and utilities.

4) Opens the door for frivolous lawsuits, bureaucracy, and red tape that will cost taxpayers and hurt our communities

- The measure will encourage frivolous lawsuits, bureaucracy, and red tape that will cost local taxpayers millions - while significantly delaying and stopping investments in infrastructure and vital services.

5) Undermines voter rights, transparency, and accountability

  - This misleading measure changes our constitution to make it more difficult for local voters to pass measures needed to fund local services and local infrastructure.
  - It also includes a hidden provision that would retroactively cancel measures that were passed by local voters - effectively undermining the rights of voters to decide for themselves what their communities need.
  - It would limit voter input by prohibiting local advisory measures, where voters provide direction to politicians on how they want their local tax dollars spent.

FISCAL IMPACT:

ATTACHMENTS:
Resolution 22-06-R CBRT opposition
CBRT Measure Opposition Fact Sheet (1-11-22)
CBRT Fiscal Analysis (1-11-22)
Legal Analysis 01-20-22 AG FINAL

RESOLUTION 22-06-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HANFORD STATING THE CITY'S OPPOSITION TO INITIATIVE 21-0042A1 AND VOWING TO OPPOSE THIS DECEPTIVE PROPOSITION AIMED AT ALLOWING MAJOR CORPORATOINS IN CALIFORNIA TO AVOID PAYING THEIR FAIR SHARE OF TAXES AND THEREBY, FORCING LOCAL RESIDENTS AND TAXPAYERS TO PAY MORE.

At a regular meeting of the City Council of the City of Hanford duly called and held on February 15, 2022, at 7:00 p.m. in the Council Chambers of the Civic Auditorium, it was moved by Council Member __________, and seconded by Council Member______________, and duly carried, that the following resolution be adopted:

WHEREAS, an association representing California's wealthiest corporations is behind a deceptive proposition aimed for the November 2022 statewide ballot; and

WHEREAS, the measure creates new constitutional loopholes that allow corporations to pay far less than their fair share for the impacts they have on our communities, including local infrastructure, our environment, water quality, air quality, and natural resources; and

WHEREAS, the measure includes undemocratic provisions that would make it more difficult for local voters to pass measures needed to fund local services and infrastructure, and would limit voter input by prohibiting local advisory measures where voters provide direction on how they want their local tax dollars spent; and

WHEREAS, the measure makes it much more difficult for state and local regulators to issue fines and levies on corporations that violate laws intended to protect our environment, public health and safety, and our neighborhoods; and

WHEREAS, the measure puts billions of dollars currently dedicated to state and local services at risk, and could force cuts to public schools, fire and emergency response, law enforcement, public health, parks, libraries, affordable housing, services to support homeless residents, mental health services, and more; and

WHEREAS, the measure would also reduce funding for critical infrastructure like streets and roads, public transportation, drinking water, new schools, sanitation, and utilities.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hanford does hereby oppose Initiative 21-0042A1 and pledges to join the "NO on Initiative 21-0042A1 coalition", a growing coalition of public safety, labor, local government, infrastructure advocates, and other organizations throughout the state. Additionally, Council directs staff to email a copy of this adopted resolution to the League of California Cities at BallotMeasures@calcities.org.

Passed and adopted at a regular meeting of the City Council of the City of Hanford duly called and held on February 11, 2022, by the following vote:

AYES:____

NOES:____

ABSTAIN: ______________________________________

ABSENT: ______________________________________

APPROVED: __________________________
DIANE SHARP
MAYOR of the City of Hanford

ATTEST:____________________________
NATALIE CORRAL
CITY CLERK

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

I, NATALIE CORRAL, 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 15th day of February, 2022.

Date: ____________________

____
NATALIE CORRAL
CITY CLERK

Stop the Corporate Loopholes Scheme

Deceptive Proposition Allows Major Corporations to Avoid Paying their Fair Share and Evade Enforcement when they Violate Environmental, Health & Safety Laws

An association representing California's wealthiest corporations — including oil, insurance, banks and drug companies — is behind a deceptive proposition aimed for the November 2022 statewide ballot. Their measure would create major new loopholes that allow corporations to avoid paying their fair share for the impacts they have on our communities; while also allowing corporations to evade enforcement when they violate environmental, health, safety and other state and local laws. Here's why a broad coalition of local governments, labor and public safety leaders, infrastructure advocates, and businesses **oppose** the Corporate Loophole Scheme:

Gives Wealthy Corporations a Major Loophole to Avoid Paying their Fair Share - Forcing Local Residents and Taxpayers to Pay More

- The measure creates new constitutional loopholes that **allow corporations to pay far less than their fair share for the impacts they have on our communities**, including local infrastructure, our environment, water quality, air quality, and natural resources – shifting the burden and making individual taxpayers pay more.

Allows Corporations to Dodge Enforcement When They Violate Environmental, Health, Public Safety and Other Laws

- The deceptive scheme creates new loopholes that makes it much more difficult for state and local regulators to issue fines and levies on corporations that violate laws intended to protect our environment, public health and safety, and our neighborhoods.

Jeopardizes Vital Local and State Services

- This far-reaching measure **puts at risk billions of dollars currently dedicated to critical state and local services**.
- It could **force cuts** to public schools, fire and emergency response, law enforcement, public health, parks, libraries, affordable housing, services to support homeless residents, mental health services and more.
- It would also **reduce funding for critical infrastructure** like streets and roads, public transportation, drinking water, new schools, sanitation, utilities and more.

Opens the Door for Frivolous Lawsuits, Bureaucracy and Red Tape that Will Cost Taxpayers and Hurt Our Communities

- The measure will encourage **frivolous lawsuits, bureaucracy and red tape that will cost local taxpayers millions** — while significantly **delaying and stopping investments in infrastructure and vital services.**

Undermines Voter Rights, Transparency, and Accountability

- This misleading measure changes our constitution to make it more difficult for local voters to pass measures needed to fund local services and local infrastructure.
- It also includes a hidden provision that **would retroactively cancel measures that were passed by local voters** — effectively undermining the rights of voters to decide for themselves what their communities need.
- It would **limit voter input** by prohibiting local advisory measures, where voters provide direction to politicians on how they want their local tax dollars spent.

CaliforniaCityFinance.Com

Rev. January 7, 2022

Fiscal and Program Effects of Initiative 21-0042A1 on Local Governments

If Initiative 21-0042A1 is placed on the ballot and passed by voters, it will result in:

- Billions of local government fee and charge revenues placed at heightened legal peril. Related public service reductions across virtually every aspect of city, county, special district, and school services especially for transportation, and public facility use.
- Hundreds of millions of dollars of annual revenues from dozens of tax and bond measures approved by voters between January 1, 2022 and November 9, 2022 subject to additional voter approval if not in compliance with the initiative.
- Indeterminable legal and administrative burdens and costs on local government from new and more empowered legal challenges, and bureaucratic cost tracking requirements.
- The delay and deterrence of municipal annexations and associated impacts on housing and commercial development.
- Service and infrastructure impacts including in fire and emergency response, law enforcement, public health, drinking water, sewer sanitation, parks, libraries, public schools, affordable housing, homelessness prevention and mental health services.

1. <u>Local Government Taxes and Services Threatened</u>

With regard to taxes, Initiative 21-0042A1:

- Prohibits advisory, non-binding measures as to use of tax proceeds on the same ballot.
    - Voters may be less informed and more likely to vote against measures.
- Eliminates the ability of special tax measures proposed by citizen initiative to be enacted by majority voter approval (*Upland*).
    - Because the case law regarding citizen initiative special taxes approved by majority vote (Upland) is so recent, it is unknown how common these sorts of measures might be in the future. This initiative would prohibit such measures after the effective date of the initiative. Any such measures adopted after January 1, 2022 through November 8, 2022 would be void after November 9, 2023.
- Requires that tax measures include a specific duration of time that the tax will be imposed. This seems to require that all tax increases or extensions contain a sunset (end date).
    - This would require additional tax measures to extend previously approved taxes at additional cost to taxpayers.
- Requires that a tax or bond measure adopted after January 1, 2022 and before the effective date of the initiative (November 9, 2022) that was not adopted in accordance with the measure be readopted in compliance with the measure or will be void twelve months after the effective date of the initiative (November 9, 2023).
    - If past election patterns are an indication, dozens of tax and bond measures approving hundreds of millions of annual revenues may not be in compliance and would be subject to reenactment. Most will be taxes without a specific end date. Because there is no regularly scheduled election within the 12 months following the effective date of the initiative, measures not in compliance would need to be placed on a special election ballot for approval before November 9, 2023 or the tax will be void after that date. General tax measures would require declaration of emergency and unanimous vote of the governing board.

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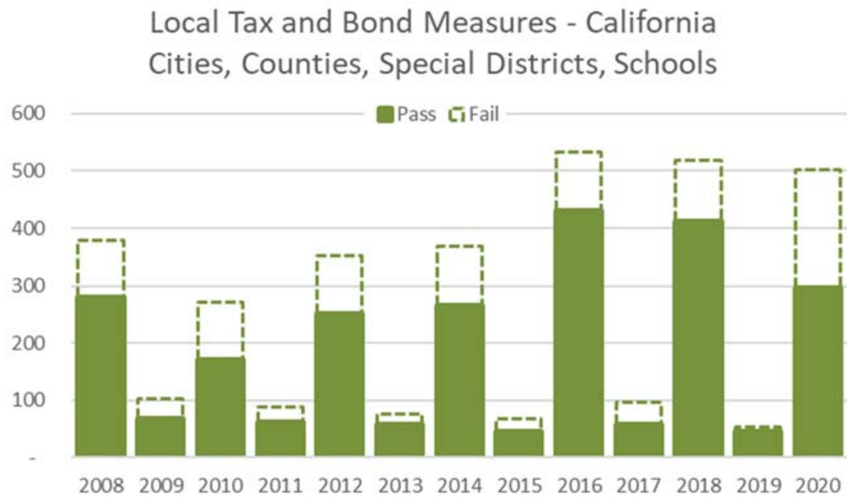
- Requires voter approval to expand an existing tax to new territory (annexations). This would require additional tax measures and would deter annexations and land development in cities.
    - o If a tax is "extended" to an annexed area without a vote after January 1, 2022, it will be void 12 months later until brought into compliance. Because there is no regularly scheduled election within the 12 months following the effective date of the initiative, such extensions for general taxes would, under current law, each require unanimous vote of the agency board to be placed on a special election ballot or would be void after November 9, 2023.



1.a. Number of Measures and Value of Local Taxes at Risk[1]

In 2020, voters in California approved 293 local tax and bond measures for cities, counties, special districts and schools (95 in March and 198 in November). The approved measures enacted $3.85 billion in new annual taxes including $1.3 billion for cities, $302 million for counties, $208 million for special districts (fire, wastewater, open space and transit districts), and $2.037 billion for schools (including for school bonds).

Most tax measures go to the ballot during a presidential or gubernatorial primary or general election in an even year. However, some tax measures are decided at other times. During 2019, there were 45 approved tax and bond measures (24 city, 14 special district, 7 school) adopting $154.0 million in new annual taxes ($124.0 million city, $10.5 million special district and $19.2 million school).

Most tax and bond measures comply with the new rules in Initiative 21-0042Amdt#1 except:

- Dozens of taxes would require end dates. This would require additional measures in future years to extend the taxes further. Very few extensions of existing local taxes fail.
- Majority vote general tax measures could not be accompanied on the same ballot with an advisory, non-binding measure as to use of tax proceeds.
- Special taxes placed on the ballot via citizen initiative would require two-thirds voter approval.

Bond measures have fixed terms. Historically, about 20 percent of other tax measures have included specific durations (i.e. sunsets). Advisory measures as to use of revenues are uncommon. I do not expect the provisions of 21-0042A1 to have any substantial effect on passage rates. However, some 2022 approved measures would likely have to put back on the ballot.

Based on history, a reasonable estimate of the annualized tax revenues estimated to be approved by

[1] Source: Compilation and summary of data from County elections offices.

voters in 2022 and placed at risk by this initiative is at least **$1.5 billion, including $1.0 billion from cities and $500 million from counties and special districts**.[2]

1.b. Additional Costs and Public Service Effects of the Tax Provisions

In addition to service delays and disruption due to new tax revenues placed at greater legal risk, there will be substantial additional costs for legal defense. The deterrence of taxes for annexations will delay and deter municipal annexations.

2. "Exempt Charges" (fees and charges that are not taxes) and Services Threatened

With regard to fees and charges adopted after January 1, 2022, Initiative 21-0042A1:

- Subjects new fees and charges for a product or service to a new "actual cost" test defined as "(i) the minimum amount necessary to reimburse the government for the cost of providing the service to the payor, and (ii) where the amount charged is not used by the government for any purpose other than reimbursing that cost. In addition, subjects these same charges to a new, undefined, "reasonable" standard.
- Subjects fees and charges for entrance to local government property; and rental and sale of local government property to a new, undefined, "reasonable" test.
- Subjects a challenged fee or charge to new, higher burdens of proof if legally challenged.
- Prohibits a levy, charge or exaction regulating or related to vehicle miles traveled, imposed as a condition of property development or occupancy.

2.a. Value on New Local Government Fees and Charges at Risk[3]

Virtually every city, county, and special district must regularly (e.g., annually) adopt increases to fee rates and charges and revise rate schedules to accommodate new users and activities. Most of these would be subject to new standards and limitations under threat of legal challenge. Based on the current volume of fees and charges imposed by local agencies and increases in those fees simply to accommodate inflation, the amount of local government fee and charge revenue placed at risk is about **$1 billion per year including those adopted since January 1, 2022. Of this $1 billion, about $570 million is for special districts, $450 million is cities, and $260 million is counties.**[4]

Major examples of affected fees and charges are:

1. Nuisance abatement charges - such as for weed, rubbish and general nuisance abatement to fund community safety, code enforcement, and neighborhood cleanup programs.
2. Commercial franchise fees.
3. Emergency response fees - such as in connection with DUI.
4. Advanced Life Support (ALS) transport charges.
5. Document processing and duplication fees.
6. Transit fees, tolls, parking fees, public airport and harbor use fees.
7. Facility use charges, fees for parks and recreation services, garbage disposal tipping fees.

In addition to fees and charges, the measure puts fines and penalties assessed for the violation of state and

[2] This does not include citizen initiative special tax approved by majority but not two-thirds. Because this approach is new, the number of these measures and amount of revenue involved cannot be estimated.
[3] Source: California State Controller Annual Reports of Financial Transactions concerning cities, counties and special districts, summarized with an assumed growth due to fee rate increases (not population) of 2 percent annually.
[4] School fees are also affected but the amount is negligible by comparison.

local law at risk, making them taxes subject to voter approval under certain circumstances.

2.b. Additional Costs and Public Service Effects of the Fee/Charge Provisions

In addition to service delays and disruptions due to fee and charge revenues placed at greater legal risk, there would be substantial additional costs for legal defense. The risk to fees and charges will make infrastructure financing more difficult and will deter new residential and commercial development.

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LEAGUE OF CALIFORNIA CITIES

The Taxpayer Protection and Government Accountability Act
Initiative No. 21-0042A1
January 21, 2022

Summary: The measure limits the voters' input, adopts new and stricter rules for raising taxes and fees, and makes it more difficult to hold state and local law violators accountable.

Limiting Voter Authority and Accountability

- Limits voter input. Prohibits local voters from providing direction on how local tax dollars should be spent by prohibiting local advisory measures.

- Invalidates Upland decision that allows majority of local voters to pass special taxes. Taxes proposed by the Initiative are subject to the same rules as taxes placed on the ballot by a city council. All measures passed between January 2022 and November 2022 would be invalidated unless reenacted within 12 months.

Restricting Local Fee Authority to Provide Local Services

- Franchise fees. Sets new standard for fees and charges paid for the use of local and state government property. The standard may significantly restrict the amount oil companies, utilities, gas companies, railroads, garbage companies, cable companies, and other corporations pay for the use of local public property. Rental and sale of local government property must be "reasonable" which must be proved by "clear and convincing evidence."

- Except for licensing and other regulatory fees, fees and charges may not exceed the "actual cost" of providing the product or service for which the fee is charged. "Actual cost" is the "minimum amount necessary." The burden to prove the fee or charge does not exceed "actual cost" is changed to "clear and convincing" evidence.

Restricting Authority of State and Local Governments to Issue Fines and Penalties for Violations of Law.

- Requires voter approval of fines, penalties, and levies for corporations and property owners that violate state and local laws unless a new, undefined adjudicatory process is used to impose the fines and penalties.

Restricting Local Tax Authority to Provide Local Services

- Expanding existing taxes (e.g., UUT, use tax, TOT) to new territory (e.g., annexation) or expanding the base (e.g., new utility service) requires voter approval.
- City charters may not be amended to include a tax or fee.
- New taxes can be imposed only for a specific time period.
- Taxes adopted after January 1, 2022, that do not comply with the new rules, are void unless reenacted.
- All state taxes require majority voter approval.
- Prohibits any surcharge on property tax rate and allocation of property tax to state.

Other Changes

- No fee or charge or exaction regulating vehicle miles traveled can be imposed as a condition of property development or occupancy.

AGENDA
STAFF REPORT

MEETING DATE: 2/15/2022	**AGENDA SECTION:**

SUBJECT:
Council Future Agenda Items

FISCAL IMPACT:

ATTACHMENTS:
Council Future Agenda Items

Council Future Agenda Items				
Originated Date	Item	Originator	Staff Lead	Date Estimate
4/7/20	Discussion of Pay for Parking Options in the Downtown Area	Council Consensus	John Doyel	After presentation of Downtown Plan
9/9/20	Revised Refuse Ordinance	Public Works	Jim Ross	12/21/2021
6/18/20	Discussion of Courthouse improvements and financing options	Council Consensus	Brad Albert	Delayed pending additional building review
12/21/21	Review of City Ordinance related to property line setbacks for Patio structures and Driveway Awnings	Council Consensus	Mary Beatie	4/5/2022
1/18/22	Discussion of options for New Business Incentives in the Downtown District	Council Consensus	Mario Cifuentez	3/15/2022