

The City of Hanford
CALIFORNIA



City Council Meeting Agenda

May 3, 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/>

5:00 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 listed on the agenda (GC 54954.3a). A maximum of **three minutes** is allowed for each speaker. Please begin your comments by stating your name and providing your city of residence.*

STUDY SESSION:

Adoption of Resolution No. 22-20-R, implementing a Reserve and Pension Funding Policy for the City of Hanford

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (GC 54956.9 (d)(1)):

Helen v. City of Hanford
Kings County Case No. 17C0102

Darlene Mata v, City of Hanford
Kings County Case No. 22C0077

CALL TO ORDER REGULAR SESSION:

ROLL CALL:

INVOCATION:

Jay Rubacalva

FLAG SALUTE:

CLOSED SESSION ACTION REPORT:

COUNCIL REPORTS/COMMENTS:

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 (Gov. Code sec. 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: Denial of a claim for damages and authorization for the City Clerk to send out notification of such to Rich Olson.
- C. City Clerk: Approval of the Minutes of the November 2, 2021, Meeting
- D. Administration: Second reading and Adoption of Ordinance No. 22-05, Amending Chapter 2.36 of the Municipal Code to create an Alternate seat on the City's Planning Commission.
- E. Community Development: Historic Resources Permit 2022-01, a request by Valley Strong Credit Union to alter the façade of an existing storefront. The property is designated as a noncontributing building within the Historic Overlay Zone. The project is located at 216 W. Eighth St. (APN 012-022-008).

- F. Authorization for the Director of Public Works to send a letter to the Local Agency Formation Commission (LAFCO), requesting the extension of sewer service for one dwelling in the County of Kings without annexation by the City of Hanford. (APN 014-242-046, 9877 Sierra Drive).
- G. Public Works: Authorization to reject all bids and Re-Advertise the Police Activities League Parking Lot Project
- H. Public Works: Approval of a Notice of Completion for the Hidden Valley Park Fitness Pad Project at a total construction cost of \$212,654.50 and authorization for the Mayor to execute and the City Clerk to attest and file said Notice with the Kings County Recorder's Office.
- I. Public Works: Permission to Advertise the FY 21/22 Bonneyview Basin - Sand Slough Basin 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.
- J. Public Works: Approval of a Deferred Payment Agreement with Robert B. Needham and Barbara F. Needham, Trustees of the Needham Family Trust dated February 12, 2015, for future payment of the 12th Avenue Benefit District Fees for undeveloped portion of property located at 8539 12th Avenue and Authorization for the City Manager to execute the Agreement and the City Clerk to record the Agreement with the Kings County Recorder's Office.
- K. Police: Second reading and Adoption of Ordinance No. 22-03 and Compliance Policy 705 for Military equipment reporting as mandated by the State under AB481.

PUBLIC HEARINGS:

- A. Public Hearing to Consider the Draft Community Development Block Grant (CDBG) Annual Action Plan for 2022-2023
- B. Community Development: Roadway Abandonment No. 2021-01: Adoption of Resolution No. 22-18-R approving the vacation and abandonment of approximately 7,995 square feet of right-of-way and Order of the City Council of the City of Hanford to abandon approximately 7,994 square feet of right-of-way, an alley ("China Alley," portion) located south of East Eighth Street between North Harris and North Brown Streets.
- C. Community Development: Roadway Abandonment No. 2022-01: Adoption of Resolution No. 22-19-R and Order of the City Council of the City of Hanford to abandon approximately 2,252 square feet of right-of-way, an alley ("Civic Center," portion) located south of Center Street between North Irwin and North Douty Streets.

GENERAL BUSINESS:

- A. Fire: Introduction of Ordinance No. 22-01 Amending most sections of Chapter 8.11 of the Hanford Municipal Code ILLEGAL FIREWORKS to update definitions, abatement procedures, penalties and re-identify the Hearing Body.
- B. Public Works: Authorization to Award a contract to VSS International, Inc. Of Sacramento CA, in the amount of \$1,170,000.00, establish a construction contingency of \$94,830.76, approve a scope of work change order for a net decrease of \$221,692.40, and re-appropriate the Gas Tax funds from the Reclamite Seal Treatment Budget to the Pavement Resurfacing Treatment Budget in order to fully fund the Project.

- C. Public Works: Authorization to Award a Contract to 4Creeks Engineering of Visalia, Ca., in the amount of \$71,861.00 and approve an additional appropriation of \$14,900.00 from the TDA Fund to fully fund the preparation of the Local Roadway Safety Plan.
- D. Public Works: Authorization to Award a contract to MAC General Engineering of Exeter CA, in the amount of \$1,176,870.70, establish a construction contingency of \$117,700.00; allocate the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Fund contribution of \$243,000.00 to this project; and approve an additional appropriation of \$189,000.00 from the Storm Drain Capital Reserves to fully fund the Emma Lee Lane Reconstruction Project

COUNCIL FUTURE AGENDA ITEMS:

At this time, any Council Member, subject to Council Policies and Procedures, 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. (GOV. CODE SEC. 54954.2)

Council Future Agenda Items

Upcoming Events and Important Dates:

May 5: Thursday Night Market Place in Civic Park 5:30 pm – 9:00 pm

May 12: Tentative Special City Council Meeting – Planning Commissioner Interviews

May 17: Regular City Council Meeting

May 21: Grand Opening of the Fitness Court at Hidden Valley Park 10:00 am

May 21: Taco Truck Throw Down Seventh Street-Downtown Hanford 5:00 pm – 10:00 pm

ADJOURNMENT:

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

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



AGENDA STAFF REPORT

MEETING DATE: 5/3/2022	AGENDA SECTION:
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SUBJECT:

Adoption of Resolution No. 22-20-R, implementing a Reserve and Pension Funding Policy for the City of Hanford

RECOMMENDATION:

That the City Council, by motion, Adopt Resolution No. 22-20-R, implementing a Reserve and Pension Funding Policy for the City of Hanford

BACKGROUND:

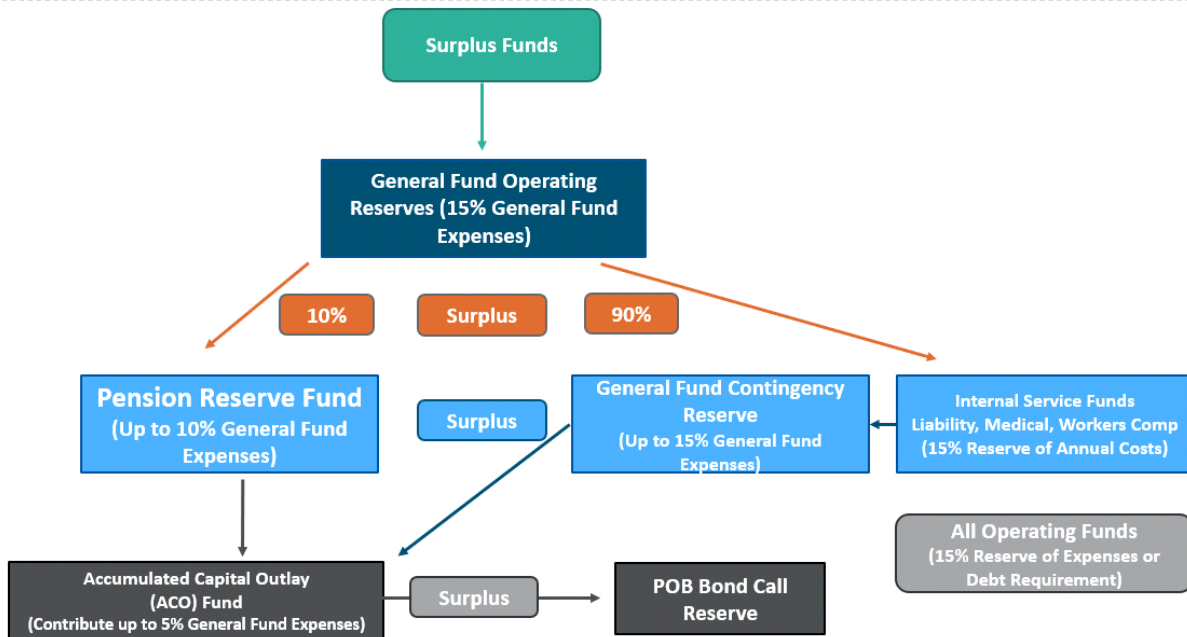
The City Council in past meetings has recognized desire to update its Reserve Policy as reflected in Resolution 20-29-R and discussed establishing a Pension Funding Policy. These items go hand in hand in most cases as Reserve for the General Fund, other supported General Fund Internal Service Funds and other funds must be established in order to promote fiscal health.

Currently the City Council has a 15% General Fund Reserve goal (15% of General Fund Expenditures, about \$5.8 million. In addition, to this staff recommends that Council consider a 15% Operating Reserve which would bring the General Fund Reserve to 30% if goals are obtained. A 30% goal is in line with the State Auditor's Office City Health Report as typically in the moderate risk category for a City being able to withstand fiscal emergencies. Cities with reserves 40% or higher are typically considered at low risk of not being able to handle a fiscal emergency. As of Fiscal Year ending June 30, 2021 the City had approximately a 15% Reserve and as the audited financials are soon to be completed, could potentially increase this for operating/emergency reserve.

A 15% reserve goal is also proposed for all other operating and internal service funds unless debt requirements or other mandated goals exceed this threshold (Chart 'A').

Chart 'A' - Reserve and Pension Funding Policy Flow Chart

Reserve and Pension Funding Policy



By establishing a Pension Reserve Policy, Council will be formally defining how the City's Pension Obligations will be met. In addition, by considering Pension Obligation Bonds or prefunding CalPERS Accrued Pension Liability with a direct placement debt issuance, the recommended policy presented to Council establishes how savings be directed towards a Pension Reserve Fund to be set aside to pay off Pension obligations. This policy is also important to have if the City Council were to approve Pension Obligation Bonds.

In addition, the Policy outlines how surplus General Fund monies will be directed towards the Accumulated Capital Outlay (ACO) Fund in order to be available for other Council priorities. The proposed policy states that remaining surplus revenues from the General Fund may be directed to the ACO Fund (approximately \$1.9 million). Typically, Council appropriates ACO funds for capital projects during the City's Budget process. Any funding remaining would be directed towards the Pension Reserve Fund for a POB Bond Call Reserve which would provide the City more resources should it desire to pay off pension obligations early.

FISCAL IMPACT:

If passed this Policy establishes by Resolution the City's Reserve and Pension Funding Policy to direct any revenues over expenses in a fiscal year be set aside as established by Council's Resolution. This updates what was previously established for Reserve Policy in Resolution 20-29-R.

ATTACHMENTS:

Reserve and Pension Funding Policy
Exhibit A Pension Funding Policy_Draft

RESOLUTION No. 22-20-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HANFORD ADOPTING A FUND RESERVE AND PENSION FUNDING POLICY

WHEREAS, the City Council of Hanford is responsible for wise management of the fiscal resources given to the City of Hanford; and

WHEREAS, the City Council desires to update its Reserve Policy which would replace the reserve goal as outlined in Resolution 20-29-R to provide more detail on its desire to adequately set reserves for the General Fund and other funds,

WHEREAS, the City Council wishes to establish a Policy that outlines how the City will look to pay off its pension related obligations,

WHEREAS, Exhibit 'A' provides an outline of how the City will set aside surplus revenues over expenses each fiscal year into a Pension Reserve Fund;

WHEREAS, Exhibit 'A' also provides an outline of how the City will set aside surplus revenues over expenses each fiscal year the General Fund and General Fund supported funds as required in order to adequately address fiscal needs and emergencies the City may face;

WHEREAS, Exhibit 'A' may be updated by the City Manager and Finance Director with minor descriptive or operational changes, any changes to percentages shall be updated by City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HANFORD DOES HEREBY RESOLVE AS FOLLOWS:

1. The City is updating its Reserve Policy for the General Fund from a minimum of 15% of expenses to include an additional 15% for operating reserves.
2. Other operational funds shall have a minimum of a 15% of expenses operational reserve unless debt conditions require a higher threshold.
3. The City establishes a Reserve and Pension Funding Policy as reflected in Exhibit 'A' to address the pension obligations of the City.

PASSED and ADOPTED by the City Council of the City of Hanford at a Council meeting duly held on this 3rd day of May, 2022 by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

KALISH MORROW

MAYOR of the City of Hanford

Attest:

Attachment: Reserve and Pension Funding Policy (Adopt Reserve and Pension Funding Policy)

 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 special meeting of the City Council of the City of Hanford held on the 3rd day of May, 2022.

Date: _____

 City Clerk

PENSION FUNDING POLICY

Purpose

The purpose of this policy is to define how the City's pension funding obligations will be met. As part of its overall compensation plan, the City provides a defined benefit pension benefit to its employees. This benefit is administered by the California Public Employees Retirement System (CalPERS) and funded through contributions from the City and its employees and from investment earnings on those contributions. The CalPERS Board of Administration, under the California Public Employees' Retirement Law (PERL), is responsible for the administration and investment of the funds it receives and determines the amounts contributed by each of the governmental entities that participate in CalPERS. The PERL sets employee contribution rates. The City has two separate plans with CalPERS, one for Safety employees (the Safety Plan) and one for all other employees (the Miscellaneous Plan).

Policy

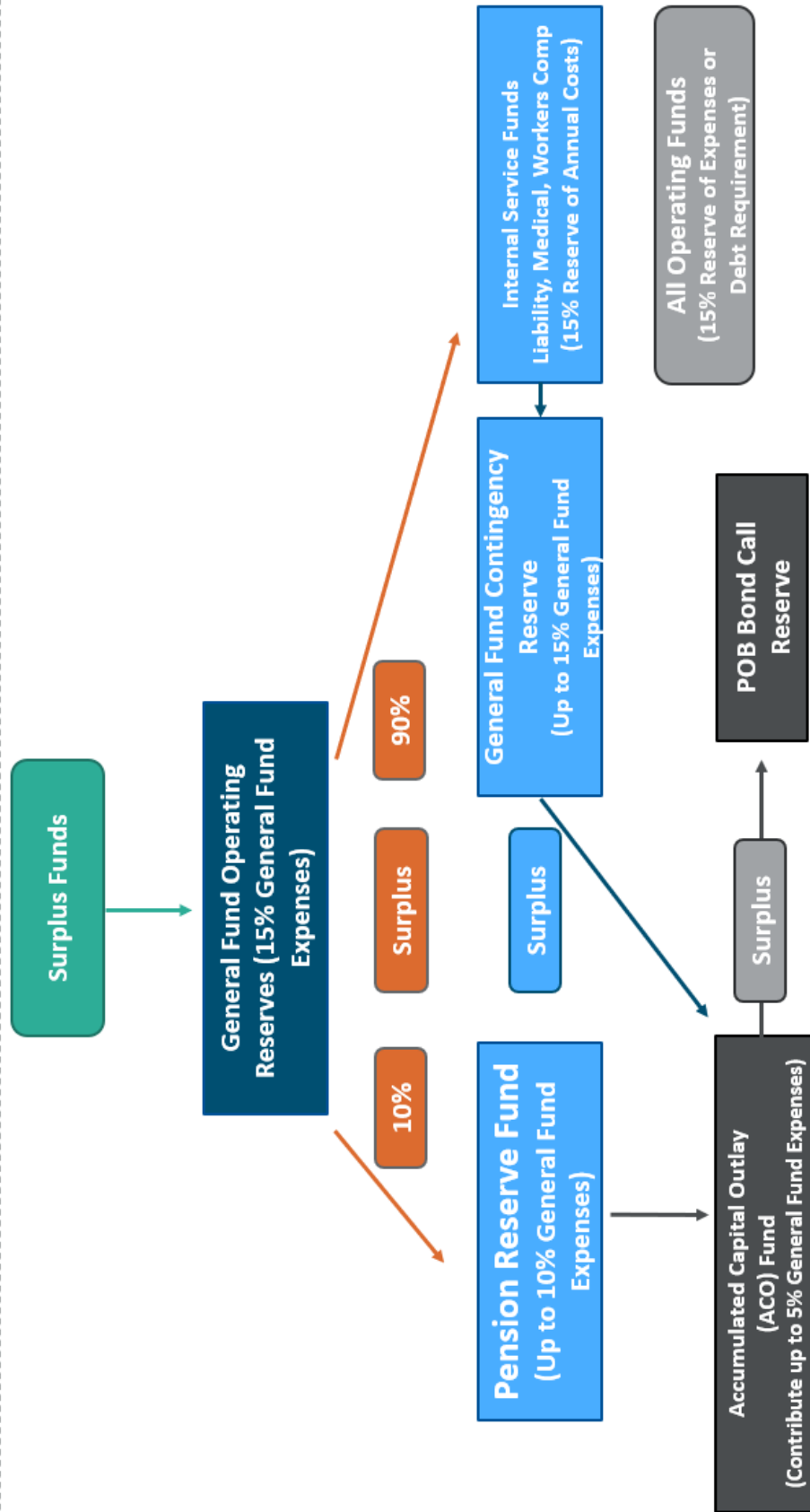
It is the policy of the City to fulfill its obligation to maintain fiscally responsible management practices and to ensure that retirement benefit obligations are fully funded. To that end, the City will meet its pension funding obligations as follows:

1. **Actuarially Determined Contributions:** Each fiscal year, the City will contribute to CalPERS the amount determined by CalPERS actuaries to be the minimum required employer contribution for that year. The minimum contribution consists of two components, normal cost and unfunded accrued liability (UAL). The normal cost is expressed as a rate that is applied to pensionable payroll costs and reflects the cost of pension benefits earned by employees in the current fiscal year. The UAL payment is a flat dollar amount that represents a portion of the cost of past benefits earned by employees, but for which, because of deviations in actual experience and changes in assumptions about investment performance, the normal cost rates established for those prior years has been determined to be insufficient to provide the promised retirement benefit. The CalPERS actuaries recalculate the total UAL each year and an updated multi-year amortization schedule is provided to show the projected annual minimum payments.
2. **Annual UAL Prepayment:** CalPERS offers the option to make monthly payments on the UAL or prepay the entire annual amount at a discounted level by the end of July. The City will prepay its annual obligation each year to achieve budgetary savings.
3. **Section 115 Pension Trust:** The City has established and will maintain a pension stabilization fund in the form of a Section 115 Pension Trust. Assets in the Section 115 Pension Trust may be used only for pension related costs and at the direction of the City Council. Once the targeted funding level is reached, the earnings on the assets in the Trust may be applied to offset a portion of the City's annual pension contributions to CalPERS, make additional discretionary payments to CalPERS or outstanding Pension Obligation Bond Debt.
4. **Allocation from Annual Year-end Savings:** Upon meeting the City's General Fund Reserve Policy of 30% (15% for operations and 15% for economic uncertainty), a portion of future year-end savings in General Fund expenditures, as established by City Council, shall be transferred to a Section 115 Pension Trust. Year-end savings are determined upon audited financials of the prior fiscal year. Special considerations shall be made by the Finance Director each year when determining year-end savings so as not to leave any General Fund supported funds (Medical, Worker's Compensation and Liability Insurance Funds) without the required fund reserve.

Exhibit 'A'

5. **Targeted Funding Level:** The City's goal is to achieve and maintain a funded status for each of its plans of between 90% and 100%. A funded status of 100% signifies that the City's pension assets with CalPERS match its accrued liabilities.
6. **Additional Discretionary Payments:** CalPERS allows member agencies to make additional discretionary payments at any time and in any amount, which would serve to reduce the UAL and future required contributions. The City will consider this option in the context of its annual evaluation of reserve levels and budgetary requirements.
7. **Pension Obligation Bonds (POBs):** POBs are a tool that can be used to provide an additional discretionary payment to CalPERS upon the determination that the cost to borrow the funds for the payment is less than continuing to make the projected prescribed UAL payments at the current discount rate. If the City issues POBs, the following guidelines will apply:
 - a. Expert advice and analysis by actuaries and municipal advisors will be utilized to quantify the risk of CalPERS investment underperformance (including discount rate reductions, stock market crashes, or sustained investment underperformance) and the threshold at which the City would be worse off issuing POBs versus not.
 - b. The interest rate on the POBs shall be at least 2% less than the current CalPERS discount rate.
 - c. The final maturity date on the POBs will be no more than the then current term of the UAL.
 - d. The POBs structure will contain an early call provision.
 - e. The POBs shall not finance Normal Costs and shall only be used to refinance unfunded pension liabilities.
 - f. The POBs should provide significant demonstrated cash flow savings.
 - g. The City shall budget and transfer 100% of cash flow savings (determined at bond issuance, not adjusted annually for any new unfunded liability, or change in actuarial assumptions) to be transferred to the Section 115 Trust in order to mitigate against any future UAL that may be likely to occur. The annual transfers should occur until a reserve target amount of 10% General Fund Expenses is met, at which time the Council could revisit the policy.
 - h. In the event of an economic hardship, or other unanticipated fiscal emergency, the City Council may make an emergency declaration to reduce the annual transfer to the section 115 trust, only if the existing 15% economic uncertainty reserve in the General Fund is projected to be depleted. This declaration will only apply to the fiscal year in which it was made.

Reserve and Pension Funding Policy





AGENDA STAFF REPORT

MEETING DATE: 5/3/2022	AGENDA SECTION: B
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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 Rich Olson.

RECOMMENDATION:

That the City Council, by motion, approve the denial of the claim 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: Rich Olson.

After review by the Third Party Administrator, it was determined that the City has no liability for the claim under California Government Code 835. Accordingly, 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: 5/3/2022	AGENDA SECTION: C
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SUBJECT:

City Clerk: Approval of the Minutes of the November 2, 2021 Meeting

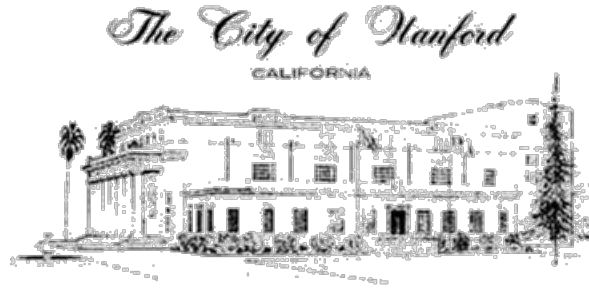
Recommendation:

Approve the minutes of the November 2, 2021 Meeting.

FISCAL IMPACT:

ATTACHMENTS:

11.2.2021-1



CITY COUNCIL MEETING MINUTES

**November 2, 2021 7:00 PM
Council Chambers
400 N. Douty St.**

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

Mayor Ramirez called the study session and closed session to order at 5:30 p.m.

ROLL CALL BY THE CITY CLERK:

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

Fire: Presentation on outsourcing of Fire Department Dispatch services and discussion of the benefits to the organization and the public through Fire Specific dispatching services.

Fire Chief Steve Pendergrass discussed the benefits of outsourcing the Fire Departments dispatch services for the Council's review and consideration. Chief Pendergrass answered questions from the Council. City Manager Mario Cifuentez discussed the fire departments budget for dispatch services and clarified that it will be new ongoing charge to the general fund. Police Chief Parker Sever discussed the police departments dispatch call volume. The Council spoke in support of project and directed staff to move forward with the proposed contract.

The Council convened to closed session at 6:04 p.m.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

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

Property: 1964, 1972, and 1894 Idlewood Way
APNs: 011-490-001, 002, and 003)
Agency Negotiators: Mario Cifuentez and Ty Mizote
Negotiating Party: Betsy-McGovern Garcia (Self-Help Enterprises)

Property: 1956 Idlewood Way
APN: 011-490-004

Agency Negotiators: Mario Cifuentez and Ty Mizote
 Negotiating Party: Denise Marchant and Josh Fox (Habitat for Humanity of Tulare/Kings Counties, Inc.)

Property: 109 E. Eighth Street
 APN: 012-041-017

Agency Negotiating Party: Mario Cifuentez and Ty Mizote
 Negotiating Party: Carnegie Museum of Kings County (CMKC) and Carnegie Museum Inc.

Property: 113 Court Street
 APN: 010-265-001

Agency Negotiating Party: Mario Cifuentez, Ty Mizote, and Brad Albert
 Negotiating Party: Jerry Irons

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	5:20 PM
Art Brieno	Council Member	Present	5:25 PM
Kalish Morrow	Council Member	Present	5:24 PM
Amanda Saltray	Council Member	Present	5:00 PM
Francisco Ramirez	Mayor	Present	5:06 PM

INVOCATION:

The invocation was led by Pastor Stan Plooy.

FLAG SALUTE:

The flag salute was led by Mayor Ramirez.

CLOSED SESSION ACTION REPORT :

None.

STAFF COMMUNICATIONS:

None.

COUNCIL REPORTS/COMMENTS:

Vice Mayor Sharp discussed the events she attended.

Council Member Morrow discussed the meetings she attended.

Council Member Brieno attended the grand opening of the Centennial Park playground.

Council Member Saltray discussed the meetings and community events she attended.

Mayor Ramirez discussed the meetings and community events he attended. He also announced the upcoming Faraday events.

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 claim against City Manager Mario Cifuentez, filed by the former Finance Director Paula Lofgren. City Attorney Ty Mizote addressed Mr. Ramos's comments.

Art Perez commented on the Art Brieno matter.

Nathan Odom commented on Hidden Valley Park. He also commented on the COVID-19 vaccine.

Paula Massey commented on the claim against City Manager Mario Cifuentez.

Lou Martinez requested extending public comment time period from 3 minutes to 5 minutes. He also commented on Hidden Valley Park.

William Harman commented on the expansion of Hidden Valley Park.

Mickey Stoddard commented on expansion of Hidden Valley Park.

Hanford resident - She shared her experience as a teacher and commented on the expansion of Hidden Valley Park.

Al Cason commented on the claim against City Manager Mario Cifuentez. He also commented on the censure of Council Member Brieno.

Mark Pratter commented on the expansion of Hidden Valley Park.

Dave Ayers, on behalf of a Hanford resident, commented on Hidden Valley Park and shared his development ideas.

Jack Schwartz commented on Historic Resources Permit 2021-06 A and suggested one change on the proposed placement of the banner. He also shared the upcoming events of the Carnegie Museum.

Renee Irons asked the Council, "who do you work for?"

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 D *[Approval of a Purchase and Sale Agreement between the City of Hanford and Self-Help Enterprises, for three (3) City-owned Parcels on Idlewood Way, for a purchase price of \$15,000 to facilitate the construction of affordable housing.]*.

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 May 18, 2021 Meeting
- C. City Clerk: Approval of the Minutes of the May 27, 2021 Special Meeting
- D. Public Works: Approval of a payment to Kings Petroleum, for the purchase of diesel fuel for Fleet Operations, in the amount is \$30,934.19.
- E. Public Works: Approval of a Quitclaim Deed in favor of The City of Hanford, California as it relates to the San Joaquin Valley Homes Tract 928 Unit II, and Authorization for the Mayor to execute and the City Clerk to attest to said Quitclaim Deed and file with the Kings County Recorder's Office.
- F. Police: Approval of a Sole Source Purchase to Sun Ridge Systems, Inc, of El Dorado Hills Ca, in the amount of \$40,300, to cover the cost of IRIMS Software and four (4) years of annual subscription fees for the Hanford Police Department; Appropriate \$40,300 in the Police Department Budget to cover the cost of the purchase, and Approve the use of ARPA funds to cover the expenditure.
- G. Finance: Receive and File the City of Hanford's Quarterly Investment Portfolio and Transactions Reports

Pulled Items :

[Item D]

Pulled by Council Member Brieno.

- 1. City Attorney: Approval of a Purchase and Sale Agreement between the City of Hanford and Self-Help Enterprises, for three (3) City-owned Parcels on Idlewood Way, for a purchase price of \$15,000 to facilitate the construction of affordable housing.

City Attorney Ty Mizote discussed the new information from the State Department of Housing and Community Development regarding the agreement. He provided the details of the two changes that were made, the requirements of a 45-year affordability period, and formal approval from the State to sell the property. City Attorney Mizote added a provision to the purchase and sale agreement addressing the formal approval.

Motion to approve with the two changes.

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

PUBLIC HEARINGS:

- A. Annexation No. 160, Parts 1- 3 and 5 - 8: A proposal to annex seven (7) separate county islands with a combined total of 279 acres into the City of Hanford, from the Kings County jurisdiction. Prezone No. 2021-01 thru 2021-03 and 2021-05 thru 2021-08, a request to prezone the various county islands, in accordance with their General Plan designation. The projects are located in existing county islands, fully surrounded by the City of Hanford.

Mayor Ramirez opened the public hearing at 7:49 p.m. and called for the staff report. Senior Planner Gabrielle Myers discussed the proposed eight county island annexation areas. Island #4 was excluded from the annexation request, due to a pending General Plan Amendment. Staff answered questions from the Council.

Public comment:

IN-FAVOR:

Art Perez commented on property tax changes.

OPPOSED:

Robin Green expressed her concerns regarding resident notification of the annexation. Public Works Director John Doyel addressed Ms. Greens concerns and comments.

Brent Olson spoke in opposition.

Bob Ramos commented on issues the annexations may create for code enforcement.

Jana Dudley shared her concerns.

Roger Dudley asked why the annexation was not voted on. City Attorney Ty Mizote responded to Mr. Dudley's comments.

Hanford resident – He commented on his waster bill.

Patty Grill commented on the questionnaire that was sent out to residents. She spoke in opposition. Senior Planner Myers and City Attorney Mizote responded to Ms. Grill's comments.

Kanesha Edwards spoke in opposition.

Joe Soto spoke in opposition.

Rick Cardoza spoke in opposition and expressed his concerns regarding the well and septic tank on his property. Public Works Director John Doyel addressed Mr. Cardoza's concerns.

Ms. Myers addressed some of the concerns expressed by during public comment. She also provided the information for the LAFCo meeting. Staff answered questions from the Council. Council Member Brieno spoke in opposition of annexing island's #1 and #8.

Motion to approve and adopt the Notice of Exemption, in accordance with CEQA.

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

Motion to approve the introduction and waive the first reading of Ordinance No. 21-07.

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

Motion to approve the introduction and waive the first reading of Ordinance No. 21-08.

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

Motion to approve the introduction and waive the first reading of Ordinance No. 21-09.

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

Motion to approve the introduction and waive the first reading of Ordinance No. 21-10.

RESULT: APPROVED [4 TO 0]
MOVER: Saltray, Council Member
SECONDER: Kalish Morrow, Council Member
AYES: Brieno, Morrow, Saltray, Ramirez
ABSTAIN: Sharp

Motion to approve the introduction and waive the first reading of Ordinance No. 21-11.

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

Motion to approve the introduction and waive the first reading of Ordinance No. 21-12.

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

Motion to approve the introduction and waive the first reading of Ordinance No. 21-13.

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

Motion to adopt Resolution 21-48-R with an amendment was introduced by Council Member Brieno. Seconded by Council Member Saltray 2/3 (Morrow, Sharp, Ramirez) – Motion failed.

Motion to adopt Resolution 21-48-R as presented.

RESULT: APPROVED [3 TO 1]
MOVER: Diane Sharp, Vice Mayor
SECONDER: Kalish Morrow, Council Member
AYES: Sharp, Morrow, Ramirez
NAYS: Brieno
ABSTAIN: Saltray

Mayor Ramirez closed the public hearing at 9:02 p.m.

Break 9:03 p.m. - 9:14 p.m.

- B. Zone Text Amendment No. 2021-01: a request by the City of Hanford to amend Title 17, Section 17.08.030 – Commercial, Office, and Industrial Zone Use Table of the Hanford Municipal Code by adding sections in order to: 1. Create size breakdowns for “Office; medical, dental, or optometry” and allow limited office uses in the C-R Regional Commercial zone district; and 2. Create size breakdowns for “Office; professional or commercial” and allow limited office uses in the C-R Regional Commercial zone district; and 3. Eliminate size breakdowns for “Furniture stores” and allow furniture stores (any size) as a permitted use in the C-R Regional Commercial, MX-C Corridor Mixed Use, and MX-D Downtown Mixed Use zone districts; and 4. Add “Laboratory; general, medical, or dental” as a conditionally permitted use in the C-R Regional Commercial zone district; and 5. Add “Food catering” as a permitted use in C-N Neighborhood Commercial, C-R Regional Commercial, and MX-N Neighborhood Mixed Use zone district.

Mayor Ramirez opened the public hearing at 9:15 p.m. and called for the staff report. Senior Planner Gabrielle Myers discussed the Zone Text Amendment. Ms. Myers answered questions from the Council.

Public Comment:

IN-FAVOR:

Jerry Irons commented on furniture stores and grocery stores.

Brent Olson spoke in favor.

Jeff Morrison spoke in favor.

OPPOSED:

Bob Ramos spoke in opposition.

Michelle Brown spoke in opposition on behalf of Main Street Hanford. She requested to postpone the item until businesses financially recover from the pandemic.

Dr. Jeffery Garcia spoke in opposition and expressed his concerns.

Dr. Suzanne Cardoza spoke in opposition and expressed her concerns.

Yvette Gomez spoke in opposition.

Michael Cardoza spoke in opposition and questioned the business operating hours in the downtown area. Ms. Myers responded to his questions.

Dan Chin spoke in opposition.

Angel Galvan spoke in opposition and provided a document to the Council.

Dave Ayers spoke in opposition.

At 10:15 p.m. the Council extend the meeting one hour. Motioned by Council Member Morrow, Seconded by Mayor Ramirez. Motion approved 4/1 (Brieno).

Craig Johnson spoke in opposition.

The Council Members discussed the Zone Text Amendment and addressed some of the concerns expressed during public. City Manager Mario Cifuentez discussed creating incentives in the downtown area for new businesses. Staff will bring back for a future Council discussion. City Attorney Ty Mizote commented on incentive programs and discussed other ways of assisting businesses in the future.

Motion to approve.

Mayor Ramirez closed the public hearing at 10:51 p.m.

RESULT:	APPROVED [3 TO 1]
MOVER:	Kalish Morrow, Council Member
SECONDER:	Amanda Saltray, Council Member
AYES:	Morrow, Saltray, Ramirez
NAYS:	Brieno
ABSTAIN:	Sharp

GENERAL BUSINESS:

- A. Community Development: Historic Resources Permit 2021-06 A: a request, by the Carnegie Museum of Kings County, to hang a five-feet by 11-feet (55 square foot) banner on the exterior of the Carnegie Library Building from November 3 to January 7, 2022, in order to advertise an upcoming exhibit. Historic Resources Permit 2021-06 B: a request, by staff, to allow future approvals of similar banners for the Carnegie Museum of Kings County administratively through the banner permit process. The project is located at 109 E. Eighth Street (APN 012-041-017).

Senior Planner Gabrielle Myers discussed the project and the requested changes from the applicant. Ms. Myers also presented a process change for the Council's review and consideration.

Motion to approve Resolution 21-49-R approving Historic Resources Permit 2021-06 A.

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

- B. Motion to approve resolution 21-50-R, allowing staff to administratively permit all future banner request through the banner permit application.

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

- B. Police: Approval of one (1) additional allocated position, within the Hanford Police Department, to finalize the creation of the Park Resource Officer position and Appropriate \$74,020 to fund hiring one officer and the one-time purchase of the standard equipment needed to outfit a new officer in fiscal year 21/22 and for fiscal year 22/23 \$131,500 in annual ongoing personnel costs.

Police Chief Parker Sever discussed the addition of one allocated position. Staff addressed the Council's questions and concerns.

Motion to approve.

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

The Council approved to extend the meeting. Motion introduced by Vice Mayor Sharp. Seconded by Council Member Saltray. Motion approved. 4/1 (Brieno)

- C. Administration: Discussion of future development of Hidden Valley Park, including Council review and direction on the alignment of Rodgers Road extension, between Mallard Way and Cortner Street, and consideration of a Ballot Measure to allow the Citizens of Hanford to determine the future of the vacant property located adjacent to the existing park

City Manager Mario Cifuentez discussed the history of the property and the proposed actions for the Council's review and direction. Staff addressed questions and concerns from the Council.

Motion to direct staff to move forward with the necessary analyses to bring back a General Plan amendment to change from Low Density Residential to Open Space.

RESULT:	APPROVED [4 to 1]
MOVER:	Francisco Ramirez, Mayor
SECONDER:	Art Brieno, Council Member
AYES:	Brieno, Morrow, Saltray, Ramirez
NAYS:	Sharp

COUNCIL FUTURE AGENDA ITEMS:

Council Future Agenda Items

Council Member Saltray shared the details of her upcoming Town Hall Meeting.

ADJOURNMENT:

Mayor Ramirez adjourned the meeting at 11:27 p.m.

Respectfully submitted,

Natalie Corral
City Clerk



AGENDA STAFF REPORT

MEETING DATE: 5/3/2022	AGENDA SECTION: D
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SUBJECT:

Administration: Second reading and Adoption of Ordinance No. 22-05, Amending Chapter 2.36 of the Municipal Code to create an Alternate seat on the City's Planning Commission.

RECOMMENDATION:

That the City Council, by motion, conduct the Second reading and Adopt Ordinance No. 22-05 Amending Chapter 2.36 of the Municipal Code to create an Alternate seat on the City's Planning Commission.

BACKGROUND:

At the September 21, 2021, Council meeting, Council adopted a comprehensive update to the City's Municipal Code, related to City Commissions. Part of that update included:

- Setting the number of commissioner seats at five (5) for all City Commissions
- Allowed for members to remain seated, past term expiration, to allow Council ample time to appoint new members.
- Established a lower threshold of absences for members to insure commissioners remain engaged in matters related to those commissions

Despite all of the changes, the City has continued to struggle to fill all seats on the Planning Commission and maintaining a quorum has been even more difficult. There have been many occasions, over the past few months, where Commission meetings have had to be canceled and ultimately resulted in delays for proposed projects within the City.

After advertising the vacant Planning Commission seat through Social Media and a flyer in the City's Utility Bill, the City was finally successful in receiving numerous applications. As staff is currently reviewing the applications, it became apparent that it would be prudent to create an alternate seat on the Planning commission that will be allowed to participate in deliberations, but

shall not vote unless at least one (1) commissioner is absent or abstains from a matter due to an actual or potential conflict of interest.

If adopted by Council, staff will utilize the existing applicant pool to recommend appointees to Council to fill both the current vacant position as well as the Alternate position.

FISCAL IMPACT:

No Impact

ATTACHMENTS:

Planning Commission Alternate Ordinance
2.36 Planning Commission Alternate - Final
2.36 Planning Commission Alternate - redline

ORDINANCE NO. 22-05

AN ORDINANCE AMENDING HANFORD MUNICIPAL CODE CHAPTER 2.36
RELATING TO THE CREATION OF THE PLANNING COMMISSION.

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

Section 1: Hanford Municipal Code Chapter 2.36 contains regulations relating to the establishing of the City’s Planning Commission.

Section 2: The regulations contained in Chapter 2.36 were amended in 2021 but the Council has determined that the chapter needs an update for the effective operation and administration of the City’s Planning Commission.

Section 3: The City Council of the City of Hanford does ordain that Chapters 2.36 of the Hanford Municipal Code is hereby amended and restated as shown in the attached Exhibit “A”, which is incorporated herein by reference.

Section 4: 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 or a summary of this ordinance shall be published in the Hanford Sentinel in a manner consistent with the requirements of the California Government Code.

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

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

APPROVED

Kalish Morrow
MAYOR of the City of Hanford

ATTEST:

NATALIE CORRAL
CITY CLERK

Attachment: Planning Commission Alternate Ordinance (Admin: Planning Commission Alternate)

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 ordinance was duly introduced at a regular meeting of the City Council of the City of Hanford on the 19th day of April, 2022, and it was duly passed and adopted at a regular meeting of the City Council of the City of Hanford held on the day ____ of _____, 2022.

NATALIE CORRAL
CITY CLERK

Attachment: Planning Commission Alternate Ordinance (Admin: Planning Commission Alternate)

Exhibit “A”

Chapter 2.36 PLANNING COMMISSION

A. There is created a planning commission which shall consist of five (5) members and one (1) alternate, appointed in accordance with Section [2.20.030](#).

B. Notwithstanding subsection A., present members of the existing planning commission shall hold office for the balance of their respective terms. Thereafter, appointments shall be made for four (4) year terms, including the alternate.

C. If a vacancy shall occur other than by expiration of a term, a new commissioner shall be appointed in the manner as set forth in section 2.20.030.

D. The alternate may participate in deliberations, but shall not vote unless at least one (1) commissioner is absent or recuses himself or herself from a matter due to an actual or potential conflict of interest.

E. The director of the community development department or designee shall serve as secretary to the commission.

F. The planning commission shall have the powers and duties provided by the California [Government Code](#) and the Hanford Municipal Code. The planning commission shall also perform any other functions which may be assigned by the city council.

G. The planning commission may employ or contract with planning consultants, engineers, or other city planning specialists provided such employment has first been authorized by the city council and all expenditure of city funds shall be subject to prior approval by the city council. (Ord. 21-05 § 3, 2021; Ord. 17-01 § 2, 2017; Ord. 15-13 § 3, 2015; prior code § 2-8.10)

Chapter 2.36 PLANNING COMMISSION

2.36.010 Planning commission.

A. There is created a planning commission which shall consist of five (5) members and one (1) alternate, appointed in accordance with Section [2.20.030](#).

B. Notwithstanding subsection A., present members of the existing planning commission shall hold office for the balance of their respective terms. Thereafter, appointments shall be made for four (4) year terms, including the alternate.

C. If a vacancy shall occur other than by expiration of a term, a new commissioner shall be appointed in the manner as set forth in section 2.20.030.

D. The alternate may participate in deliberations, but shall not vote unless at least one (1) commissioner is absent or recuses himself or herself from a matter due to an actual or potential conflict of interest.

E. The director of the community development department or designee shall serve as secretary to the commission.

F. The planning commission shall have the powers and duties provided by the California [Government Code](#) and the Hanford Municipal Code. The planning commission shall also perform any other functions which may be assigned by the city council.

G. The planning commission may employ or contract with planning consultants, engineers, or other city planning specialists provided such employment has first been authorized by the city council and all expenditure of city funds shall be subject to prior approval by the city council. (Ord. 21-05 § 3, 2021; Ord. 17-01 § 2, 2017; Ord. 15-13 § 3, 2015; prior code § 2-8.10)

Chapter 2.36 PLANNING COMMISSION

2.36.010 Planning commission.

A. There is created a planning commission which shall consist of five (5) members and one (1) alternate, appointed in accordance with Section 2.20.030.

B. Notwithstanding subsection A., present members of the existing planning commission shall hold office for the balance of their respective terms. Thereafter, appointments shall be made for four (4) year terms, including the alternate.

C. If a vacancy shall occur other than by expiration of a term, a new commissioner shall be appointed in the manner as set forth in section 2.20.030.

D. The alternate may participate in deliberations, but shall not vote unless at least one (1) commissioner is absent or recuses himself or herself from a matter due to an actual or potential conflict of interest.

EE. The director of the community development department or designee shall serve as secretary to the commission.

ED. The planning commission shall have the powers and duties provided by the California Government Code and the Hanford Municipal Code. The planning commission shall also perform any other functions which may be assigned by the city council.

GE. The planning commission may employ or contract with planning consultants, engineers, or other city planning specialists provided such employment has first been authorized by the city council and all expenditure of city funds shall be subject to prior approval by the city council. (Ord. 21-05 § 3, 2021; Ord. 17-01 § 2, 2017; Ord. 15-13 § 3, 2015; prior code § 2-8.10)



AGENDA STAFF REPORT

MEETING DATE: 5/3/2022	AGENDA SECTION: E
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SUBJECT:

Community Development: Historic Resources Permit 2022-01, a request by Valley Strong Credit Union to alter the façade of an existing storefront. The property is designated as a noncontributing building within the Historic Overlay Zone. The project is located at 216 W. Eighth St. (APN 012-022-008).

See staff report attached.

FISCAL IMPACT:

ATTACHMENTS:

Staff Report - 216 W 8th St
 Resolution No. 22-17-R
 Attachment 1: Historic Overlay Zone and Properties
 Attachment 2: Site Plan and Floor Plan
 Notice of Exemption No. 2022-25

**CITY OF HANFORD CITY COUNCIL
STAFF REPORT
Tuesday, May 3, 2022**

PROJECT: **Historic Resources Permit 2022-01**, a request by Valley Strong Credit Union to alter the façade of an existing storefront. The property is designated as a noncontributing building within the Historic Overlay Zone.

LOCATION: The project is located at 216 W. Eighth St. (APN 012-022-008)

STAFF RECOMMENDATION

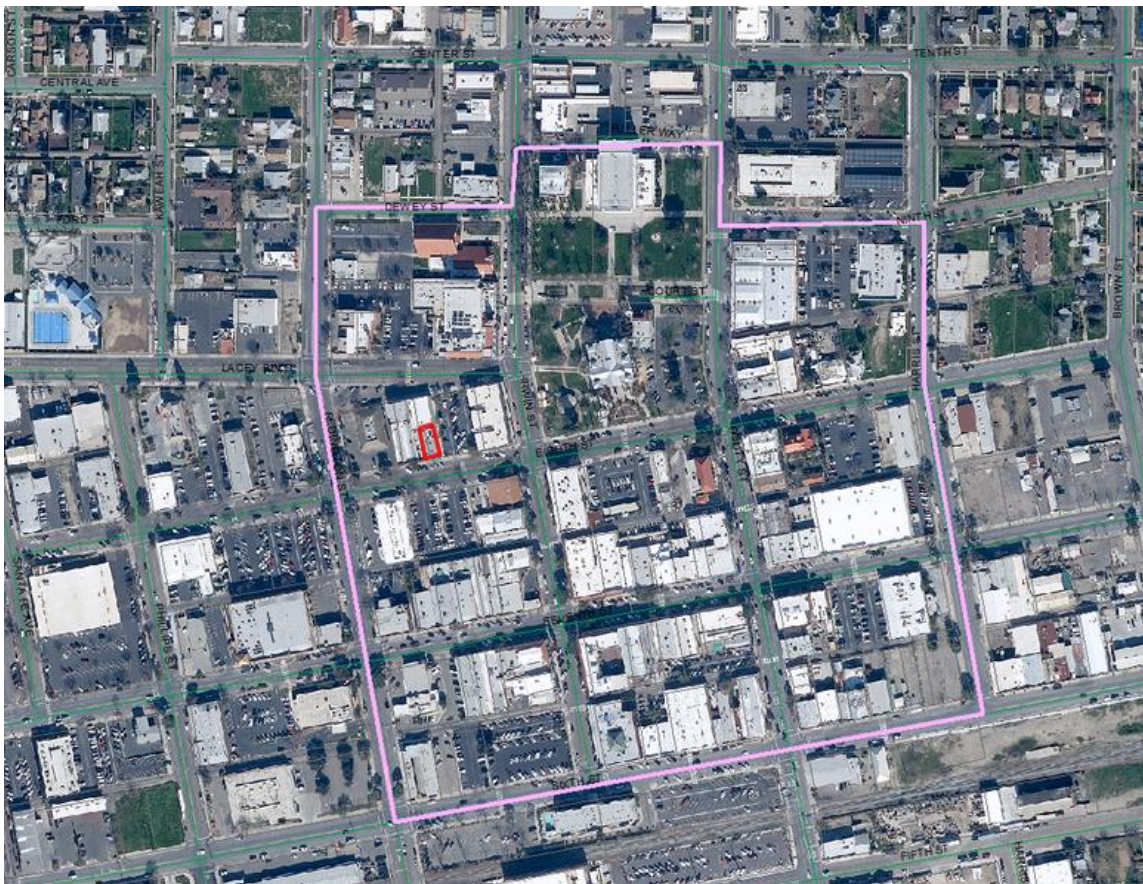
1. Staff recommends that the City Council, by motion, adopt Resolution 22-17-R approving Historic Resources Permit 2022-01.

RECOMMENDED MOTION

1. I move to adopt Resolution 22-17-R approving Historic Resources Permit 2022-01.

PROJECT DESCRIPTION

The property is located within the Historic Overlay Zone, shown below – outlined in red.



The property is designated a noncontributing building in the Historic Overlay Zone, as shown on the Historic Overlay Zone Map – **Attachment 1**.

“Noncontributing building” means a structure within a historic district which, in its present condition, does not contribute to the sense of time and place of the immediate area and the district. “Noncontributing building” may include those buildings constructed after the time period featured in a historic district or buildings in which the historical characteristics have been irreparably modified. “Noncontributing building” may also include buildings which, while noncontributing at present, may become contributing through the application of appropriate design criteria.

In accordance with the Municipal Code Section 17.48, alterations to the exterior of a building located within the Historic Overlay Zone are required to be approved through a Historic Resources Permit, which must be approved by the City Council.

Section 17.48.040

No improvement or exterior architectural feature of any improvement shall be constructed or altered or enlarged which is located in the Historic Overlay District or identified as a historic site outside the District, unless a permit is issued pursuant to the terms of this chapter. The section shall not apply to any interior alteration which has no effect on the condition or appearance of any exterior architectural feature of an improvement. No structure listed on a State or National Register shall be moved or demolished, unless a permit is issued pursuant to the terms of this chapter.

Section 17.48.070

- A. A historic resource permit shall be required for any alteration of the exterior features of a building within a designated historic district, or a designated historic building or site, or to construct a new building or improvements upon property within a designated historic district except as otherwise provided in this Chapter 17.48, the City Council shall determine whether a historic resources permit shall be issued. A permit shall not be required for ordinary maintenance and repairs as defined in this section.
- B. Permit Procedures. An application for a historic resource permit shall be made on a form prescribed by the Community Development Department and shall be accompanied by the fees established by resolution of the City Council. The application shall include the information required by Section 17.60.020 for site plan review, complete elevation drawings of the proposed alterations, samples of proposed colors and materials, color photographs of all sides of any existing improvement, building or structure on the site, and such other information as may be required by the Community Development Department. If applicable, the application shall include the information required by Chapter 17.58 (permit for conditional uses) and Chapter 17.62 (planned unit development).

Applications for permits requiring City Council approval shall be placed on the next regular meeting of the City Council. The City Council may approve, approve with conditions, or deny the permit.

Building Description

The building was originally constructed in 1925. The façade features a base of stucco along the top and red brick along the bottom, with three large windows, two doors, and a green awning. The roof has parapet walls surrounding all sides. The site has been split between two businesses in the past, with Buddy's Trophies being the last business to use the entire space. The building has been severely altered since original construction. Building modifications include the present awning and the block wall placed along the eastern portion of the building after the adjacent building was torn down in 1994.

Proposed Modifications

The applicant was required to go through the Site Plan Review process in order to change the use of the building from a retail store to a credit union. Site Plan Review No. 2022-15 was reviewed and approved by the Site Plan Review Committee.

The applicant proposes to change the following features of the storefront, as shown in **Attachment 2:**

- Replace the existing brick with new brick
- Rearrange the existing doors and windows
- Install an ATM
- Replace the existing awning with new cantilevered canopies
- Recess a portion of the façade, install a stepped brick veneer soldier course, and create lintel and column elements
- Restructure the roof
- Provide a means of egress on the eastern side of the building
- Paint the façade with the proposed colors: Foxhall Green, Rookwood Clay, Row House Tan, and accents of white

The brick along the bottom band of the façade will be replaced with a new brick veneer that would match the existing brick. According to Section 17.48.150(C)(5)(a)(vi), "when deteriorating brick must be replaced, replacements should match the old brick in color, texture, size and coursing technique. Mortar should be painted to match existing joints. Replacement brick should be laid in the same bond as the original."

The placement of the doors and windows will be rearranged to reflect the interior of the building. Both doors will be placed adjacent to each other in the center of the façade, with one window on each side and the existing transom windows to be merged and moved to maintain their position above the doors. There are three existing window areas along the façade, but the frame between two of them will be removed. The number of businesses occupying the building has changed over the years from two to one, with Buddy's Trophies being the last occupant of the entire building. Since the building is noncontributing and we could not determine much of the original design, "a

design which is not a pure rehabilitation but which is in keeping with the design of the rest of the building may be appropriate.” (17.48.150(C)(1)(c)) Not only would this reflect the interior use of the building, but this would also more closely resemble the structure at 240-250 W. Eighth St., located on the same block. The site has been severely altered since original construction. As stated in Section 17.48.150(B)(9), “contemporary design for alterations and additions to existing buildings, structures or site shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible with the size, scale, color, materials and character of the property, neighborhood or environment.” There is no significant historical, architectural or cultural material as the building has been designated as a noncontributing building within the Historic Overlay Zone.

The applicant is proposing the installation of an ATM on the façade of the building. ATMs are permitted as an accessory use in the MX-D Downtown Mixed Use zone district. This would be a minor change to a noncontributing building. Other businesses in the Historic District have ATMs, including Wells Fargo, Union Bank, and Golden 1 Credit Union. Section 17.48.150(B)(9) states that “contemporary design for alterations and additions to existing buildings, structures or site shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible with the size, scale, color, materials and character of the property, neighborhood or environment.” Since this is a noncontributing building, the addition of the ATM would not destroy any significant historical, architectural or cultural material. The design of the ATM shall be compatible with the surrounding area. If the ATM were to be removed in the future, the empty space shall be covered to match the surrounding wall in composition, design, color, texture, and other visual qualities. Section 17.48.150(B)(10) states that “wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.” The sidewalk is approximately 12 feet wide. This provides ample space for a customer to use the ATM while maintaining adequate sidewalk space per ADA standards.

Three new cantilevered canopies will replace the existing awning. The present awning style was established in 1997. Previously, the building had a triangular, vinyl awning installed in 1992 that replaced a cantilevered canopy similar in appearance to the proposed design. The previous canopy was one piece, but was placed in a similar location directly above the windows and doors. As stated in Section 17.48.150(C)(1)(a), “where store fronts have been altered, the original design should be determined by examining photographs from the period and by investigating any original architectural fabric which remains beneath the changes. As much original material and detail should be retained in the rehabilitation as possible.” While the exact original design of the façade could not be determined, the earliest photographic evidence reviewed shows a cantilevered canopy protruding from the building façade. Section 17.48.150(C)(2)(b) states that “any existing small paned transoms should not be obscured on the exterior.” While the location of the transom window would not be existing, there are existing transom windows above each door. The proposed canopy would maintain visibility of the transom window above the doors.

Sections of the façade above the canopies will be recessed back and surrounded by lintel and column elements and a stepped soldier course brick veneer. Due to the noncontributing nature of the building, staff is supportive of this change. Section 17.48.150(B)(9) states that “contemporary design for alterations and additions to existing buildings, structures or site shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible with the size, scale, color, materials and character of the property, neighborhood or environment.” The alterations would not destroy any significant historical, architectural, or cultural material, and would be compatible with the façade at 240-250 W. Eighth St., located on the same block. Both structures would have a recessed façade and stepped brick areas along the top with column elements separating the recessed areas.

The applicant states that there are several different structural roof sections that appear to have been the source of leaks. The roof will be restructured with a single sloping roof to remove leak areas in order to make the building more structurally sound. The last reported statement regarding the roof, from the City’s survey of historic buildings in the late 1970’s, states that the structure is flat roofed. However, it is unknown if this was the original roof shape or is the current roof shape, since no past photographic records of the roof could be found. As stated in Section 17.48.150(B)(9), “contemporary design for alterations and additions to existing buildings, structures or site shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible with the size, scale, color, materials and character of the property, neighborhood or environment.” Since the building is designated as a noncontributing building within the Historic Overlay Zone, this alteration would not destroy any significant historical, architectural, or cultural material. This would also ensure the public health, safety, and general welfare of any building occupants. The roof would continue to remain concealed from street view.

The applicant is proposing to change the color of the façade according to the following:

- Recessed surface above the canopies – Rookwood Clay
- Canopies and sign accent – Foxhall Green
- The façade, excluding portions covered by brick and other stated colors – Row House Tan
- Other sign color - White

Rookwood Clay is a historic color in the Sherwin Williams historic color palette. Foxhall Green and Row House Tan are not traditional historic colors. However, both colors are shades of dark green and beige, respectively. Per Section 17.48.150(E)(1)(b), dark green and beige were favored colors to use during the early 20th century. Staff is supportive of the color requests, since this is designated as a noncontributing building within the Historic Overlay Zone and the chosen shades are similar to those that are favored. Council has approved nontraditional historic colors for other nonconforming buildings, including lime green for 110 W. Seventh St. (All Valley Printing) and turquoise for 240 N. Irwin St. (Sensory Rock). White is only proposed for signage and is minor in nature; this would not detract from the primary colors of the façade.

Signage will be reviewed at the time of sign permit submittal. Signage shall meet size requirements as stated in Sections 17.48 and 17.56 of the Municipal Code. If required standards are not met, proposed signage shall be reviewed by City Council through a new historic resources permit.

A new egress is proposed for the eastern side of the building leading to the City-owned parking lot. This would serve as an emergency exit since currently, the only exit from the building is through the front. To permit access from this building to the adjacent City-owned parcel, an easement shall be reviewed by Council at a later date. Review of the egress shall coincide with review of the easement and be subject to approval by the City Council.

The overall proposed design does not detract from or affect any significant historic attributes, since the structure is designated as a noncontributing building within the Historic Overlay Zone and has been severely altered since original construction. According to Section 17.48.150(C)(1)(c), "where the original design cannot be determined or where financial considerations preclude full-scale rehabilitation of a store front which has already been altered, a design which is not a pure rehabilitation but which is in keeping with the design of the rest of the building may be appropriate." The building would maintain one main entrance due to the fact that the interior of the building has been and will continue to be used by only one business. The rest of the façade would keep with the design of existing architectural elements on the current façade, architectural elements related to the proposed entrance, and architectural elements on adjacent buildings on the same street block.

FINDINGS FOR APPROVAL

In accordance with Section 17.48 of the Hanford Municipal Code, staff recommends approval of Historic Resources Permit 2022-01 and that the approval of the historic resources permit will allow private investment in the Downtown area, enhance property values, the increase of economic and financial benefits to the City and its property owners and inhabitants, and make the following findings:

1. That the proposed rehabilitation of the façade will not impact the Historic Overlay Zone since the building is designated as a noncontributing structure.
2. That the proposed project will provide a complementary setting and environment in the Historic District.
3. That the proposed project will promote and encourage continued private ownership and utilization of structures so that the objectives set forth in this section can be attained under this policy.
4. That the request will not adversely affect the public health, safety, and general welfare of the citizens of Hanford.

RECOMMENDATION – CONDITIONS OF APPROVAL

The City Council may approve, approve with conditions, or deny the permit.

Staff recommends that the City Council adopt Resolution 22-17-R, approving Historic Resources Permit No. 2022-01, subject to the following conditions:

1. That approval of this project does not exempt compliance with all applicable sections of the Zoning Ordinance, Public Works Improvement Standards, fees, or other City Ordinances.
2. That the alterations to the site be completed in accordance with the proposed changes. Future changes may be approved by the Community Development Director or forwarded to the City Council for review.
3. That should operation of the ATM cease, the ATM shall be removed and the empty space be covered to match the surrounding wall in composition, design, color, texture and other visual qualities.
4. If required sign standards in Sections 17.48 and 17.56 of the Municipal Code are not met, proposed signage shall be reviewed by City Council through a new historic resources permit.
5. Review of the egress shall coincide with review of the easement and be subject to approval by the City Council.

Applicant:

Andrew Erb
1330 22nd St. #100
Bakersfield, CA 93301

Property Owner:

Richard Sazama
PO Box 9506
Bakersfield, CA 93389

RESOLUTION 22-17-R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HANFORD
APPROVING HISTORIC RESOURCES PERMIT NO. 2022-01, A REQUEST BY
VALLEY STRONG CREDIT UNION TO ALTER THE FAÇADE OF AN
EXISTING STOREFRONT. THE PROPERTY IS DESIGNATED AS A
NONCONTRIBUTING BUILDING WITHIN THE HISTORIC OVERLAY ZONE.
THE PROJECT IS LOCATED AT 216 W. EIGHTH STREET (APN 012-022-008).**

At a regular meeting of the City Council of the City of Hanford duly called and held on May 3, 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 application, filed by Andrew Erb for Historic Resources Permit No. 2022-01, as shown in **Exhibit A**, was presented to the City Council; and

WHEREAS, the proposed project is located at 216 W. Eighth St. (APN 012-022-008); and

WHEREAS, the City Council of the City of Hanford, at a regular meeting on April 19, 2022, reviewed the request for Historic Resources Permit No. 2022-01; and

WHEREAS, Section 15301 of the California Environmental Quality Act Guidelines categorically exempts “Existing Facilities” from Environmental Review; and

WHEREAS, the City Council of the City of Hanford reviewed the application for the Historic Resources Permit No. 2022-01 and found that the application is consistent with Section 17.48 of the Hanford Municipal Code and that the approval of the historic resources permit will allow private investment in the Downtown area, enhance property values, the increase of economic and financial benefits to the City and its property owners and inhabitants, and make the following findings:

1. That the proposed rehabilitation of the façade will not impact the Historic Overlay Zone since the building is designated as a noncontributing structure.
2. That the proposed project will provide a complementary setting and environment in the Historic District.
3. That the proposed project will promote and encourage continued private ownership and utilization of structures so that the objectives set forth in this section can be attained under this policy.
4. That the request will not adversely affect the public health, safety, and general welfare of the citizens of Hanford.

THEREFORE, BE IT RESOLVED that the City Council of the City of Hanford hereby approves Historic Resources Permit No. 2022-01, subject to the following conditions:

1. That approval of this project does not exempt compliance with all applicable sections of the Zoning Ordinance, Public Works Improvement Standards, fees, or other City Ordinances.
2. That the alterations to the site be completed in accordance with the proposed changes. Future changes may be approved by the Community Development Director or forwarded to the City Council for review.
3. That should operation of the ATM cease, the ATM shall be removed and the empty space be covered to match the surrounding wall in composition, design, color, texture and other visual qualities.
4. If required sign standards in Sections 17.48 and 17.56 of the Municipal Code are not met, proposed signage shall be reviewed by City Council through a new historic resources permit.
5. Review of the egress shall coincide with review of the easement and be subject to approval by the City Council.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council of the City of Hanford hereby approves Historic Resources Permit No. 2022-01. Passed and adopted at a regular meeting of the City Council of the City of Hanford duly called and held on May 3, 2022, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

APPROVED: _____

KALISH MORROW
MAYOR of the City of Hanford

ATTEST: _____

NATALIE CORRAL
CITY CLERK

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

Attachment: Resolution No. 22-17-R (CD: Historic Resources Permit 2022-01)

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 3rd day of May, 2022.

Date: _____

NATALIE CORRAL
CITY CLERK

Exhibit A
Approved Design

Attachment: Resolution No. 22-17-R (CD: Historic Resources Permit 2022-01)



EXISTING BUILDING'S TROPHIES ELEVATION



EXISTING BUILDING'S TROPHIES ELEVATION



EXISTING BUILDING'S TROPHIES ELEVATION

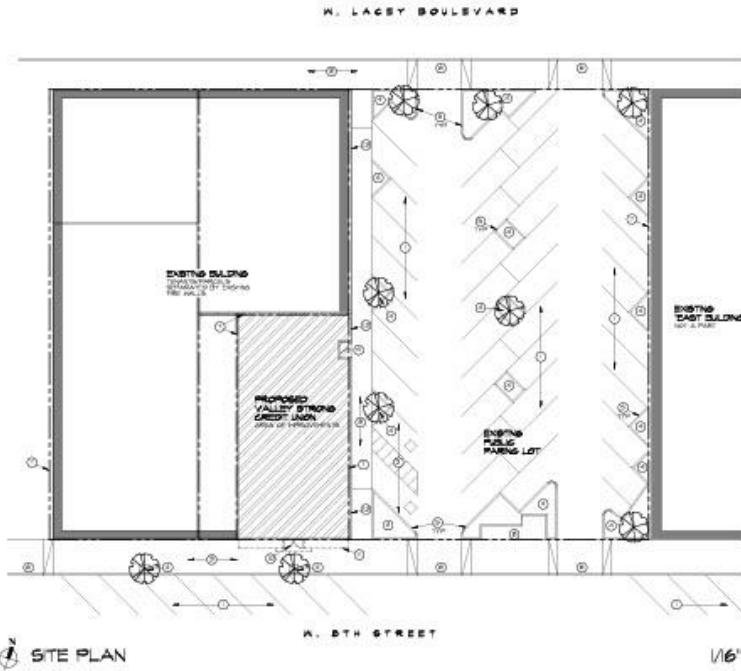


PARKING LOT / CITY OF HANFORD'S DMV HALL



PARKING LOT / EAST BUILDING

EXISTING PHOTOS



PROPOSED RENDERING

PROJECT ANALYSIS

APR. 2022 000-000-000
 PROJECT AREA: 10000 SQ. FT. OF
 GENERAL PLAN DESIGNATION: 10000 SQ. FT. OF
 ZONE: 10000 SQ. FT. OF
 EXISTING TRAIL AREA: 10000 SQ. FT. OF
 PARKING REQUIRED PER CITY OF HANFORD: 10000 SQ. FT. OF
 PARKING PROVIDED: 10000 SQ. FT. OF
 PARKING PROVIDED: 10000 SQ. FT. OF

SITE KEYNOTES

- EXISTING ANALYZED PARKING SPOTS PER CITY STANDARDS TO REMAIN
- EXISTING ACCESSIBLE PARKING SPOTS AND ACCESSIBLE WALK TO REMAIN
- EXISTING CONCRETE PAVING AT PUBLIC SIDEWALK TO REMAIN
- EXISTING LANDSCAPE AREA / PLANTER WITH TREES AND GRASS TO REMAIN
- EXISTING AT CONCRETE CURB
- EXISTING CONCRETE DRIVEWAY TO REMAIN
- PROPOSED LOCATION OF NEW DRIVEWAY
- PROPOSED LOCATION OF NEW DRIVEWAY
- PROPOSED LOCATION OF NEW DRIVEWAY
- PROPOSED LOCATION OF NEW DRIVEWAY
- PROPOSED LOCATION OF NEW DRIVEWAY
- PROPOSED LOCATION OF NEW DRIVEWAY
- PROPOSED LOCATION OF NEW DRIVEWAY
- PROPOSED LOCATION OF NEW DRIVEWAY
- PROPOSED LOCATION OF NEW DRIVEWAY



ALUMINUM STOREFRONT

CLEAR ANODIZED

PACIFIC CLAY

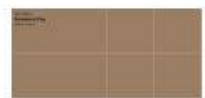
THIN BRICK

SUNSET RED

PROPOSED MATERIALS



PANT - CANOPY & ACCENT



PANT/PLASTER - ACCENT COLOR



PANT/PLASTER - MAIN FIELD COLOR

13.E.b

PROJECT ANALYSIS

SITE KEYNOTES

PROPOSED MATERIALS

PROPOSED RENDERING

EXISTING PHOTOS

EXISTING BUILDING'S TROPHIES ELEVATION

EXISTING BUILDING'S TROPHIES ELEVATION

EXISTING BUILDING'S TROPHIES ELEVATION

PARKING LOT / CITY OF HANFORD'S DMV HALL

PARKING LOT / EAST BUILDING

PROPOSED VALLEY STRONG EAST WING

EXISTING PUBLIC PARKING LOT

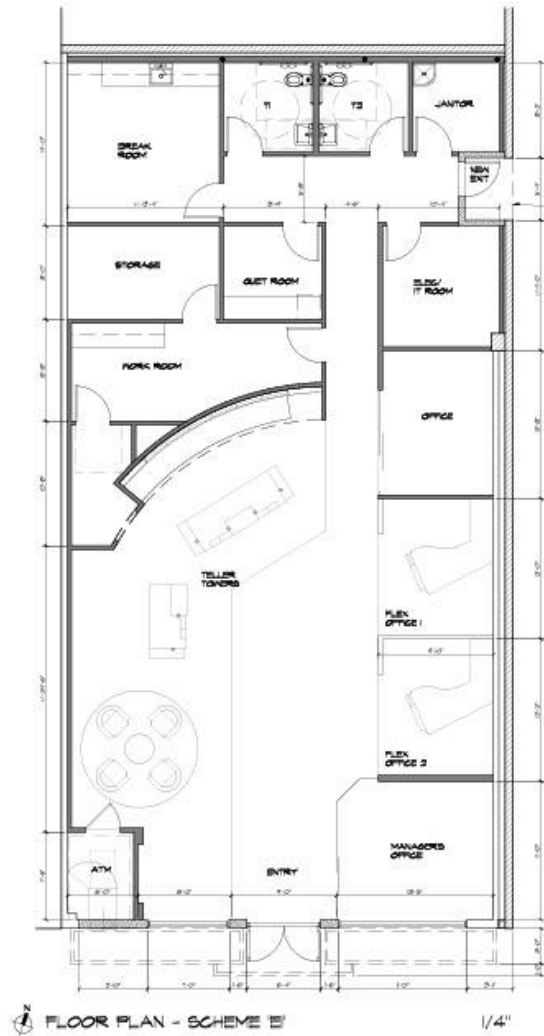
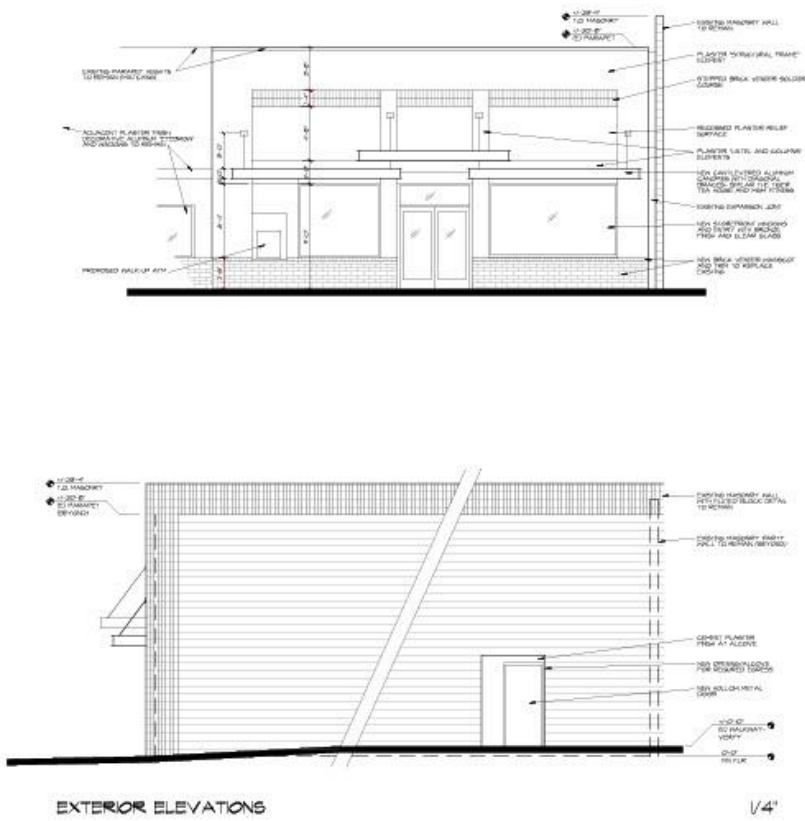
EXISTING EAST BUILDING

W. LACEY BOULEVARD

N. 5TH STREET

1/6"

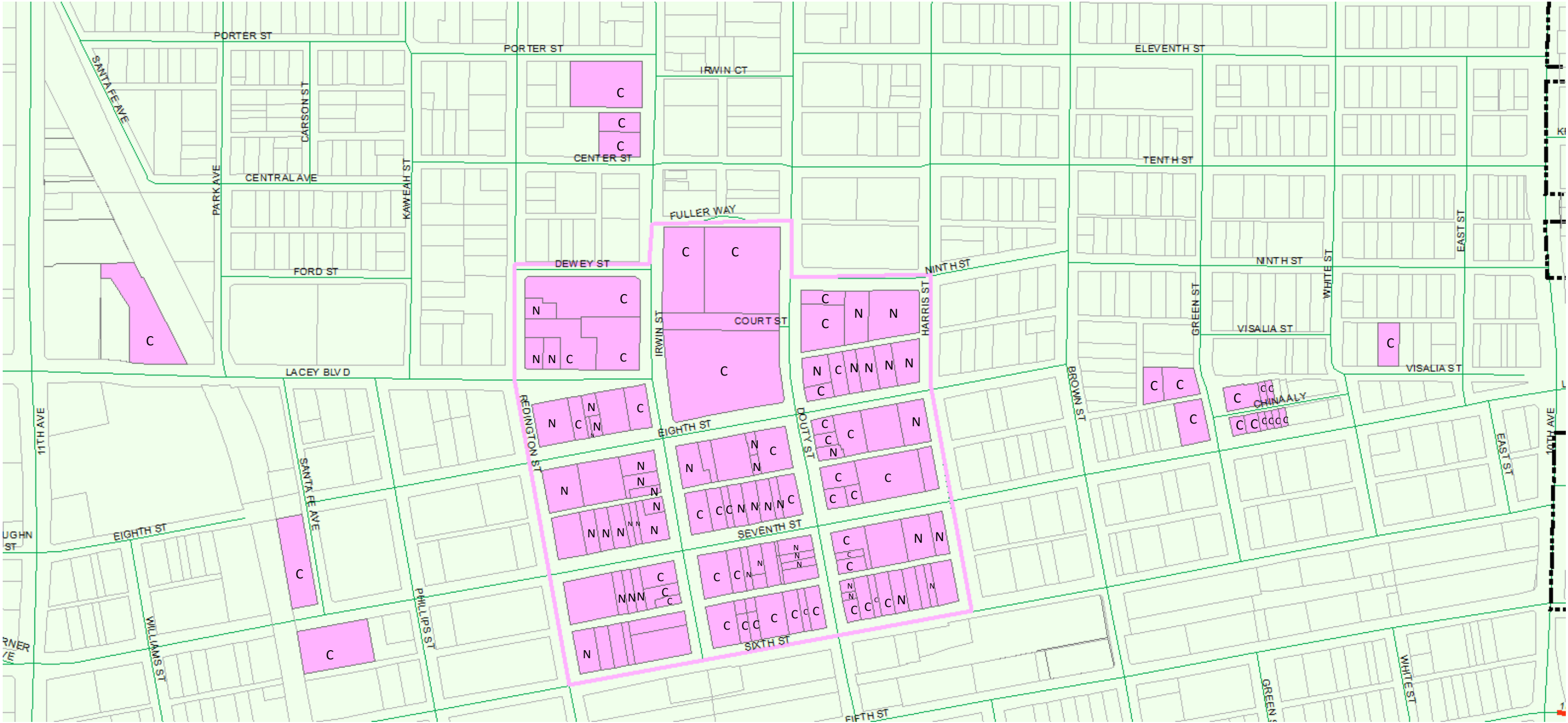
Attachment: Resolution No. 22-17-R (CD: Historic Resources Permit 2022-01)



FAIL DRAWN ARCHITECT	
CONTRACT THE CITY OF HANFORD, CALIFORNIA 2022-01-01 100% COMPLETE	
PROJECT VAL STR 2022-01-01 100% COMPLETE	
NO. REV. 1 2022-01-01 100% COMPLETE	
PREP FLOOR PLAN DATE 2022-01-01 100% COMPLETE	
REV. NAME DATE 2022-01-01 100% COMPLETE	
DATE 2022-01-01 100% COMPLETE	
BY 2022-01-01 100% COMPLETE	
CHK 2022-01-01 100% COMPLETE	
APP 2022-01-01 100% COMPLETE	

Attachment: Resolution No. 22-17-R (CD: Historic Resources Permit 2022-01)

Historic Overlay Zone and Properties



Legend

- Historic Overlay Zone

- Historic Properties

C

 - Contributing Buildings

N

 - Noncontributing Buildings

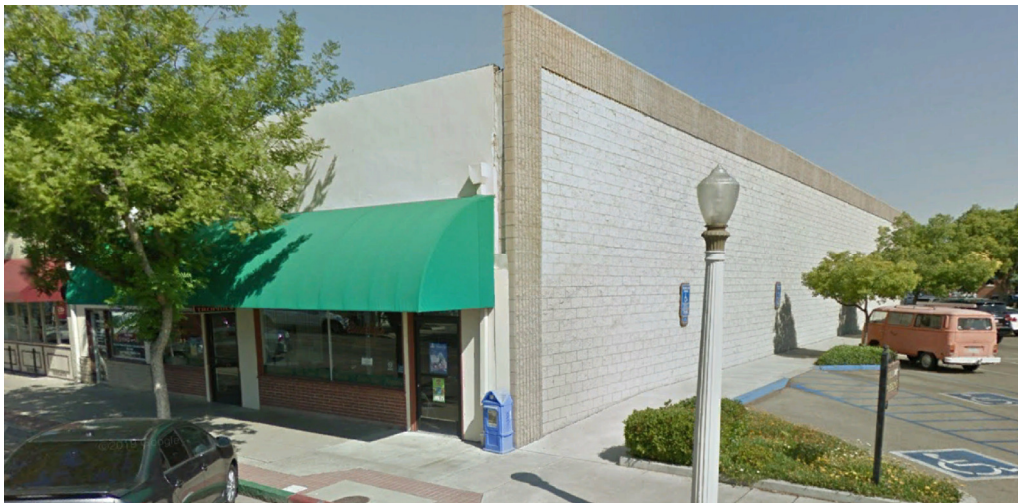
W. LACEY BOULEVARD



EXISTING BUDDY'S TROPHIES ELEVATION



EXISTING BUDDY'S TROPHIES ELEVATION



EXISTING BUDDY'S TROPHIES ELEVATION

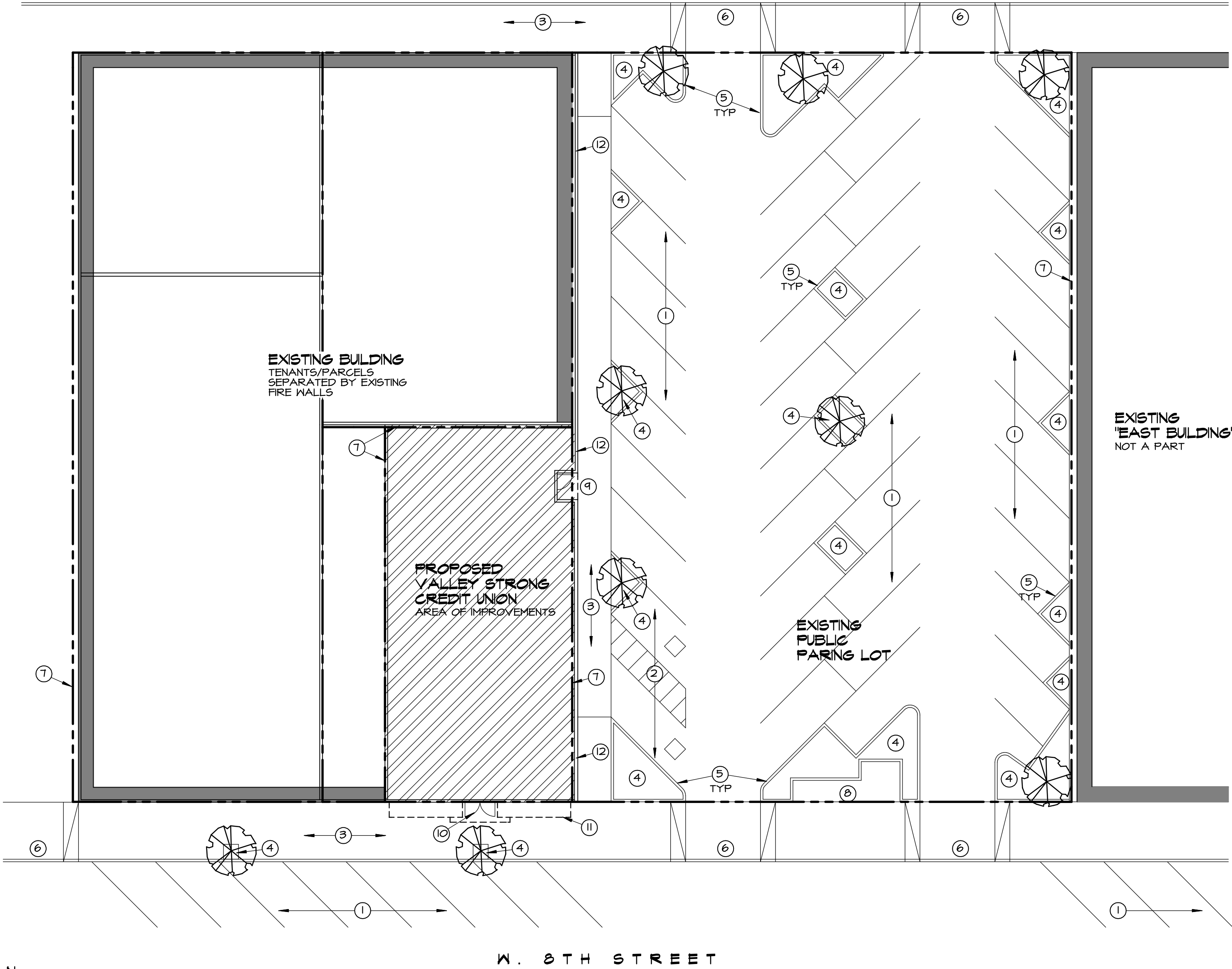


PARKING LOT / CITY OF HANFORD'S CMU WALL



PARKING LOT / EAST BUILDING

EXISTING PHOTOS



SITE PLAN

1/16"



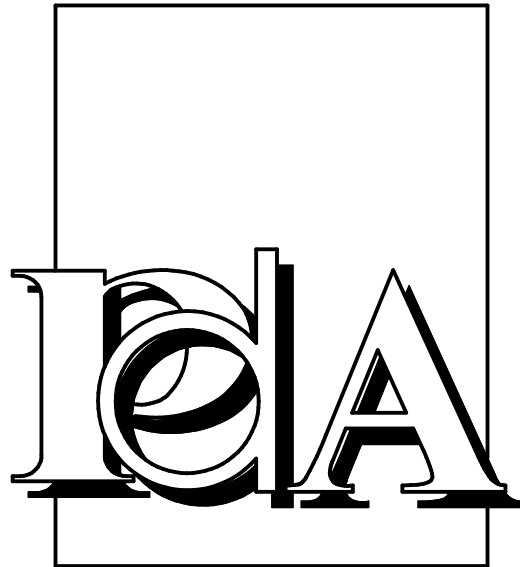
PROPOSED RENDERING

PROJECT ANALYSIS

APN: 012-022-008-000
PARCEL AREA: 12,812 SF (2,642 SF PER KING'S COUNTY 695)
GENERAL PLAN DESIGNATION: DOWNTOWN MIXED USE
ZONE: MX-D (DOWNTOWN MIXED USE)
EXISTING TENANT AREA/AREA OF IMPROVEMENTS: APPROX. 2,803 SF
PARKING REQUIRED PER CITY OF HANFORD MUNICIPAL CODE (17.54): 4 SPACES
BANK (2,803 SF/ 300)
PARKING PROVIDED: NO EXISTING ON-SITE PARKING IS POSSIBLE. EXISTING ON-STREET AND PUBLIC PARKING IS AVAILABLE WITHIN THE DOWNTOWN / HISTORIC OVERLAY ZONE

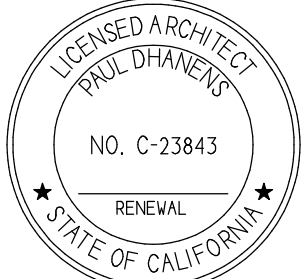
SITE KEYNOTES

- 1 EXISTING ANGLED PARKING STALLS PER CITY STANDARDS TO REMAIN
- 2 EXISTING ACCESSIBLE PARKING SPACES AND ACCESSIBLE AISLE TO REMAIN
- 3 EXISTING CONCRETE PAVING AT PUBLIC SIDEWALK TO REMAIN
- 4 EXISTING LANDSCAPE AREA / PLANTER WITH TREE AND OR SHRUBS TO REMAIN
- 5 EXISTING 6" CONCRETE CURB
- 6 EXISTING CONCRETE DRIVE-BREAK TO REMAIN
- 7 APPROXIMATE LOCATION OF EXISTING PROPERTY LINE- NO CHANGES PROPOSED
- 8 EXISTING BUS STOP AND SHORT-TERM BICYCLE PARKING
- 9 PROPOSED LOCATION OF NEW EGRESS DOOR
- 10 PROPOSED LOCATION OF NEW ENTRY DOORS
- 11 PROPOSED LOCATION OF NEW SHADE CANOPIES
- 12 EXISTING CMU BLOCK WALL ON CITY OF HANFORD PROPERTY TO REMAIN- SEE PROPOSED EXIT ADDED TO MEET CBC EGRESS REQUIREMENTS



PAUL DHANENS • ARCHITECT

ARCHITECT



1330 22ND STREET, SUITE 100
BAKERSFIELD, CALIFORNIA 93301
TELEPHONE: (805) 328-8838
FACSIMILE: (805) 328-8837

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NOTICE TO CONTRACTORS
Written dimensions on these drawings shall take precedence over scaled dimensions. Contractor shall verify and be responsible for confirming all dimensions and shall notify the architect immediately of any discrepancies or field variations discovered.

PROJECT

A TENANT IMPROVEMENT FOR



VALLEY STRONG
CREDIT UNION

216 W 8TH STREET
HANFORD, CALIFORNIA

DATE	ISSUED FOR
2-3-22	PRELIMINARY REVIEW

NO. REVISIONS



SITE PLAN/
EXTERIOR IMAGES
AND FINISHES

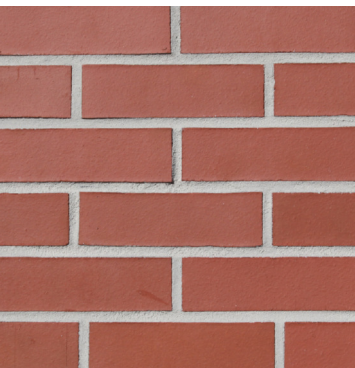
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SHEET

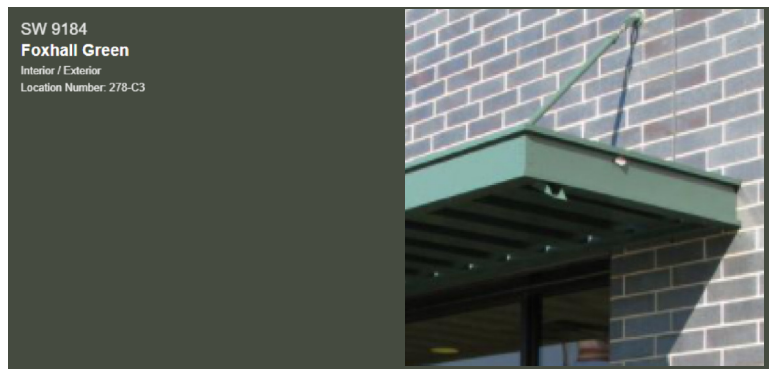
A-1.0



ALUMINUM STOREFRONT
CLEAR ANODIZED



PACIFIC CLAY
THIN BRICK
'SUNSET RED'



PAINT - CANOPY & ACCENT

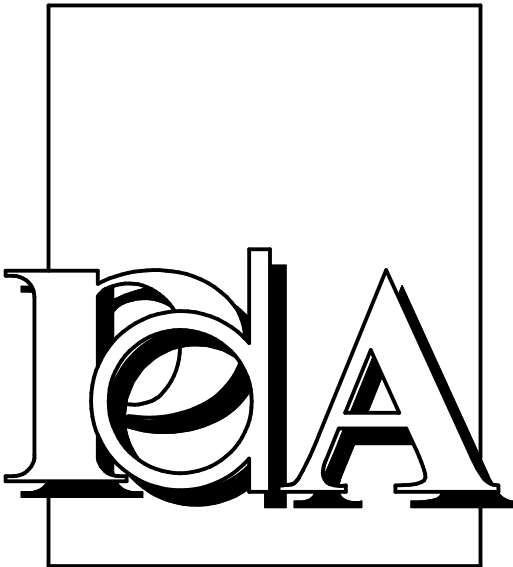


PAINT/PLASTER - ACCENT COLOR



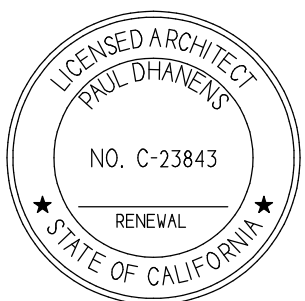
PAINT/PLASTER - MAIN FIELD COLOR

PROPOSED MATERIALS



PAUL DHANENS • ARCHITECT

ARCHITECT



1330 22nd STREET, SUITE 100
BAKERSFIELD, CALIFORNIA 93301
TELEPHONE: (805) 328-8838
FACSIMILE: (805) 328-8837

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NOTICE TO CONTRACTORS
Written dimensions on these drawings shall take
precedence over stated dimensions. Contractor
shall verify and be responsible for confirming
all dimensions and shall notify the architect
immediately of any discrepancies or field
variations discovered.

PROJECT

A TENANT
IMPROVEMENT
FOR



VALLEY
STRONG
CREDIT UNION

216 W 8TH STREET
HANFORD, CALIFORNIA

DATE	ISSUED FOR
2-3-22	PRELIMINARY REVIEW

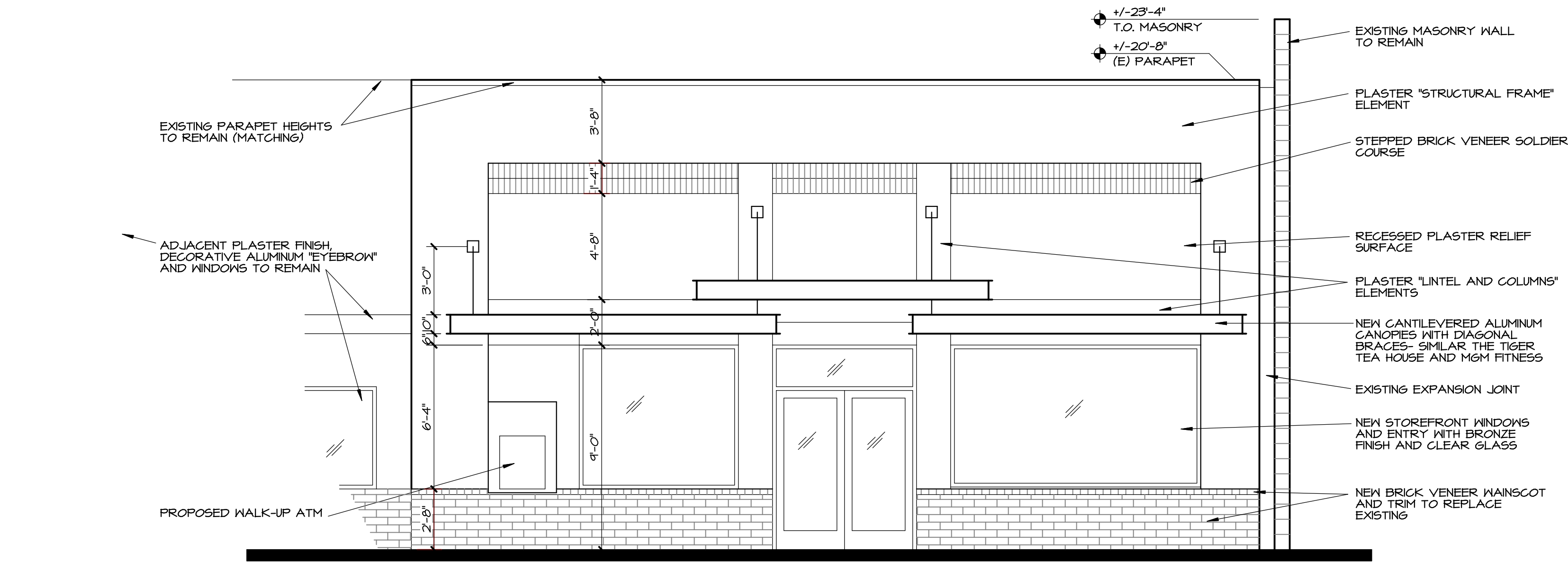
NO.	REVISIONS
1	
2	
3	
4	

PROPOSED
FLOOR PLAN/
EXTERIOR
ELEVATIONS

FILE NAME: 2824SCHB

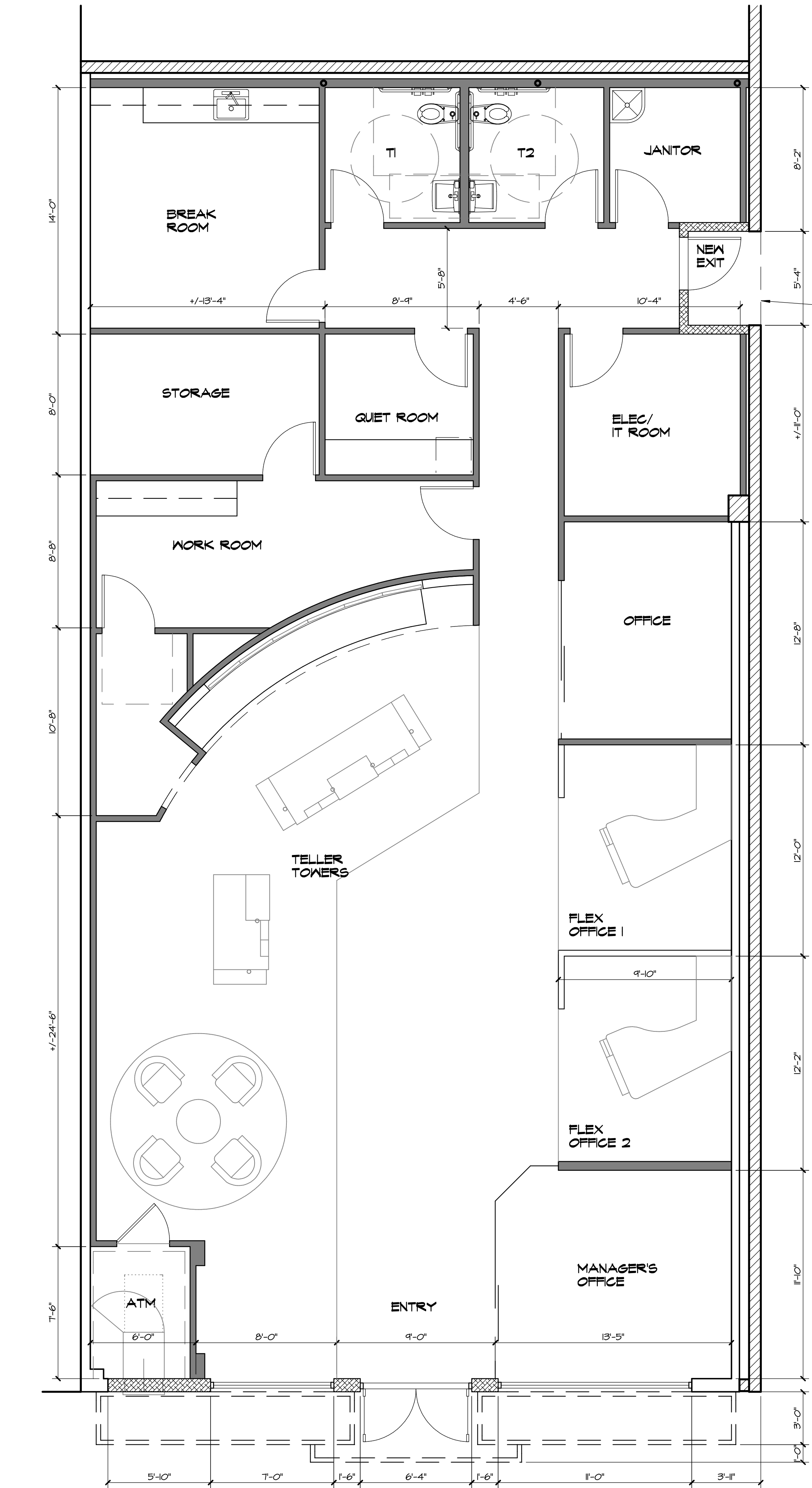
SHEET

A-20



EXTERIOR ELEVATIONS

1/4"



FLOOR PLAN - SCHEME 'E'

1/4"

Notice of Exemption 2022-25

To: ☐ Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

☒ County Clerk
County of Kings
Kings County Government Center
Hanford, CA 93230

From: City of Hanford
317 North Douty Street
Hanford, CA 93230

Project Title: Historic Resources Permit No. 2022-01

Project Location – 216 W. Eighth Street (APN 012-022-008)

Project Location – City: Hanford **Project Location – County:** Kings County

Description of Nature, Purpose and Beneficiaries of Project: Historic Resources Permit 2022-01: a request to alter the façade of an existing storefront. The property is designated as a noncontributing building.

Name of Public Agency Approving Project: City of Hanford, Planning Division

Name of Person or Agency Carrying Out Project: Andrew Erb

Exempt Status: **(check one)**

- ☐ Ministerial (Sec. 21080(b)(1); 152698);
☐ Declared Emergency (Sec. 21080(b)(3); 15269 (a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption: State type and section number: 15301 Existing Facilities
☐ Statutory Exemption. State code number:

Reasons why project is exempt:

The City of Hanford determined the project to be exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines. Section 15301 states that Class 1 exemptions consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. This project involves the minor alteration of an existing private structure, involving negligible or no expansion of the existing or former use.

Lead Agency

Contact Person: Mark Manha Area Code/ Telephone: (559) 585-2583

Signature: _____ Date: May 3, 2022 Title: Assistant Planner

☒ Signed by Lead Agency Date received for filing at OPR: _____
☐ Signed by Applicant

Attachment: Notice of Exemption No. 2022-25 (CD: Historic Resources Permit 2022-01)



AGENDA STAFF REPORT

MEETING DATE: 5/3/2022

AGENDA SECTION: F

SUBJECT:

Authorization for the Director of Public Works to send a letter to the Local Agency Formation Commission (LAFCO), requesting the extension of sewer service for one dwelling in the County of Kings without annexation by the City of Hanford. (APN 014-242-046, 9877 Sierra Drive).

RECOMMENDATION:

That the City Council, by motion, authorize the Director of Public Works to send a letter to the Local Agency Formation Commission (LAFCO) requesting the Extension of Services for one dwelling located in Kings County, without annexation by the City of Hanford. (APN 014-242-046, 9877 Sierra Drive)

BACKGROUND:

The City of Hanford has been approached by a property owner requesting to connect to City sanitary sewer system to service one existing single-family residential dwelling. Upon connection, the applicant would be subject to all applicable City of Hanford codes, regulations, fees and related requirements associate with the connection of City sewer service within the City of Hanford service area. Attached for Council review is a letter from the property owner requesting sewer services.

City staff recommends approval of the request letter to LAFCO for the connection of sanitary sewer service based upon the conditions below:

1. Applicant to pay for the LAFCO Connection of Services fees.
2. Approval by LAFCO for the applicant to connect to City Sanitary Sewer lines without annexation into the City of Hanford.
3. The property owner will be required to pull a City of Hanford Encroachment Permit to cover the following:
 - a. All work to be done in accordance with currently adopted State and local Building Codes and Standards

- b. There is an existing 4" sewer lateral that has been installed in Sierra Drive. The applicant shall locate and tie into the existing lateral per City of Hanford Improvement Standards, subject to approval by the County of Kings and the City of Hanford.
 - c. All normal City of Hanford fees (including impact fees) associated with this project must be paid.
 - d. The applicant will enroll for City sanitary sewer service at the time the permit is pulled and issued.
- 4. The sewer connection will be located as close as possible to the sewer main in the same manner as others who have made similar connections to the City's mains for their individual sewer services, as approved by both the County of Kings and the City of Hanford. Upon connection, the City will in no way be responsible for the sewer line from the service connection at the tap into the main to the house.
- 5. Applicant shall additionally apply for a Kings County Building Permit for all work performed outside of right of way.
- 6. The existing septic system will be abandoned by the applicant per Kings County requirements.
- 7. All work and materials are to be provided at the sole expense of the applicant.

FISCAL IMPACT:

There is no cost to the City. The property owner will hire a contractor to perform the work, and will pay the Sewer Impact Fees to the City.

ATTACHMENTS:

Owners Request for Sewer Letter
APN Book 14-24

Lester McDonnell
9877 Sierra Drive
Hanford, California 93230

April 13, 2022

Hanford Public Works Department
900 South 10th Avenue
Hanford, California 93230

Dear Representatives of City of Hanford Public Works Department :

I am writing this letter to request our City sewer line be connected. Our septic tank no longer works and is flooding our back yard. My name is Lester McDonnell and our residence address is 9877 Sierra Drive Hanford, CA 93230. My contact phone number is (559) 491-7330.

Sincerely,

Lester S. McDonnell

Lester McDonnell
(559) 491-7330
Slimjim 8545@gmail.com

KINGS COUNTY ASSESSOR'S MAP

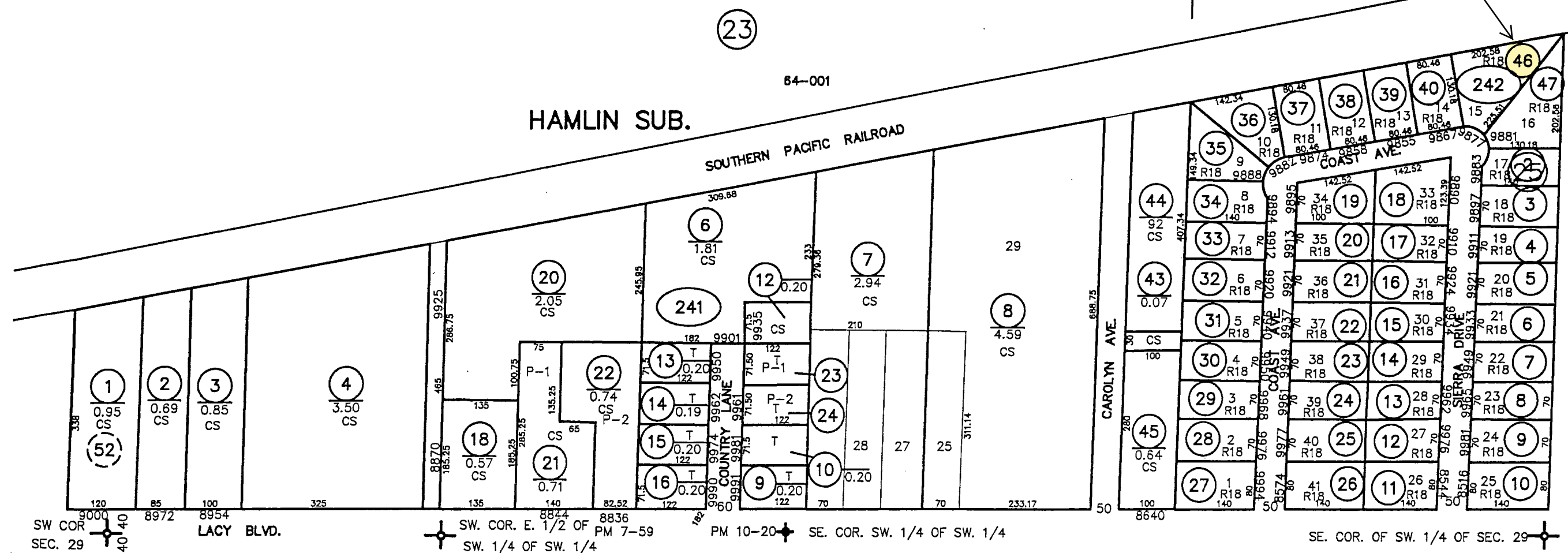
POR. OF S 1/2 OF SW 1/4 SEC. 29-18-22

14- 4

THIS MAP IS FOR ASSESSMENT PURPOSES ONLY
IT IS NOT TO BE CONSTRUED AS PORTRAYING
LEGAL OWNERSHIP OF DIVISIONS OF LAND FOR
PURPOSES OF ZONING OR SUBDIVISION LAW.
MAY, 1996

9877 Sierra Drive

RESUB OF LOTS 1 TO 23 INC.
HAMLIN SUB.

BK
16



AGENDA STAFF REPORT

MEETING DATE: 5/3/2022

AGENDA SECTION: G

SUBJECT:

Public Works: Authorization to reject all bids and Re-Advertise the Police Activities League Parking Lot Project

RECOMMENDATION:

That the City Council by motion:

1. Reject all bids received for the Police Activities League Parking Lot Project
2. Authorize staff to re-advertise the project.
3. 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:

In accordance with Council Action, bids were solicited and opened on April 5, 2022 for the Police Activities League Parking Lot Project. This project was bid with a base bid to Furnish all necessary labor, materials, and equipment for demolition, tree removal, hauling, grading, compaction, constructing reinforced (rebar) concrete pad, installing chain link fence and chain link privacy fence with vinyl slats, install 20' chain link rolling gate, constructing a masonry wall trash enclosure with reinforced concrete slab in front of enclosure, installing aggregate base, asphalt concrete, and parking lot striping for the Police Activities League parking expansion.

The bid documents provided Additive Alternate bid items to include a 20' electronic locking rolling gate

A total of two (3) bids were received, ranging from a low base bid of \$188,616.00 from Nick Champi Ent., Inc of Hanford, CA, to a high bid of \$364,826.00. A copy of the Bid Tabulation is attached for Council review.

Upon review of the bid proposals, the low bidder was found to be in error due to the Section 3 form being unclear as to its bid submission requirements. Section 3 Plan form will be revised for re-advertisement.

With Council approval, staff will solicit bids for this project. Project is anticipated to be under construction in late Summer 2022. 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.

FISCAL IMPACT:

The FY 20/21 (PAL) Police Activities League Parking Lot Project is proposed to be funded out of the 2021 Community Development Block Grant program (CDBG). The proposed funding through CDBG is \$200,000.00.

ATTACHMENTS:

Bid Tabulation

PAL Parking Lot Improvements
Project Funding Number: 14500200-821647

			Nick Champi Enterprise, Inc NON - RESPONSIVE		Bush Engineering 2nd LOWEST BIDDER		American Paving	
ITEM	QUANTITY	UNIT	Unit Cost	Subtotal	Unit Cost	Subtotal	Unit Cost	Subtotal
1 Facilities	1	LS	\$16,000.00	\$16,000.00	\$52,516.00	\$52,516.00	\$134,000.00	\$134,000.00
2 Saw cut Existing Pavement	106	LF	\$4.00	\$424.00	\$9.50	\$1,007.00	\$10.00	\$1,060.00
3 Remove Trees	2	EA	\$1,250.00	\$2,500.00	\$3,103.00	\$6,206.00	\$1,500.00	\$3,000.00
4 5" Class 2 Aggregate Base (13,706 sf)	642	CY	\$66.00	\$42,372.00	\$25.00	\$16,050.00	\$112.00	\$71,904.00
5 3" AC, Type B, 1/2" Max, Medium grade (assume 156lb/cf 13,706 sf)	271	TONS	\$145.00	\$39,295.00	\$140.00	\$37,940.00	\$147.00	\$39,837.00
6 Install Concrete Wheel Stops	17	EA	\$40.00	\$680.00	\$90.00	\$1,530.00	\$100.00	\$1,700.00
7 Construct 24' Driveway Approach Per City Standard CO-41 with Sidewalk Panels to Transition	1	LS	\$14,000.00	\$14,000.00	\$12,174.00	\$12,174.00	\$17,000.00	\$17,000.00
8 Construct 6" Landscape Curb Per City Standard CO-17	18	LF	\$125.00	\$2,250.00	\$89.50	\$1,611.00	\$100.00	\$1,800.00
9 Construct City Standard Block Wall Trash Enclosure (GE-35) with Reinf. Conc. Pad (#4 @18"oc)	1	LS	\$17,860.00	\$17,860.00	\$32,372.00	\$32,372.00	\$35,000.00	\$35,000.00
10 Construct 6' Chain Link Fence with Privacy Vinyl Slats and Conc. Mow strip	335	LF	\$99.00	\$33,165.00	\$94.00	\$31,490.00	\$95.00	\$31,825.00
11 Construct 6' Chain Link Fence and Conc. Mow strip	40	LF	\$88.00	\$3,520.00	\$109.00	\$4,360.00	\$140.00	\$5,600.00
12 Install 20' Dbl. Swing Chain Link Gate	1	EA	\$1,200.00	\$1,200.00	\$1,961.00	\$1,961.00	\$2,500.00	\$2,500.00
13 Reinforced Concrete Pad (#4 @ 18" o.c.) (150 sf at 4" thick; 1200 sf at 5" thick)	1	LS	\$14,250.00	\$14,250.00	\$14,347.00	\$14,347.00	\$16,000.00	\$16,000.00
14 Striping, Signing, and Pavement Markers	1	LS	\$1,100.00	\$1,100.00	\$3,630.00	\$3,630.00	\$3,600.00	\$3,600.00
				\$188,616.00		\$217,194.00		\$364,826.00
ADD ALTERNATE BID ITEM								
1 20FT Motorized Gate	1	EA	\$59,950.00	\$59,950.00	\$57,093.00	\$57,093.00	\$37,300.00	\$37,300.00

Attachment: Bid Tabulation (PW: Reject all bids and Re-Advertise the Police Activities League Parking Lot



AGENDA STAFF REPORT

MEETING DATE: 5/3/2022	AGENDA SECTION: H
-------------------------------	--------------------------

SUBJECT:

Public Works: Approval of a Notice of Completion for the Hidden Valley Park Fitness Pad Project at a total construction cost of \$212,654.50 and authorization for the Mayor to execute and the City Clerk to attest and file said Notice with the Kings County Recorder's Office.

RECOMMENDATION:

That the City Council, by motion, approve of a Notice of Completion for the Hidden Valley Park Fitness Pad Project at a total construction cost of \$212,654.50 and authorization for the Mayor to execute and the City Clerk to attest and file said Notice with the Kings County Recorder's Office

BACKGROUND:

On December 7, 2021 the Council awarded the Hidden Valley Park: Fitness Pad Project to HBC Enterprises of Clovis CA.

The Fitness Court is a functional fitness circuit-training system featuring a series of full-body exercises that can be completed in just seven minutes. The Fitness Court is designed for adults of all ages and accommodates a variety of skill levels and abilities at each station, from beginning to expert. It is a powerful way to encourage physical activity and promote community wellness. Each Fitness Court is integrated with shock-resistant sports flooring and allows users a varying fitness levels to utilize the court.

On May 2, 2021, the City Council approved a contract with the National Fitness Campaign for the purchase of the Fitness Court and appropriated \$182,995 from the Park Impact Fee Reserve account to cover the cost of the Court, the concrete slab and the shade structure.

The construction of the Fitness Court required a concrete slab 38'-0" x 37'-8" with a minimum of 4" of depth. Floor anchor bolts are installed at specific locations to secure flooring, wall unit, and exercise equipment. A 41' x 41' shade structure manufactured by USA Shade was installed and require 4 independent footings. In addition to the slab installation, the site location required

access sidewalks to and from the fitness court from the adjacent parking lot. Two park benches and one trash receptacles were installed.

There was (1) contract change order on this project.

In total change orders amounted to a net increase of \$1,521.00

A copy of the full Final Project Construction and Financial History Report is attached for Council review.

FISCAL IMPACT:

The FY 21/22 Park Impact Fees budget allocated \$182,070.00 for this project. The Council had previously encumbered \$146,877.50 for purchase of the fitness equipment and shade structure, leaving a balance of \$35,192.50 in the account. An additional appropriation of \$33,564.10 was necessary from the Parks Impact Fee reserves to fully fund this project.

ATTACHMENTS:

NOC - Recording Original pdf

NOC - Recording Original Word

FINAL PROJECT CONSTRUCTION AND FINANCE HISTORY pdf

RECORDING REQUESTED BY:
CITY OF HANFORD

When recorded return to:

City Clerk
City of Hanford
315 North Douty Street
Hanford, California 93230-3951

G.C. 27361.3 - Fee NIL

NOTICE OF COMPLETION

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED AS FOLLOWS:

1. The work of Improvement is located: Hidden Valley Park 2150 N. 11th Ave.
2. The Improvement is particularly described as: Park Development / Improvement
3. The date of completion of the work of Improvement: April 7, 2022
4. The Owner of the work of Improvement: City of Hanford.
5. The nature of the owner's interest or estate: Fee Simple Title.
6. The name of the original contractor for the work of Improvement: HBC Enterprises
7. The surety for the work of Improvement: United Fire & Casualty
8. All work for this project has been completed.
9. Accepted by minute action of the City Council of the City of Hanford on: May 03, 2022

I certify under penalty of perjury that the foregoing is true and correct.
Dated this 6th day of May 03, 2022

BY: _____
Diane Sharp, Mayor
City of Hanford, County of Kings, State of California

Attachment: NOC - Recording Original pdf (PW: NOC Hidden valley Park Fitness Pad Project)

I, the undersigned, say:

I am the person who signed the foregoing notice. I have read the above notice and know its contents, and the facts stated therein are true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Hanford, California, this ____ day of _____, 2022.

BY: _____
Diane Sharp, Mayor
City of Hanford, County of Kings, State of California

Authority: Section 1181 Civil Code

Attachment: NOC - Recording Original pdf (PW: NOC Hidden valley Park Fitness Pad Project)

RECORDING REQUESTED BY:
CITY OF HANFORD

When recorded return to:

City Clerk
City of Hanford
315 North Douty Street
Hanford, California 93230-3951

G.C. 27361.3 - Fee NIL

NOTICE OF COMPLETION

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6. The name of the original contractor for the work of Improvement: HBC Enterprises
7. The surety for the work of Improvement: United Fire & Casualty
8. All work for this project has been completed.
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I certify under penalty of perjury that the foregoing is true and correct.
Dated this 6th day of May 03, 2022

BY: _____
Diane Sharp, Mayor
City of Hanford, County of Kings, State of California

I, the undersigned, say:

Attachment: NOC - Recording Original Word (PW: NOC Hidden valley Park Fitness Pad Project)

I am the person who signed the foregoing notice. I have read the above notice and know its contents, and the facts stated therein are true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Hanford, California, this ____ day of _____, 2022.

BY: _____
Diane Sharp, Mayor
City of Hanford, County of Kings, State of California

Authority: Section 1181 Civil Code

Attachment: NOC - Recording Original Word (PW: NOC Hidden valley Park Fitness Pad Project)

FINAL PROJECT CONSTRUCTION AND FINANCE HISTORY

PROJECT: Hidden Valley Park: Fitness Pad Project
CONTRACTOR: HBC Enterprises
 1840 Shaw Ave.
 Ste. 105-08
 Clovis CA 93611

CONTRACT DATES:	Council to Award	December 7, 2021
	Bid Opening	November 9, 2021
	Contractor Started Work	January 10, 2022
	Contract Time of Completion	February 9, 2022
	Contractor Completed Work	April 7, 2022 (30-day pad cure time)

CONTRACT CHANGE ORDERS:

1. Contract Change Order No. 1:

Reroute and repair water and electrical pipes not on plans

For a net increase of \$1,521.00

FINANCIAL HISTORY:

SOURCE OF BUDGET FUNDING	AMOUNT
Park Impact Fees	\$182,070.00
0390 Water Operations Additional Appropriations	\$33,564.10
Total Budget Funding	\$215,634.00

CONSTRUCTION COST:

Original Contract – Total Bid Award	\$64,256.60
Fitness Equipment & Shade Structure	\$146,877.50
Change Order No. 1	\$1,521.00
 Total Construction Cost	 \$212,654.50
Balance (Credit)	-\$2,979.50



AGENDA STAFF REPORT

MEETING DATE: 5/3/2022

AGENDA SECTION: I

SUBJECT:

Public Works: Permission to Advertise the FY 21/22 Bonneyview Basin - Sand Slough Basin 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,

1. Authorize staff to advertise for bids for the FY 21/22 Bonneyview Basin - Sand Slough Basin Project.
2. 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:

The Bonney View Estates Basin is inter-connected with the Sand Slough Basin to the north and the Live Oak Basin to the south and ultimately to the Houston / Iona Basin.

In order to move water from the Sand Slough Basin to Bonneyview Basin to the south, a modification of the ditch and piping structure is necessary. These facilities have the opportunity to take excess water from the People's Ditch, however flooding occurs in the subdivision due to the elevation differences. A lift station and additional piping are required to alleviate this problem and allow for excess water during wet years to be pumped to these basins for water banking.

The project is necessary to increase system reliability and increase the amount of storm runoff water that can be captured by both rainfall and diversions from People's Ditch.

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. With

Council approval, staff will solicit bids for this project. If awarded, construction is anticipated to begin in July 2022.

FISCAL IMPACT:

The FY 21/22 Storm Drain Capital Budget provides \$252,000.00 for construction of this project including contingency. A copy of the budget page is attached for Council review.

ATTACHMENTS:

Budget Page

City of Hanford Capital Improvement Projects Fiscal Years 2020 to 2024

Bonneyview Basin - Sand Slough Basin

CIP2020047

Project Background:

The Bonney View Estates Basin is inter-connected with the Sand Slough Basin to the north and the Live Oak Basin to the south and ultimately to the Houston / Iona Basin.

Existing Conditions:

In order to move water from the Sand Slough Basin to the Bonneyview Basin to the south, a modification of the ditch and piping structure is necessary. These facilities have the opportunity to take excess water from the People's Ditch, however flooding occurs in the subdivisions due to the elevation differences. A lift station and additional piping are required to alleviate this problem and allow for excess water during wet years to be pumped to these basin for water banking.

Project Justification:

This project is necessary to increase system reliability and increase the amount of storm runoff water that can be captured by both rainfall and diversions from People's Ditch.

Fiscal Implications:

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

Project Budget Summary:

		5-Year Funding Allocation				
		2020	2021	2022	2023	2024
Expenditure	Program or Project	Construction				
	Engineering / Inspection	30,000	10,000			
	Construction	0	200,000			
	Contingency	0	20,000			
	Department Overhead	0	2,500			
	Total Expenditure	\$30,000	\$232,500	\$0	\$0	\$0
Revenue	Funding					
	0358 Storm Drainage Capital	30,000	232,500			
	Total Funding	\$30,000	\$232,500	\$0	\$0	\$0



AGENDA STAFF REPORT

MEETING DATE: 5/3/2022	AGENDA SECTION: J
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SUBJECT:

Public Works: Approval of a Deferred Payment Agreement with Robert B. Needham and Barbara F. Needham, Trustees of the Needham Family Trust dated February 12, 2015, for future payment of the 12th Avenue Benefit District Fees for undeveloped portion of property located at 8539 12th Avenue and Authorization for the City Manager to execute the Agreement and the City Clerk to record the Agreement with the Kings County Recorder's Office.

RECOMMENDATION:

That the City Council, by motion, approve a Deferred Payment Agreement with Robert B. Needham and Barbara F. Needham, Trustees of the Needham Family Trust dated February 12, 2015 for future payment of the 12th Avenue Benefit District Fees for undeveloped portion of property and authorize the City Manager to execute the Agreement and the City Clerk to record the Agreement with the Kings County Recorder's Office.

BACKGROUND:

The property owner requested to connect to City sewer service at 8539 12th Avenue. As part of the conditions of hooking up, the property owner is required to pay for the 12th Avenue Benefit District Fee. This fee is based upon acres of property served. The property is only developed on 0.90 acres and has an undeveloped area of 2.47 acres.

This agreement would require the developer to pay for their portion of the 12th Avenue benefit District fee for the undeveloped area when development occurs. This agreement will be recorded and run with the land.

FISCAL IMPACT:

There is no cost to the city associated with this approval. The developer is agreeing to pay for the Benefit District fee when future development occurs.

ATTACHMENTS:

Deferred Payment Agreement

Recording Requested By:

CITY OF HANFORD

When Recorded Return To:

CITY OF HANFORD

Attention: City Clerk

319 N. Douty Street

Hanford, CA 93230

A.P.N. 008-410-032

**CITY OF HANFORD
AGREEMENT AND DEFERRAL OF PAYMENT OF 12TH AVENUE
BENEFIT DISTRICT FEES ON UNDEVELOP PORTION OF PROPERTY**

This Agreement is entered into this _____ day of _____, 2022, by and between the City Of Hanford, a Municipal Corporation ("City"), and Robert B. Needham and Barbara F. Needham, Trustees of the Needham Family Trust dated February 12, 2015 ("Developer").

RECITALS

A. Developer owns real property ("Property") situated at 8539 12th Avenue, in the City of Hanford, County of Kings, as described on Exhibit "A", attached hereto and made part hereof by reference; and

B. Developer intends to connect the existing residence to the City's sewer system; and

C. Developer is obligated to pay the 12th Avenue benefit District Assessment fee of \$1,768.64 per acre; and

D. Developer has only currently developed on 0.90 acres of the 3.37 acre property;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, the issuance of building permit(s) on the Property and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

1. Deferment of Payment of the 12th Avenue Benefit District Fees. City hereby agrees to defer Developer's payment of the 12th Avenue Benefit District Fees on the undeveloped portion of the property until that portion of the property is developed. Impact Fees. Developer shall pay the City the full amount of the 12th Avenue Benefit District Fees in full upon development of the remainder of the property.

2. Payment of 12th Avenue Benefit District Fees. Developer agrees to pay the 12th Avenue Benefit District Fees strictly in accordance with the provisions of this Agreement.

3. Lien on Property. Developer agrees that, in accordance with California Government Code Section 66007(c), this Agreement shall be recorded in the office of the Kings County Recorder. Developer acknowledges and agrees that from the date of recordation, this Agreement shall constitute a lien against the

Attachment: Deferred Payment Agreement (PW: Deferred Payment Agreement for Needham)

Property and all improvements constructed thereon for payment of the entire amount of the Impact Fees, which lien shall be enforceable against Developer, the Property and any and all successors in interest to the Developer. So long as Developer is not in breach of any provision of this Agreement, upon payment to the City of the total amount of Impact Fees due for each residential unit, the City will provide a release of this Agreement for that residential unit to Developer.

4. Breach by Developer. Should Developer breach any provisions of this Agreement, the City, at its option, may proceed with enforcement of the lien created by this Agreement in accordance with the procedures for the enforcement of a tax lien as provided in Section 43003 of the California Government Code, as amended or replaced from time to time, or as otherwise provided by law. Additionally, the City shall withhold additional permits and grants of approval and shall not conduct any final inspection of improvements on the Property until Developer cures said default and pays to City any Impact Fees that are due and owing to City.

5. Indemnity. Developer shall indemnify, defend and hold free and harmless the City, its officials, officers, employees and agents from any and all claims, lawsuits, costs, liabilities, damages or expenses including costs of suit and attorneys fees arising from or out of the issuance of building permit(s) for the Property as requested by Developer.

6. Binding on Successors and Assigns. The obligations of the Developer hereunder shall burden the Property and constitute a covenant running with the land in favor of and for the benefit of the City, shall be enforceable by the City, and shall be binding upon the successors, assigns, transferees and heirs of Developer.

7. Attorney's Fees. If an action at law or in equity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney's 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.

8. 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 said 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 to this agreement which are not embodied in this Agreement and no other agreement, statement or promises shall be valid or binding.

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

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

11. Time of the Essence. Time is of the essence in this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement effective on the day and in the year first set forth above.

CITY OF HANFORD
A MUNICIPAL CORPORATION

NEEDHAM FAMILY TRUST DATED
FEBRUARY 12, 2015

By:

Mario Cifuentes II
Mario Cifuentes II
City Manager

By:

Robert B. Needham
Robert B. Needham, Trustee

By:

Barbara F. Needham
Barbara F. Needham, Trustee

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)

) ss.

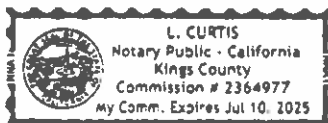
COUNTY OF KINGS)

On March 28th, 2022, before me, L. Curtis, a notary public, personally appeared Robert and Barbara Needham, who proved to me on the basis of satisfactory evidence to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature on the instrument the person(s) or the entity(ies) upon behalf of which the person(s) acted, executed the instrument..

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(SEAL)



L. Curtis, NOTARY PUBLIC

EXHIBIT A

THAT PORTION OF THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 18 SOUTH, RANGE 21 EAST, MOUNT DIABLE BASE AND MERIDIAN, IN THE COUNTY OF KINGS, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS PARCEL 2 OF PARCEL MAP RECORDED IN BOOK 5, AT PAGE 87, OF PARCEL MAPS, KINGS COUNTY RECORDS.

EXHIBIT A

THAT PORTION OF THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 18 SOUTH, RANGE 21 EAST, MOUNT DIABLE BASE AND MERIDIAN, IN THE COUNTY OF KINGS, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS PARCEL 2 OF PARCEL MAP RECORDED IN BOOK 5, AT PAGE 87, OF PARCEL MAPS, KINGS COUNTY RECORDS.

Attachment: Deferred Payment Agreement (PW: Deferred Payment Agreement for Needham)



AGENDA STAFF REPORT

MEETING DATE: 5/3/2022	AGENDA SECTION: K
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SUBJECT:

Police: Second reading and Adoption of Ordinance No. 22-03 and Compliance Policy 705 for Military equipment reporting as mandated by the State under AB481.

RECOMMENDATION:

That the City Council, by motion, conduct the Second reading and Adopt Ordinance No. 22-03 and Compliance Policy 705 for Military equipment reporting as mandated by the State under AB481.

BACKGROUND:

The State of California recently passed Assembly Bill 481. Assembly Bill 481:

1. Defines what is military equipment as it relates to commonly used tools by police agencies;
2. Requires an ordinance and adoption of policy on the police department's use of military equipment;
3. Requires the police department to adopt an ordinance and department policy; and
4. Requires the police department to report the following to council annually:
 - a. Description of each type of military equipment.
 - b. Purpose and authorized use of said equipment.
 - c. The fiscal impact of each type of equipment.
 - d. Legal and procedural rules that govern its use.
 - e. Training that is required for its use.
 - f. The mechanism to ensure compliance.
 - g. Complaint procedure.
 - h. Post policy on Department Website.
 - i. A summary of any complaints received regarding its use.
 - j. The amount in possession of each piece of equipment.
 - k. If any additional equipment is to be obtained in the coming year.
 - l. The department must conduct one public meeting within 30 days of the annual report going to council.

The Hanford Police Department already complies with many of these requirements. The equipment that the department purchases, and the ongoing costs, are approved annually by the City Council during the budget appropriations process. Under this new law, all of the department's vehicles are now defined as military equipment and have also been previously approved and authorized by City Council. The City continues to look at equipment, review the costs and evaluate safer options. Some examples of this are our use of pepper spray, batons, tasers, less lethal shotguns, our evolving use of force/pursuit policies and we now use flameless dispersion devices. The Hanford Police Department is committed to continually evaluating new and safer alternatives for the tools are used and presenting those alternatives and costs to Council.

The Hanford Police Department has an extensive General Orders Manual that governs the use of force. The manual is updated on a regular basis as case law and legislative laws change. HPD has followed these orders as equipment is obtained and has never received a complaint from a citizen regarding the use of equipment that is now deemed to be military equipment under this law.

Our complaint procedure is already well established as a policy and we have a computer system that we purchased, which manages all of our citizen complaints. Our citizen complaints are also reported to the state each year.

AB481 requires us to make these changes by ordinance and for council to review and adopt our general orders policy. This attached ordinance and policy is also necessary should the City of Hanford ever be in need of mutual aid. If the City were to decide not to adopt this ordinance/policy, the responding agencies would not be able to utilize potential life saving equipment in our jurisdiction. The ordinance establishes Hanford Police Department's General Orders 706 as the guiding document related to the military equipment. The ordinance also makes the following findings by Council;

1. Approves the funding, acquisition and use of our current equipment which is now defined as military equipment.
2. Establishes Hanford Police General orders 706 as the military equipment policy.
3. Establishes that section 706 meets the states requirements.
4. Establishes that there is no reasonable alternatives that can achieve the same objective of civilian and officer safety.
5. That the military equipment and policy 706 will safeguard the public's welfare, safety, civil rights and civil liberties.
6. Establishes that our prior use of this equipment, which is now specified as military equipment, was in compliance with the policies in place at the time of the equipment's acquisition.
7. Approves and adopts Section 706 of the Hanford Police Department's General Orders Manual.

Hanford Police Department's new general orders manual section 706 was reviewed by the City Attorney's office and found to be in compliance with AB481. This new policy does the following;

1. Defines Military equipment.

2. Identifies and describes the military equipment being used by the Hanford Police Department.

3. Catalogues the quantity, acquisition cost, on-going costs, training, and future purchasing needs of the equipment.

4. Identifies the complaint procedure.

5. Establishes a coordinator at the police department to ensure compliance.

6. Approval process for future purchases and on-going use.

7. Establishes use in exigent circumstances.

8. Establishes use of the equipment by entities in the City of Hanford.

9. Annual report to Council and community engagement guidelines.

10. Alternative equipment review procedures.

With regard to the costs, they are estimated on what the potential costs are for the year. Some items such as ammunition, are pretty exact because it is the amount we budgeted for that year. In regard to the two armored vehicles and the command center, the costs can vary dramatically, depending on the year and if something breaks or needs to be fixed. The exact costs for 2021 are as follows:

1. Freightliner RV Command Center - \$1,177.57 (Repairs), \$376.52 (Fuel) Total-\$1,554.09

2. Ford 550 -\$3,598.92 (Repairs), \$11,669.40 (Vehicle replacement) Total \$15,268.32

3. MRAP - \$0.00, Total \$0.00

The cost for the smaller armored vehicle is higher due to us collecting a vehicle replacement cost each year for a future replacement of the vehicle. The MRAP was acquired for free through the DRMO program and was approved by council at that time. If it ever needs major repairs we can return it through the program and will not be replaced at a cost to the city. Due to uncertainty of repairs, I estimated the annual cost for the MRAP and Freightliner in the policy as higher than it typically is. These vehicles have also responded to emergency aid requests, forest fires, and to incidents in Fresno and Tulare Counties.

Our inventory of .223 and other rounds is a constantly changing number. We attempt to keep approximately 30,000 rounds in inventory each year. Due to the record purchase of firearms and ammunition, it is increasingly difficult for us to receive the ammunition that we need and we are experiencing very long wait times. About 1.5 years ago we had dropped to only a few thousand rounds of .223 ammunition and other ammunition and we had to adjust our training, so our dwindling supply would not be impacted.

The Military Equipment Policy was posted on the department website on March 16, 2022, 30 days prior to this meeting, in accordance with AB481.

FISCAL IMPACT:

There is no direct fiscal impact associated with the adoption of this ordinance.

ATTACHMENTS:

Assembly Bill No 481 items description

2022.03.10 Military equipment Ordinance Clean
Policy 705 Military_Equipment

Assembly Bill No. 481

“Military Equipment” Report

Description of items

Drone (Mavic Air):

The Hanford Police Department SWAT team utilizes an unmanned aerial vehicle (UAV) in order to gain intelligence of a potential SWAT mission locations. The UAV also provide the SWAT operators with a safe tactical advantage by deploying the drone from a safe distance and location. The SWAT team UAV has the capability of 400 feet above ground level and is restricted to the lateral boundaries of Kings County Jurisdiction. The Mavic Air has a capable of 25 min of flight time and a flight distance of 18.5 km. The Hanford Police Department currently has policy on the use of UAV.

This Drone is also utilized during patrol situation which would provide an Officer a safe advantage. It has the capability to search roof tops for items or individuals without putting an Officer in harm's way. In a patrol setting the Drone has been used to photograph crime scenes, search for missing children in rural areas, search for subjects who have ran from Officers, and also used to assist with ariel photography for city site assessments.

The UAV is flown by Operators/ Officers that train with the equipment on a regular basis and the City of Hanford is in compliance and possess a Certification of Waiver or Authorization through the FFA.



Drone (Matrice 100):

The Hanford Police Department SWAT team utilizes a second unmanned aerial vehicle (UAV) in order to gain intelligence of a potential SWAT mission locations. The UAV also provide the SWAT operators with a safe tactical advantage by deploying the drone from a safe distance and location. The SWAT team UAV has the capability of 400 feet above ground level and is restricted to the lateral boundaries of Kings County Jurisdiction. The Matrice 100 has a capable of 22 min flight time and a flight distance of 1.2 miles pending that it has no obstructions. The Hanford Police Department currently has policy on the use of UAV.

This Drone is also utilized during patrol situation which would provide an Officer a safe advantage. It has the capability to search roof tops for items or individuals without putting an Officer in harm's way. In a patrol setting the Drone has been used to photograph crime scenes, search for missing children in rural areas, search for subjects who have ran from Officers, and also used to assist with ariel photography for city site assessments.

The UAV is flown by Operators/ Officers that train with the equipment on a regular basis and the City of Hanford is in compliance and possess a Certification of Waiver or Authorization through the FFA.



Recon scout Remote camera:

The Hanford Police Department SWAT team utilizes and unmanned remotely controlled camera in order to gain intelligence of potential threats. The camera is operated by a remote and is utilized during authorized SWAT deployments. The camera has the capability to be thrown into unknown area and maneuvered around in order to see potential threats. When utilized, this camera provides a safer alternative to approaching a potential threat in order to gain visual intelligence on the location. This camera does not record video nor does it have the ability to relay any sort of audio. The remote camera has a range of approximately 30yrd (depending on interference) and has a battery life of approximately one hour.

The remote controlled camera is used by SWAT Operators who have trained with the robot and are familiar with its capabilities. The SWAT team has been utilizing this remote controlled camera for over 10 yrs.

- Manufacturer: Recon Robotics
- Description: Hand held recon scout XT



IRobot Camera:

The Hanford Police Department SWAT team utilized and unmanned remotely controlled camera in order to gain intelligence of potential threats. The camera is operated by a remote and has been utilized during authorized SWAT deployments in the past.

This robot Camera was originally provided to the Hanford Police Department through the DRMO program and belongs to the U.S. Government. The robot **has not worked** for the past 3 years and therefor **is not utilized** any longer.



MRAP:

The Hanford Police Department SWAT team obtained a mine-resistant ambush protected (MRAP) truck through the DRMO program. The MRAP is utilized during authorized SWAT deployments in order to safely transport SWAT Operators to designated locations. Once at an approved designated mission location, the MRAP provides armored cover for Operator from potentially armed subjects. The MRAP armor is capable of stopping threats from ammunition including all rifle rounds. The MRAP is

utilized as a rally point for safety or a position of cover during SWAT deployments. Members of the SWAT team that operate the MRAP are required to train two hours a month.

The MRAP is also utilized during public relation interactions multiple times a year including ("Stuff the swat truck, Christmas parade, Thursday night markets, Autism awareness event, National night out). During these type of events, the citizens of Hanford are allowed to sit in the MRAP as well and take pictures with the SWAT operators and their equipment.



ARV FORD-550:

The ARV, similar to the MRAP, is utilized to safely transport SWAT Operators to mission locations. Once at an approved designated mission location, the ARV provides armored cover for Operator from potentially armed subjects. The ARV armor is capable of stopping threats from ammunition up to 50-caliber rounds. The ARV is utilized as a rally point or a position of cover during SWAT deployments.

Members of the SWAT team that operate the ARV are required to train two hours a month. The ARV is also utilized during public relations interactions multiple times a year including ("Stuff the swat truck" Christmas present collection, Christmas parade, Thursday night markets, Autism awareness event, and National night out). During these type of events, the citizens of Hanford are allowed to sit in the ARV as well and take pictures with the SWAT operators and their equipment.



Command POST RV FREIGHTLINER:

The Hanford Police Department utilized an RV type command post which is utilized for critical incidents. Types of critical incidents vary depending on the duration of the incident and needs based on inclement weather. Some of these types of critical incidents include homicide scene investigations, critical missing juveniles, SWAT deployments, public relation events, large structure fires, and assisting CAL fire during wild fire seasons. The Mobile Command post is equip with dispatch equipment in order to be a mobile dispatching unit. It also had a boom camera pole which allows for live video feed of a location to the individuals manning the post. A small conference table is located at the back of the Mobile command post in order to provide a location for the Critical Incident Management System (CIMS) to work efficiently.



Breaching 12 gage shotgun:

The Hanford Police Department SWAT team utilizes breaching shotgun in order to gain access to barricaded locations during authorized SWAT deployments and trainings. Shotgun breaching rounds are special munition designed to be fired from a 12G shotgun for the purpose of defeating door locking mechanisms and hinges. Shotgun breaching is used in Hostage situations, barricaded subject, high risk warrants at fortified locations where there might be extreme hazard to officers, and civil disasters in order to effect the rescue of trapped victims. When employed properly, shotgun breaching can be a safer, faster and more effective method of defeating breaching problems. Shotgun breaching is also good for indoor (close quarters) breaching to overcome the obstacles in confined environments where there may not be enough room to utilize manual tools.

Breaching instructors complete a training course related to their specialized techniques prior to operationally performing in that capacity and train minimum of biannually. The Hanford Police Department SWAT team used Royal Arms TEASAT munitions for breaching. The projectile is a 420 grain slug comprised of compressed COPPER POWDER. The round is considered frangible meaning it beings to immediately break down upon initial impact with a solid object.

**Less Lethal Shotgun**

Diversiónary devices

The Hanford Police Department SWAT team utilized diversionary devices during authorized SWAT deployments and trainings. The diversionary devices, also known as “Flashbangs” emit a loud noise and flash in order to provide the SWAT operators with a safe tactical advantage when deploying. The loud noise and flash cause momentarily distraction and causes discomfort (approx. five seconds) for the individual potentially trying to inflict harm against the SWAT Operators.

The SWAT Operators attend four hours of biannual training in order to deploy the diversionary devices. The SWAT team has two instructors who have attended a certified POST training course in order to conduct the annual trainings. The deployment of diversionary devices are governed under a SWAT policy.



40mm projectile launchers:

The use of chemical agents have become very useful as a form of non-lethal force. Mace and tear gas sprays have been available for years and most law enforcement agencies seldom use them because of their limitations. CS gas (2-chlorobenzylidene malononitrile) is one of the most commonly used tear gases in the world. Law enforcement agencies have found this agent invaluable when faced with combative suspects, for riot control, and for alleviating hostage and siege situations. They use it to help control individuals or groups without the need for lethal force.

There are several ways to deploy gas, most are hand deployed and are activated by utilizing a burning of the gas. The hand deployed method requires an officer to physically insert the gas by hand at extremely close proximity to effectively introduce gas into the desired location. This method significantly increases the danger to the officer due to exposing himself to the threat. The preferred and safest way to deploy the gas is a 40mm grenade launcher that deploys gas into a structure from a safe and covered position thus eliminating being close to the structure. There are two chemical agents instructors on the Central Valley Regional SWAT team that are certified by the California Peace Officers and Standards as Chemical Agents Instructors. These instructors attended a 40 hour course in which they were exposed to various chemical agents and were trained in deploying the chemical agents utilizing a 40 mm launcher and was known to be the safest way to deploy the chemical agents.



Patrol/Swat Rifles

Patrol Rifles are standard issue duty weapons at the Hanford Police Department. Every officer is issued a patrol rifle upon employment. IT is arguable whether this should be included but in the interest of transparency we considered it in our best interest to do so. The reason for the issuance of rifles is to be able to engage with suspects and situations that may arise from a distance that improves the safety of officers, while also providing a higher level of accuracy which improves the safety of our citizens. Our rifles are used on a regular basis on patrol as circumstances warrant. Distance in a situation can help to desolate a situation. Forcing an officer to always be extremely close to a situation decreases safety, escalates the situation and prevents an officer from having a few extra seconds to make a potentially life saving decision.

Patrol Rifles only differ from Rifles used by our swat team in the load out SWAT rifle may be equipped with different attachments. No accessories used by the SWAT Team are categorized as military equipment.

The Sig Sauer SIG716 DMR is a larger caliber rifle only use by the SWAT Sniper Teams. This weapon system is designed for greater distance and accuracy. The primary purpose of this team and weapons system is to provide overwatch coverage in major events and SWAT approved missions.



ORDINANCE 22-03

AN ORDINANCE OF THE HANFORD MUNICIPAL CODE TO ESTABLISH A MILITARY EQUIPMENT USE POLICY FOR THE HANFORD POLICE DEPARTMENT

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

SECTION 1

The City Council Finds:

- A. On September 30, 2021, Assembly Bill 481, relating to the use of military equipment, was signed into law.
- B. Assembly Bill 481, codified in California Government Code Sections 7070 through 7075, requires law enforcement agencies to obtain approval of the applicable governing body, by ordinance adopting a “military equipment” use policy, at a regular meeting held pursuant to open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment. The term “military equipment” is defined in California Government Code Section 7070.
- C. Assembly Bill 481 allows the governing body of a city to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it makes specific determinations.
- D. The proposed military equipment use policy is found within Hanford Police Departments General Order 705
- E. Hanford Police Department General Order 705 was published on the Hanford Police Department internet website on March 16, 2022. The Hanford Police Department General Order was presented to council on May 19, 2022.
- F. The Hanford Police Department General Order 705 meets the requirements of California Government Code Section 7070, subdivision (d).

SECTION 2

- 1. Based on the findings above, in addition to information provided to the City Council at the public meeting, the City Council determines as follows:
 - A. The Military Equipment identified in Hanford Police Department General Order 705 is necessary because there are no reasonable alternatives that can achieve the same objective for officer and civilian safety.

- B. The Hanford Police Department General Order 705 will safeguard the public's welfare, safety, civil rights, and civil liberties.
- C. The prior military equipment use complied with policies regarding its use that were in effect at the time of its acquisition.
- C. The military equipment identified in Hanford Police Department General Order 705 is approved and adopted.

Section 3

Except as otherwise provided herein, this Ordinance shall take effect thirty (30) days after its adoption and shall be published once in the Hanford Sentinel within fifteen (15) days after its passage or a summary of this ordinance shall be published in the Hanford Sentinel in a manner consistent with the requirements of the California Government Code.

THEREFORE, BE IT FURTHER RESOLVED, that based on the above and incorporated findings, the City Council approves Ordinance 20-03.

PASSED, ADOPTED AND APPROVED this 3rd day of May, 2022 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

 Kalish Morrow
 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 Ordinance was duly passed and adopted at a regular meeting of the City Council of the City of Hanford held on the 3rd day of May, 2022.

Date: _____

City Clerk

MILITARY EQUIPMENT

705.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, use and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

705.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Department.

POST –Police Officers Standards and Training

Military equipment – Includes but is not limited to the following items or as amended in California Government Code Section 7070:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue service weapons.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.

MILITARY EQUIPMENT

- Any other equipment as determined by a governing body or a state agency to require additional oversight.

705.2 POLICY

It is the policy of the Hanford Police Department that members of this department with the provisions of Government Code § 7071 with respect to military equipment. This is to be accomplished by:

- (a) An annual report documenting each use of military equipment throughout the year to the Hanford City Council.
- (b) A complaint procedure, for citizens to report possible misuse of military equipment by police personnel. This complaint procedure is outlined in the Hanford Police Department General Orders Manual 1020 Personnel Complaints. These complaints related to military equipment and the outcome of each complaint shall be reported to the Hanford City Council on an annual basis.

705.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of the Hanford Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - I. Publicizing the details of the meeting.
 - II. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) The complaint procedure will follow the personnel complaint procedure as outlined in Section 1020 of the Hanford Police Department Policy manual.
- (h) Ensure publication of the annual military equipment report submitted to and approved by the Hanford City Council.

MILITARY EQUIPMENT

705.4 MILITARY EQUIPMENT USE POLICY

Pursuant to California Government Code §7070, the Police Department will submit a Military Equipment Use Policy for approval to the Hanford City Council annually.

705.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

705.6 USE IN EXIGENT CIRCUMSTANCES

In exigent circumstances and with the approval of the Chief of Police or his/her designee, the Police Department may acquire, borrow and/or use Military Equipment that is not included in the Military Equipment Use Policy.

If the Police Department acquires, borrows, and/or uses Military Equipment in exigent circumstances, in accordance with this section, it must take all of the following actions:

- Provide written notice of that acquisition or use to the City Council within 30 days following the commencement of such Exigent Circumstance, unless such information is confidential or privileged under local, state or federal law.
- If it is anticipated that the use will continue beyond the Exigent Circumstance, submit a proposed amended Military Equipment Use Policy to the City Council within 90 days following the borrowing, acquisition and/or use, and receive approval, as applicable, from the City Council.

MILITARY EQUIPMENT

- Include the Military Equipment in the Police Department's next annual Military Equipment Report.

705.7 COORDINATION WITH OTHER JURISDICTIONS

Military equipment used by any member of this jurisdiction shall be approved for use and in accordance with this department policy. Military equipment used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective military equipment use policies in rendering mutual aid.

705.8 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

705.9 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

705.10 MILITARY USE EQUIPMENT

A. Unmanned Aircraft Systems (UAS)

(a) Description, quantity, life span, capabilities and purchase cost.

- I. DJI Mavic Air, cost:444.00, Quantity 1, 30-minute flight time, record video/ audio
- II. DJI Matrice, cost: 5000.00, Quantity 1, 55-minute flight time., record video

(b) Purpose

To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to.

- I. Major crime investigations
- II. Search for missing persons
- III. Natural disaster management
- IV. Crime scene photography

MILITARY EQUIPMENT

- V. SWAT, tactical or other public safety and life preservation missions
- VI. In response to specific requests from local, state and federal authorities for fire response and/or prevention
- VII. At the request of another city department to assist with a legitimate City aerial photography needs.
- VIII. Search and/or rescue operations.
- IX. Public presentations with department approval

- c. Authorized use

- Only assigned operators who have completed and receive regular quarterly training on its use and possess a certification of waiver and authorization through the FFA

- (d) Expected Life Span

- All UAS equipment has an expected lifespan of 5-7 years.

- (e) Legal and Procedural Rules

- Use is established under FAA regulation 14 CFR Part 107 and the Hanford Police Department UAS Policy. It is our policy that UAS equipment is to be used for official purposes and in a manner that respects the privacy of our community, pursuant to State and Federal law.

- B. Robots: A remotely -controlled unmanned machine that operates on the ground, which is utilized to enhance the safety of the community and officers

- (a) Description, quantity, life span, capabilities and purchase cost

- I. Recon Scout, cost: \$3000.00, Quantity 1, 30-yard range, hand-held throwable, relays video/audio

- (b) Purpose

- To be used to gain visual and audio data.

- I. Major crime investigations
 - II. Search for persons
 - III. Natural disaster management
 - IV. SWAT, tactical or other public safety and life preservation missions
 - V. In response to specific requests from local, state and federal authorities
 - VI. Search and/or rescue operations.
 - VII. Public presentations with department approval.

- c. Authorized use

- Only assigned operators who have received training on its use and policy.

- (d) Expected Life Span

MILITARY EQUIPMENT

All robot's equipment have an expected lifespan of 10 years or until no longer usable

(e) Legal and Procedural Rules

It is our policy that all robot equipment is to be used for official purposes and in a manner that respects the privacy of our community, pursuant to State and Federal law.

C. Armored Vehicles: Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes

(a) Description, quantity, life span, capabilities, and purchase cost

I. MRAP (Mine Resistant Ambush Protected) Manufactured by Navistar for the U.S. Military. Acquired for free through the DRMO process. Estimated value of \$900,000.00., Quantity 1, Seats 16 personnel with an open floor plan. It is capable of stopping a wide variety of projectiles beyond what a vest or shield is capable of.

II. ARV (Armored Response Vehicle) manufactured by Supreme Corporation. Quantity 1, Cost \$400,000.00, Seats 10 with an open floor plan. It is capable of stopping a wide variety of projectiles beyond what a vest or shield is capable of.

(b) Purpose

To be used to respond to critical incidents and to enhance officer and community safety. To improve scene containment and stabilization, and assist in resolving critical incidents. The types of incidents these vehicles respond to are:

I. High Risk Search Warrants involving SWAT operations.

II. High Risk Search for persons

III. Natural disaster management

IV. SWAT, tactical or other public safety and life preservation missions

V. In response to specific requests from local, state and federal authorities

VI. Search and/or rescue operations.

VII. Approved equipment request from an outside jurisdiction related to high-risk operations

VIII. Public relations events such as national night out and other community events for people to see and understand it's use.

c. Authorized Use

The use of the armored vehicles is only authorized by the Chief of Police or SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall only be used for deployment by officers trained in their use by the department.

(d) Expected Lifespan

Armored vehicles have a 25-year lifespan.

(e) Fiscal Impact

MILITARY EQUIPMENT

Annual Maintenance costs:

I. MRAP - \$5000.00

II. ARV - \$15,000

(f) Training

All Drivers/Operators shall attend formalized department or other approved training in the vehicle's operation, capabilities and practical driving instruction.

(g) Legal and Procedural Rules

It is our policy that all Armored Vehicles are to be used for official purposes pursuant to State and Federal law.

D. 40MM Launchers and rounds used to launch impact and gas rounds.

(a) Description, quantity, life span, capabilities and purchase cost

- I. Defense Technologies, 40MM single shot launcher, cost \$1000.00, Quantity 4. The 40MM Tactical launcher is a single shot launcher and features an expandable stock and a front grip it will fire standard 40MM rounds up to 4.8 inches in length up to 131 feet. The tactical launcher is only authorized to be used by swat personnel on approved missions and training.
- II. 40MM Ferret CS or gas rounds: A less lethal rounds used to penetrate barriers such as windows, hollow core doors, wallboard, and thin plywood. Cost: \$30.00, quantity 105. Upon impact the nose cone delivers a small chemical payload into a structure or vehicle. The working range is 5 feet to 120 feet from the target.
- III. Spede heat CS or gas canister. Cost: \$30.00, quantity 5 used in crowd control situations to with a high-volume burn that expels its gas or smoke in 20-40 seconds used to disperse large crowds, conceal tactical movements or to route a crowd.
- IV. Defense technologyFlameless tri chamber gas canisters. Cost: \$30.00, quantity 21. A less lethal munition dispensed into a vehicle or residence. Due to flameless technology, it is not prone to igniting other nearby objects and starting a fire.

(b) Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or to attempt to prevent the escalation of a situation to the point of using lethal force.

(c) Authorized Use

Situations for use of the less lethal weapons system may include, but are not limited to:

- I. High Risk Search Warrants involving SWAT operations.
- II. High Risk Search for persons
- III. In response to specific requests from local, state, and federal authorities
- IV. Approved equipment request from an outside jurisdiction related to high-risk operations

MILITARY EQUIPMENT

- V. Self-destructive, dangerous and/or combative individuals
- VI. Riot/Crowd control and civil unrest incidents.
- VII. To obtain a tactical advantage.
- VIII. Potentially vicious animals.
- IX. Training exercises or approved demonstrations.

- d. Expected Lifespan

- 40MM rounds have a 5-year life span.

- (e) Fiscal Impact

- Annual Maintenance costs of \$1500.00, 50 rounds purchased annually.

- (f) Training

- Sworn members utilizing 40MM less lethal chemical agents or impact rounds are trained in their use by department less lethal and chemical agents instructors. All chemical agent deployments are to be reviewed by Chemical agent instructors who have been to a 40 Hour Peace Officer Standards and Training course on chemical agent use and deployment.

- (g) Legal and Procedural Rules

- It is our policy that all 40MM chemical, impact and gas rounds are for official law enforcement purposes and are used consistent with department orders and state/federal law, including those regarding the use of force.

- E. Less Lethal Shotgun: Used to deploy the less lethal 12-gauge Super-Sock Beanbag Round and Royal Arms, 420 grain Copper Frangible Barricade Breaching Rounds.

- (a) Description, quantity, capabilities, and purchase cost

- I. Remington 870 Less lethal Shotgun, Cost \$1000.00 Quantity 8. The Remington 870 is used to deploy Super Sock Beanbag rounds up to an effective distance of 75 feet. The range of the weapon system helps to maintain space between the officers and a suspect reducing the immediacy of the threat and possibly preventing the deployment of lethal force options.
 - II. Remington 12gauge stockless shotgun for barricade breaching rounds, Cost 800.00, Qty 2. This weapon system is only utilized by the SWAT Team on approved missions and in training. It is a faster and effective means of defeating fortified locations.
 - III. 12-gauge super-sock beanbag round. Cost \$5.00, Qty 2000 rounds. A less lethal; 2.4-inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of shot. Fired at a speed of 270-290 feet per second it has an effective range of between 5-75 feet. Effective range is dependent upon a variety of variables such as distance, clothing, stature, and point of impact. All less lethal shotguns firing this munition are distinguished by orange slings and orange stocks which are indicative of a less lethal weapon. All less lethal identified shotguns are never to fire live rounds other than the super sock or other approved less lethal round for any reason.

MILITARY EQUIPMENT

(b) Purpose

To limit the escalation of a conflict where employment of lethal force is prohibited or undesirable. Breaching ammunition may be used to breach entry obstacles.

(c) Authorized use

Only assigned operators who have received training on its use and policy.

(d) Expected Life Span

No expiration on lifespan.

(e) Fiscal Impact

- I. Annual Cost of \$200.00 for breaching ammunition.
- II. Annual cost of \$2000.00 for less lethal shotgun rounds.

(f) Training

- I. Breaching instructors must complete an approved training course for this specialized tool. They must also train at least twice a year on its operations. This tool is only used on approved SWAT operations.
- II. The less lethal shotguns shall only be used by sworn personnel who have received annual training from the department. The training is conducted annually and shall review policy and contain a course of live fire.

(g) Legal and Procedural Rules

It is our policy that all less lethal and breaching shotguns are to be used for official law enforcement purposes and pursuant to State and Federal law, including those regarding the use of force.

F. Distraction Devices: A device used to distract dangerous persons.**(a) Description, quantity, life span, capabilities, and purchase cost**

- I. Combined tactical systems, 7290 FLASHBANG, Cost \$50.00, Quantity 55. The 7290 Flash-Bang emits an output of 175db and produces 6-8 million candelas of light.

(b) Purpose

A distraction device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high risk arrest situations. To produce an atmospheric overpressure and brilliant white light and as a result, can cause short term (6-8 Seconds) physiological/psychological sensory deprivation to give officer a tactical advantage.

(c) Authorized Use

Situations for use of the less lethal weapons system may include, but are not limited to:

- I. By officers who have been trained in their proper use.
- II. High Risk Search Warrants involving SWAT operations.
- III. In hostage and barricaded subject situations.

MILITARY EQUIPMENT

IV. To obtain a tactical advantage in a high-risk situation where there may be extreme hazards to the officers.

V. During training exercises.

d. Expected Lifespan

Until used.

(e) Fiscal Impact

Annual Maintenance costs of \$1500.00, 30 rounds purchased annually.

(f) Training

Prior to use officers must attend diversionary training conducted by POST certified instructors.

(g) Legal and Procedural Rules

It is our policy that all are for official law enforcement purposes and are used consistent with department orders and state/federal law, including those regarding the use of force.

G. Mobile Incident Command Vehicle (MIC):

a. Description, quantity, life span, capabilities, and purchase cost

I. Freightliner Chassis (Custom Built) vehicle, cost \$450,000.00. Quantity 1, The MIC is used for SWAT/CNT and other critical incidents, preplanned large events, natural disasters, and Community events.

b. Purpose

To be used as the incident command vehicle in specific circumstances of a given critical incident, large event, natural disaster, or community event that is taking place.

c. Authorized Use

Only officers trained in the deployment and operation of the MIC consistent with department policy. Situations in which the MIC is authorized for use would include but not be limited to critical incidents, emergencies, natural disasters, and community events.

d. Expected Lifespan

Vehicle has an expected 25-year lifespan with upgrades needed to equipment every 10 years to maintain IT equipment.

e. Fiscal Impact

Annual Maintenance costs of \$5000.00.

f. Training

MILITARY EQUIPMENT

The driver/operator shall receive training from a current driver/operator on its safe use and deployment. The driver/operator shall maintain a driver's license endorsement consistent with the use of this vehicle.

g. Legal and Procedural Rules

It is our policy that the MIC is for official law enforcement purposes and is to be used consistent with department orders and state law regarding the operation of vehicle

H. Rifles: Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby having a greater accuracy over a long distance.

(a) Description, quantity, capabilities, and purchase cost

- I. AR-15's of various makes, Cost \$1200.00 Quantity 63. The range of the weapon system helps to maintain space between the officers and a suspect reducing the immediacy of the threat and possibly preventing the deployment of lethal force options.
- II. Sig Sauer SIG716 DMR AR-10.308 Caliber, Cost \$1600.00, Qty 4. This weapon system is only utilized by the SWAT/ Sniper Team on approved missions and in training. This rifle is primarily used in an overwatch capacity to protect the community and SWAT Team during large events and other approved SWAT missions.
- III. Speer Gold Dot.223 caliber 62 grain rifle round. Quantity 74 cases 500 rounds per case at a cost of \$285.00 per case. Remington ammunition made by Speer. Features nickel plated brass cases that are reloadable and do not corrode. Gold DOT ammunition is widely used by law enforcement as it is a quality round with excellent ballistics. The brand of round may differ as we have experienced shortages and delays in acquiring our necessary ammunition. Any replacement ammunition will be of similar quality.
- IV. Federal.223 Caliber 55 grain rifle round. Quantity 74 cases of 500 rounds per case at a cost of \$179.00 per case. This is high quality full metal jacket round produced by Winchester. This round is safe to fire through our Rifles but is only used at the range in practice situation. This round is used in place of the Speer round as a cost saving measure as they are over \$100 cheaper per case. The brand of round may differ as we have experienced shortages and delays in acquiring our necessary ammunition. Any replacement ammunition will be of similar quality.
- V. Federal Tru.308 168grain Tactical Tip MatchKing. Quantity 7 cases of 500 rounds at a cost of \$434.00 per case. This round is used exclusively in the AR-10 Weapon system utilized by the SWAT/Sniper Team. This round was specifically made for law enforcement and AR-10 weapons systems. It is a flat trajectory bullet with uniform loads to ensure repeatable accuracy. The brand of round may differ as we have experienced shortages and delays in acquiring our necessary ammunition. Any replacement ammunition will be of similar quality.

b. Purpose

To be used as a precision weapon to address a threat with more precision and/or distances than a handgun.

MILITARY EQUIPMENT

c. Authorized use

Only members that are POST certified and department trained are authorized to use a rifle.

d. Expected Life Span

Until used..

(e) Fiscal Impact

(f) Annual Cost of approximately \$23,985.00 for ammunition. Price may vary depending upon the availability of ammunition and brands.

(g) Training

(h) Prior to use of the rifle, officers must be trained by a POST certified instructor in the operation of the rifle. Additionally, all members of the department will qualify with the rifle two times per year.

(i) The .308 rifles may only be used on SWAT missions by a SWAT member who has been to the Swat/Sniper POST certified school.

(j) Legal and Procedural Rules

Use is established by Hanford Police Department General Orders 300, Use of Force.

It is the policy of the Hanford Police Department to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force. They may also be used for department approved public presentations.

705.11 MAINTENANCE OF MILITARY EQUIPMENT SUPPLY LEVELS

When stocks of perishable items have reached a level where they are nearing exhaustion based upon current supplies and projected needs. In order to maintain essential availability for Department needs the Hanford Police Department is authorized to acquire additional stock items listed here, consistent with the City of Hanford's purchasing policing.

705.12 ALTERNATIVE EQUIPMENT

A. The Hanford Police department will review its listed military equipment annually to determine the following:

(a) If the equipment is still needed for its intended purpose

(b) If there are other alternatives to the military equipment listed.

B. The Hanford Police Department will present this information to council annually at the same time this policy is updated.

705.13 SECTION TITLE



**AGENDA
STAFF REPORT**

MEETING DATE: 5/3/2022

AGENDA SECTION: A

SUBJECT:

Public Hearing to Consider the Draft Community Development Block Grant (CDBG) Annual Action Plan for 2022-2023

RECOMMENDATION:

Staff report. Attached.

FISCAL IMPACT:

ATTACHMENTS:

STAFF REPORT.CC 5.3.2022 Public Hearing AP22
ACTION PLAN 22-23 DRAFT.v1

CITY OF HANFORD CITY COUNCIL STAFF REPORT

MEETING DATE: May 3, 2022

SUBJECT: Public Hearing to Consider the Draft Community Development Block Grant (CDBG) Annual Action Plan for 2022-2023

STAFF RECOMMENDATION

1. Open the public hearing and accept public comments related to the CDBG proposed 2022-2023 Action Plan.
2. Approve and adopt the proposed 2021-22 Annual Action

BACKGROUND

The 2019-2023 Consolidated Plan, approved by City Council on May 7, 2019, established a multi-year strategy for using CDBG funds in the community. CDBG funding supports the development of viable urban communities by supporting projects and activities that create or enhance the availability of decent housing, suitable living environments, and expansion of economic opportunities, principally for low- and moderate-income persons. The Annual Action Plan identifies specific projects and activities funded through CDBG each year of the Consolidated Plan. The 2022-2023 Annual Plan is an expenditure plan using the upcoming year's CDBG allocation for the specific activities outlined in the Consolidated Plan.

This Draft Community Development Block Grant (CDBG) Annual Action Plan for 2022-2023 was presented to the City Council during the April 19, 2022 Study Session and Council approved the draft plan as recommended by staff and directed staff to bring the item forward for the public hearing. Hanford must adopt the 2022-23 Annual Action Plan to identify projects for the upcoming budget year. The Council directed staff to distribute the 2022-23 budget of \$583,523 to the following projects:

2022-23 ANNUAL ACTION PLAN (ATTACHMENT 1)

Housing Rehabilitation	\$	200,000
Multi-Family Rental Rehabilitation – Sunrise Apartments	\$	188,000
Kings County Commission on Aging- Meal Program	\$	58,818
Fair Housing Education	\$	15,000
Kings Tulare COC	\$	10,000
Administration	\$	111,705

Total	\$ 583,523
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“Backup” Projects

The Annual Action Plan contains a list of projects funded for the program year with funding anticipated. However, additional funding may become available during each program year due to program income, projects completed below budget, or projects canceled or delayed due to various reasons.

Therefore, a list of affordable housing, public facility, infrastructure improvement projects, and public services (subject to the 15% cap) be included in the Annual Action Plan and approved by the City Council for funding as backup projects. The City may activate these backup projects when funding becomes available. The City receives HUD approval for these backup projects and the approved and funded projects as part of its approval for the Annual Action Plan. Initiation and funding of these projects do not constitute a “substantial amendment,” as defined above.

Preferential consideration will be given to those projects that demonstrate the ability to spend CDBG funds on time, consistent with the City’s goal to meet CDBG timeliness rules, as well as those projects that meet the community’s needs defined in the Consolidated Plan.

Housing Rehabilitation (additional funding to be added to the total)	\$ 150,000
First-time Homebuyer Assistance	\$ 150,000
Multi Family Rehabilitation - Multi	\$ 200,000
Public Facility and Improvements	\$ 200,000
Additional funding for Public Service Subrecipients	Subject to CAP

Public Review:

The Action Plan was released for a 30-day public review period on April 11, 2022, with a public notice of availability published in the *Hanford Sentinel* on March 25, 2022, and April 8, 2022. One comment has been received as of the date of preparation of this report. Public comments received before the closing of the comment period on May 12, 2022, will be summarized in the final document.

FISCAL IMPACT

This action is a prerequisite to ensuring the City can receive its anticipated \$558,523 CDBG entitlement funds.

ACTION FOLLOWING APPROVAL

Staff will submit the 2022/23 Annual Action Plan to HUD. Funds will be available upon HUD's approval of the plan.



CITY OF HANFORD

COMMUNITY DEVELOPMENT BLOCK GRANT

DRAFT 2022-2023 ACTION PLAN

PUBLIC COMMENT DOCUMENT

APRIL 11, 2022 – MAY 11, 2022

All sources and uses are considered estimates pending HUD finalization of the program year 2022
Allocations and city council adoption

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

Introduction

The City of Hanford (City) is an Entitlement Jurisdiction that receives federal funds from the U.S. Department of Housing and Urban Development (HUD) to invest in local communities. The City receives HUD funding under the Community Development Block Grant (CDBG) Program, designed to assist low- and moderate-income (LMI) households.

The primary objective of the CDBG program is to develop viable communities through the provision of decent housing, a suitable living environment, and expanded economic opportunities. CDBG grantees can use the resources they receive for Planning and Administration, Public Services, Community and Economic Development, Capital Improvement Projects (CIP), Public Facilities/Infrastructure, and CIP Housing Rehabilitation. Planning and Administration costs include staffing, general management, oversight, and coordination. Public Service projects provide social services and/or other direct support to individuals and households needing assistance. Community and Economic Development projects are focused on assisting businesses and organizations with small business loans and other initiatives. CIP Public Facilities/Infrastructure projects aim to improve public facilities and infrastructure. CIP Housing Rehabilitation projects are for housing rehabilitation improvements of single and multi-unit housing. The City anticipates \$558,523 in CDBG funding for FY 2022/2023.

Hanford's 2019/20-2023/24 Consolidated Plan constitutes the City's strategy for addressing its housing and community development needs utilizing federal entitlement funds. The Consolidated Plan includes broad five-year objectives and a strategy to accomplish these goals. Specific identifiable benchmarks for measuring progress in realizing the City's strategy are proposed in the Annual Action Plans.

Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items, a table listed elsewhere in the plan, or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis, or the strategic plan.

The U.S. Department of Housing and Urban Development (HUD) has established three predetermined objectives and outcomes to capture the range of community impacts resulting from CDBG-funded programs. Each activity or program funded with CDBG must fall under one of three objectives and one of three outcomes. The framework for

selecting these objectives and outcomes is known as HUD's CPD Outcome Performance Measurement System. Here are the objectives and outcomes to choose from:

Objectives

- **Creating Suitable Living Environments** relates to activities designed to benefit communities, families, or individuals by addressing issues in their living environment, from physical problems with their environment to social issues.
- **Providing Decent Housing** covers a wide range of housing activities where the purpose is to meet individual family or community housing needs.
- **Creating Economic Opportunities** applies to economic development, commercial revitalization, or job creation activities.

Outcomes

- **Availability/Accessibility** applies to activities that make services, infrastructure, public services, public facilities, housing, or shelter available or accessible to low- and moderate-income people, including persons with disabilities.
- **Affordability** applies to activities that provide affordability in various ways to low- and moderate-income people and is appropriate to use whenever an activity lowers the cost, improves the quality, or increases the affordability of a product or service benefits a low-income household.

Sustainability applies to activities aimed at improving communities or neighborhoods, helping to make them livable or viable by providing benefits to low- and moderate-income persons or by removing or eliminating slums or blighted areas through multiple activities or services that sustain their communities or neighborhoods.

Hanford's Consolidated Plan Needs Assessment was developed by reviewing Census statistical data and building upon already adopted planning documents, coupled with consultation with housing, homeless and service providers, City Departments, and the public via community meetings, public hearings, and a Community Needs Assessment Survey. The result was the formation of five areas of priority need, including:

1. Provide decent, affordable housing
2. Maintain and promote neighborhood preservation
3. Support special-needs programs and services
4. Construct or upgrade public facilities and infrastructure
5. Business and Jobs (Economic Development)

Evaluation of Past Performance

Annual Action Plan
2022

2

During the 2020-21 Program Year (PY), the City expended CDBG funds on eligible activities that primarily benefited low and moderate-income persons. The City implemented programs to achieve its goals as specified in the Consolidated and Annual Action Plans by using CDBG funds for affordable housing and public services by focusing on the needs of the most vulnerable populations, which included seniors, the individuals and families who were homeless, and those at-risk of becoming homeless. Additionally, with the use of CDBG-CV funds, the City also made progress toward preventing, preparing for, and responding to the impacts of the COVID-19 virus.

The City of Hanford, as an Entitlement, is responsible for ensuring compliance with all the rules and regulations associated with the CDBG Program. Hanford's Annual Action Plan and Consolidated Annual Performance Report (CAPER) provide many details about the goals, projects, program expenditures, and performance.

The following is an overview of the prior year's performance and goals:

Information will be updated before the approval of the final draft.

Goal 1: Provide decent, affordable housing

Goal 2: Maintain and promote neighborhood preservation

Goal 3: Support Special needs programs and services

Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of the plan.

The City followed its Citizen Participation Plan and HUD's guidelines for the citizen and community involvement in preparing the 2022 Annual Action Plan.

Summary of public comments

This could be a brief narrative summary or reference to an attached document from the Citizen Participation section of the ConPlan.

A summary of public comments will be provided in the Final Action Plan before submission to HUD.

All public meetings were noticed, as per the Brown Act. Notices included the process of requesting physical accommodations and documents in alternate formats.

The meetings aimed to inform the community about the Action Plan process and identify opportunities to improve collaborative efforts and eliminate service delivery gaps to develop and sustain decent and affordable housing, suitable living environments, and expanded community and economic opportunities.

To maximize participation in preparing the 2022/2023 Action Plan, the City held a public meeting on April 19, 2022, during the City Council study session.

Summary of comments or views not accepted

The City accepted all comments.

Summary

The City of Hanford has undertaken diligent and good faith efforts to reach out to all community segments that may benefit from the CDBG programs. The City of Hanford will continue to concentrate its maximum impact and strive to address the needs, priorities, and goals identified in the 2019-2023 Consolidated Plan and the 2022-23 Action Plan.

PR-05 Lead & Responsible Agencies – 91.200(b)

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administering each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	Hanford	Community Development Housing

Table 1 – Responsible Agencies

Narrative (optional)

The City of Hanford (City) is the Lead Agency for the United States Department of Housing and Urban Development (HUD) entitlement programs. The City's Department of Community Development is responsible for administering the funds it receives under the Community Development Block Grant (CDBG).

Consolidated Plan Public Contact Information

Sandra Lerma, Administrative Analyst - Housing, 559-585-4766, or slerma@cityofhanfordca.com

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

Introduction

Public participation plays a central role in the development of the Consolidated Plan. The City developed its five-year (2019/20-2023/24) Consolidated Plan through consultation with the Kings County Housing Authority, City departments, health and social service providers, and adjacent local governments. To gain input from housing, homeless and social service providers active in Hanford, the City provided agencies a brief survey requesting information on services, priority needs, and gaps in services.

Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

The City reached out to several agencies, worked collaboratively with public officials, City departments, community residents, stakeholders, and beneficiaries of entitlement funds to seek input on the priorities and strategies included in this Action Plan and further strengthen the dialogue between public and assisted housing providers and private and governmental health, mental health and service agencies that receive federal funding. A list of the agencies who were consulted, including how they participated, is included in table 2.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The Kings Tulare Homeless Alliance (KTHA), also known as the Continuum of Care, comprises a group of advocates, public agencies, homeless individuals, and service providers to confront the homeless population's needs within the Kings and Tulare County regions. The City of Hanford continues to be an active participant in the monthly Alliance meetings to enhance coordination between organizations, disseminate knowledge on best practices, and develop a more vital understanding of the homeless population’s needs within both counties. The Alliance also works to reduce the duplication of such services and improve service delivery to homeless people. The City’s Community Development Department regularly attends Alliance meetings. Furthermore, in adherence to the institutional delivery system, the City financially supports the Alliance, which is recognized as a 501(c)(3) organization of partners. The Alliance implements a coordinated entry and assessment system called *Every Door Open* to serve both counties. The plan aims to help at-risk or current homeless people by

prioritizing the most vulnerable homeless people, including the chronically homeless, veterans, families with children, and unaccompanied minors, to obtain necessary services.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies, and procedures for the operation and administration of HMIS

Not applicable. The City does not receive ESG funding. The Alliance applies on behalf of the applicants.

2. Describe Agencies, groups, organizations, and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies, and other entities.

Table 2- Agencies, groups, and organizations that participated.

1	Agency/Group/Organization	Champions Recovery Alternative Programs, Inc.
	Agency/Group/Organization Type	Services-Homeless Services-Health Services-Education Services-Employment Services-Fair Housing
	What section of the Plan was addressed by Consultation?	substance abuse
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was invited to participate in public hearings and a 30-day review of plans. The anticipated outcome of the consultation is improved data and planning within the selected sections above.
2	Agency/Group/Organization	Housing Authority of Kings County
	Agency/Group/Organization Type	PHA

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was invited to participate in public hearings and a 30-day review of plans. The anticipated outcome of the consultation is improved data and planning within the selected sections above.
3	Agency/Group/Organization	Kings Community Action Organization
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-Homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homeless Needs - Veterans Homeless Needs - Unaccompanied youth Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was invited to participate in public hearings and a 30-day review of plans. The anticipated outcome of the consultation is improved data and planning within the selected sections above.
4	Agency/Group/Organization	Kings Tulare Continuum of Care
	Agency/Group/Organization Type	Services-homeless

	What section of the Plan was addressed by Consultation?	Public Housing Needs Homeless Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homeless Needs - Veterans Homeless Needs - Unaccompanied youth
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was invited to participate in public hearings and a 30-day review of plans. The anticipated outcome of the consultation is improved data and planning within the selected sections above.
5	Agency/Group/Organization	Federal Communication Commission
	Agency/Group/Organization Type	Other government – Federal
	What section of the Plan was addressed by Consultation?	Broadband Internet Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	An Internet search for data related to the broadband internet needs for Hanford City. https://broadbandmap.fcc.gov Information from the Federal Communications Commission addressed HUD's requirement to discuss broadband access and "the digital divide." Refer to Section MA-50.
6	Agency/Group/Organization	Federal Emergency Management Agency Database and maps to help determine flood-prone areas of Hanford. https://msc.fema.gov/portal/search
7.	Agency/Group/Organization	COMCAST
	Agency/Group/Organization Type	Business Leaders Major Employer
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment

How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The City consulted with COMCAST, a broadband ISP, concerning the Internet Essentials program they offer to decrease the digital divide. The program allows low-income households to access affordable high-speed internet without a credit check, contract, or installation fee. The City is incorporating the distribution of brochures for the Internet Essentials program for all recipients of federal housing assistance.
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Identify any Agency Types not consulted and provide a rationale for not consulting

Other local/regional/state/federal planning efforts considered when preparing the Plan

Table 2 – Other local / regional / federal planning efforts

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	City of Hanford	Connecting the Dots is a Ten-Year Plan to prevent and end homelessness in the Kings and Tulare County region. This effort is aligned with the Strategic Plans' goal to support activities that prevent and end homelessness.
San Joaquin Valley Fair Housing and Equity Assessment	California Coalition for Rural Housing	The FHEA provides an overview of racial and economic segregation patterns in the City and describes its impact on residential mobility. The report also includes a set of recommendations to promote integration in the City and lessen the negative consequences generated as a result of segregation identified within the report. Both plans focus on supporting and promoting the creation of affordable housing opportunities for LMI and special needs households.

County of Kings Housing Element	City of Hanford	The Housing Element identifies the community's housing needs, goals, and objectives to address those needs and outlines the community's efforts to pursue specific policies and programs to achieve its goals and objectives. The Strategic Plan supports the Housing Elements plan to ensure an adequate supply of affordable housing to meet the current and future needs of the population.
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Narrative (optional)

N/A

AP-12 Participation – 91.105, 91.200(c)

Summary

Summarize of citizen participation process/Efforts made to broaden citizen participation.
Summarize the citizen participation process and how it impacted goal-setting

As part of the 2019-2023 Consolidated Plan development, the City undertook a comprehensive outreach program to solicit input from residents and beneficiaries of the entitlement programs and to consult with elected officials, City departments, and various organizations, agencies, and service providers to inform and develop the priorities and strategies.

A public input meeting and public hearing to obtain citizen input and respond to questions were scheduled. The City of Hanford held a CDBG meeting on April 19, 2022, to receive the community's information and feedback on the needs within Hanford.

A public notice was published on April 8, 2022, for a public meeting on April 19, 2022, a 30-day public comment period, and a public hearing on May 3, 2022. Citizens were informed of the public hearing through the City's social media and City website. The public notice included information about the locations where the action plan would be available for review and was published in English and Spanish in *The Hanford Sentinel*, which services the surrounding areas. The public notice was also shared on the Kings Tulare Homeless Alliance Listserv. Hanford was prepared to provide interpreters for non-English speaking citizens upon request. The public input meeting and the public hearing were held during evening hours at convenient locations that accommodated persons with disabilities.

A summary of public comments will be provided in the Final Action Plan after the conclusion of the public review period.

A Draft of the Action Plan was available for public review beginning April 11, 2022, to May 11, 2022.

Table 4- Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Newspaper Ad	Notice of the March 25, 2022 & April 8, 2022, for the development of the 2022 Action	See results of the public meeting	N/A		
2	Public Meetings	The Community Development Housing staff held a meeting on 4/19/22 to solicit public input on community development needs.	Comments to be added	N/A	All comments are welcomed and appreciated	
3	Newspaper Ad	Minorities Non-English Speaking-Specify other languages: Spanish Non-targeted/broad community Residents of Public Assisted Housing	Published notice requesting comments during 30-day comment period leading to public hearing	Comments will be updated after a 30-day comment period, and 2 nd public hearing will occur.	All comments are welcomed and appreciated .	

Attachment: ACTION PLAN 22-23 DRAFT.v1 (CDBG Annual Action Plan 2022-2023)

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

Provide a summary of the anticipated resources that the jurisdiction will have at its disposal over the course of the strategic plan

The City has not yet received notice of its 2022 annual entitlement award through CDBG. The City estimates receiving comparable to the prior year's funding level.

In the fourth year covering July 1, 2022, to June 30, 2023, the City has planned for the following allocations.

- \$558,523 in CDBG Funds
- \$25,000 in CDBG Program Income

For FY 22/23, the city will have \$500,000 in HOME -18 funds from an awarded grant. These funds will be used to meet affordable housing needs. HOME PI results from payments received by the City for First Time Homebuyer Loans made in the past with State HOME grants. An estimated \$1,200,031 in New PI from debt repayment of home loans returned to the First Time Homebuyer Loan Program.

The City anticipates HOME Investment Partnerships Program (HOME) funds will be available to meet the goals of the Consolidated Plan. HOME funding is intended to be used for various housing-related programs and activities. HOME funds are generally used to address the housing needs of jurisdictions through the preservation or creation of affordable housing.

The City will pursue competitive public and private grants to develop and preserve programs, housing, and services and work to support legislation that promotes funding for future affordable housing during the Consolidated Plan period.

Table 3 - Expected Resources – Priority Table

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
	federal	Admin and Planning Economic Development Housing Public Improvements Public Services						funds allocation plus estimated program income.

Explain how federal funds will leverage those additional resources (private, state, and local funds), including a description of how matching requirements will be satisfied

Federal funds play a crucial role in implementing the Action Plan. Local private and non-federal funds are insufficient to meet our community's heavy demand for housing and services.

Agencies receiving CDBG funds use those funds to get a commitment from other funding sources and increase their stakeholders. This encourages collaboration and partnerships between agencies and enhances the level of services agencies can provide low- and moderate-income residents.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Discussion

The City of Hanford is proactive in prioritizing the needs of the community. Staff continues to dedicate time collaborating with non-profit agencies through the Kings/Tulare Continuum of Care, whose main target is to house homeless individuals.

The City allocated \$238,702 in CDBG-CV3 funds to improve the Stardust Motel, a twenty-two-unit motel that will be converted to permanent housing. In addition, the City, in collaboration with Kings Tulare LLC and Upholding's, applied for CDBG-CV2 State Funds- \$1,100,000.

In collaboration with Upholding's and Self-help Enterprises, the City applied for \$1,772,808 from the Permanent Supporting Housing Program (PLHA) to develop affordable housing.

In the context of entitlement funding, leverage means bringing other local, state, and federal financial resources to maximize the reach and impact of the City's HUD Programs. Like many other federal agencies, HUD encourages the recipients of federal monies to demonstrate that efforts are being made to leverage additional funds to achieve higher results strategically. Leverage is also a way to increase project efficiencies and benefit from economies of scale that combine funding sources for similar or expanded scopes. Funds will be leveraged if financial commitments toward the costs of a project from a source other than the originating HUD program are documented.

As previously discussed, in addition to its annual CDBG entitlement, the City's HOME Investment Partnerships Program (HOME) funds will be available to meet the goals of the Consolidated Plan. HOME funding is intended to be used for various housing-related programs and activities. HOME funds are generally used to address the housing needs of jurisdictions through the preservation or creation of affordable housing. New construction, housing rehabilitation, assistance to homebuyers, and tenant-based rental assistance are all eligible uses of HOME funds. The City's HOME dollars come from program income or State grants.

AP-20 Annual Goals and Objectives

Goals Summary Information

Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
Provide decent, affordable housing	2022	2023	Affordable Housing	CITY OF HANFORD	To preserve, rehabilitate, and enhance existing conservation and development of affordable housing	CDBG: \$368,000 \$20,000AD \$388,000	Homeowner Housing Rehabilitated: 10 Rental Housing Units 22
Support special needs programs and services	2021	2022	Homeless Non-Homeless Special Needs	CITY OF HANFORD	Provide support services for the City's residents	CDBG: \$83,818	Public service activities for Low/Moderate Income Housing Benefit: Households Assisted 34 Homelessness Prevention: 255 Persons Assisted

Attachment: ACTION PLAN 22-23 DRAFT.v1 (CDBG Annual Action Plan 2022-2023)

Goal Descriptions

Table 4 – Goals Summary

1	Goal Name	Provide decent, affordable housing
	Goal Description	The production, conservation, and development of affordable housing opportunities
2	Goal Name	Maintain and promote neighborhood preservation
	Goal Description	To preserve, rehabilitate, and enhance existing neighborhoods and infrastructure.
3	Goal Name	Support special needs programs and services
	Goal Description	Provide support services for the City's residents

AP-35 Projects – 91.220(d)

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs.

The City plans to undertake the following CDBG funded activities during the Fiscal Year 2022/23 to address its priority housing and community development needs. All proposed activities are eligible and meet program service targets. With a CDBG budget of \$583,523, the City of Hanford allocated \$83,818 for public services, representing 15% of the CDBG entitlement. This Annual Action Plan proposes to give the following to 2022/23 two-year grant public service providers: Homeless Alliance (\$10,000); Fair Housing Education(\$15,000); and Kings County Commission on Aging (\$58,818).

Project Summary

Table 5 - Project Information

#	Project Name
1	Emergency/Minor Repair Housing Rehabilitation
2	Stardust Apartments/ Housing Rehabilitation Multi
3	Public Service/ Fair Housing Education
4	Public Service /Kings Tulare Homeless Alliance (COC)
5	Public Service/ Kings Commission on Aging
6	Administration and Planning

“Backup” Projects

Back-up Projects - The Annual Action Plan contains a list of projects funded for the program year with funding anticipated. During each program year, however, additional funding may become available due to program income, projects completed below budget, or projects canceled or delayed due to various reasons. Therefore, a list of affordable housing, public facility, infrastructure improvement projects, and public services (subject to the 15% cap) are included in the Annual Action Plan and approved by the City Council for funding as “backup projects.” The City may activate these backup projects when funding becomes available.

The City receives HUD approval for these backup projects and the approved and funded projects as part of its approval for the Annual Action Plan. Initiation and funding of these projects do not constitute a “substantial amendment,” as defined above.

Preferential consideration will be given to those projects that demonstrate the ability to spend CDBG funds on time, consistent with the City's goal to meet CDBG timeliness rules, as well as those projects that meet the needs of the community, as defined in the Consolidated Plan.

Back-up Projects List

Additional funding for Primary List Public Service Subrecipients (Subject to 15% Cap)

First-time homebuyers:	\$150,000
Housing Rehabilitation:	\$200,000
Sunrise Apartments:	\$200,000
Public Facility and Improvements	\$200,000

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

All program activities funded with the City's CDBG funds will benefit low- to moderate-income persons. The priority of each category was based on the identified needs expressed during the consultation and citizen-participation process. In addition, priorities were determined by information gathered from the Census, a market study, and existing community documents, including the City of Hanford's 2016 Housing Element.

The primary obstacle to addressing underserved needs is the lack of funding. The City relies on CDBG Entitlement funds, program income, and any state funds it can apply to carry out the programs identified in this Action Plan.

The above projects and their allocations were selected primarily because they were identified as a higher need in the City's Consolidated Plan.

For the 2022/23 action plan, staff used HUD's model 5 approach to recommending subrecipients. Below are HUD's models for selection:

Model 1: formal application or request-for-application (RFA) process; • Model 2 simplified or limited application, with grantee follow-up; • Model 3: grantee survey of qualified organizations, with direct solicitation; • Model 4: response to unsolicited applications; or • Model 5: a review of existing subrecipients' performance, before renewing their participation

AP-38 Project Summary

1	Project Name	Housing Rehabilitation – Emergency Repair
	Target Area	To preserve and rehabilitate existing Housing. Conservation and development of affordable housing
	Goals Supported	Affordable Housing
	Needs Addressed	Rehabilitation of existing housing in Hanford with loans and grants to maintain single and multifamily affordable housing.
	Funding	\$200,000
	Description	Rehabilitation of existing housing in Hanford with loans and grants to maintain single and multifamily affordable housing.
	Target Date	City of Hanford Limits
	Estimate the number and type of families that will benefit from the proposed activities	An estimated ten (10) very low - to moderate-income households will benefit from this activity.
	Location Description	Scattered sites throughout the City of Hanford.

	Planned Activities	The City of Hanford will continue to offer the Emergency Repair Program. Through this program, qualifying residents are offered financing for emergency home repairs. The program provides up to \$15,000 per household. Repairs include, but are not limited to, roof repair or replacement, water meter replacements, heating and air repair or replacement, painting of the exterior, and accessibility modifications.
2	Project Name	Multi-Family Rental Rehabilitation- Sunrise Apartments
	Target Area	CITY OF HANFORD
	Goals Supported	Increase and Improve Supply of Affordable Housing
	Needs Addressed	Housing
	Funding	CDBG: \$188,000
	Description	Rehabilitation of existing housing in Hanford with loans and grants to maintain single and multifamily affordable housing.
	Target Date	12/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	An estimated twenty-two (22) very low- to -moderate-income households will benefit from this activity.
	Location Description	8595 Lacey Blvd, Hanford, CA 93230
	Planned Activities	Conversion of Motel to Permanent Housing Unit Rehabilitation
3	Project Name	Kings County Commission on Aging – Home Delivery Meal Program

	Target Area	City of Hanford and unincorporated areas
	Goals Supported	Support special needs programs and services
	Needs Addressed	Provide Support for
	Funding	CDBG: \$58,818 two-year grant
	Description	The program will deliver meals to homebound elders & disabled persons in the City and unincorporated areas who are homebound and unable to go out or cook meals for themselves. Kings County Commission on Aging provides food services for seniors that otherwise would be limited in their eating and nutrition ability.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	CDBG funding will provide an estimated 7,737 meals.
	Location Description	City of Hanford
	Planned Activities	Provide medical, behavioral health, and support services to homeless persons.
4	Project Name	Fair Housing Education
	Target Area	CITY OF HANFORD
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$15,000 – two-year grant contingent on funding
	Description	

	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	30 households assisted
	Location Description	Citywide
	Planned Activities	The City will work with Community Services Employment Training (CSET) as a Subrecipient to conduct outreach and education pertinent to California and Federal Fair Housing laws and best practices to representatives of the housing, lending, and insurance industries and the public at large within the City of Hanford, such as the annual Fair Housing Conference and report activities quarterly to appropriate city staff, including data on claims, the basis of discrimination and demographics of claimants.
5	Project Name	Public Services – Kings Tulare Homeless Alliance KTHA/Continuum of Care (COC)
	Target Area	CITY OF HANFORD
	Goals Supported	Homelessness
	Needs Addressed	Homeless Shelters and Services
	Funding	CDBG: \$10,000 – two-year grant contingent on funding

	Description	Kings Tulare Homeless Alliance (KTHA) will hold ongoing Local Initiatives Navigation Center (LINC) in the City of Hanford. LINC will connect the homeless and persons at risk of homelessness with critical services such as health and dental care, employment assistance, housing assistance, legal services, social services, and access to mainstream benefits. They will also provide consumables supplies and services to homeless clients (including prescription eyeglasses, bus passes, DMV reduced-fee ID cards, sleeping bags, laundry cards, hygiene kits, and food). Due to Covid-19, some of these activities may be modified to comply with the social distancing requirements of the state mandate.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	An estimated 250 very low-to-moderate persons will benefit from this activity.
	Location Description	City Wide
	Planned Activities	The KTHA, also known as the Continuum of Care, is a non-profit organization that partners with several area agencies to address the homeless needs in Hanford. CDBG funds will be used to help fund a variety of activities, including, but not limited to, the Annual Project Homeless Connect and the Point in Time census.
7	Project Name	Administration and Planning
	Target Area	CITY OF HANFORD

Goals Supported	Provide decent, affordable housing Maintain and promote neighborhood preservation Support special needs programs and services
Needs Addressed	To preserve, rehabilitate, and enhance existing housing. Neighborhood/Facility Preservation Provide support services for the City's residents. Conservation and development of affordable housing, Economic and Employment Opportunity.
Funding	CDBG: \$111,705
Description	The City of Hanford will utilize up to 20% of the CDBG FY2022/23 budget to provide administration, oversight, and hiring a consultant to assist staff with developing the 2022/23 Action Plan of the City's CDBG Program.
Target Date	6/30/2023
Estimate the number and type of families that will benefit from the proposed activities	not applicable
Location Description	Citywide
Planned Activities	Program Administration

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Table 6 - Geographic Distribution

Target Area	Percentage of Funds
City of Hanford	80

The rationale for the priorities for allocating investments geographically.

The City will use a place-based strategy during the planning period. The geographic distribution of funding is predicated somewhat on the nature of the activity to be funded. The City intends to support activities in the areas most directly affected by the needs of low-income residents and those with other special needs. The Annual Action Plan directs investment geographically to an area-benefit neighborhood. The area-benefit category is the most commonly used national objective for activities that benefit a residential community. An area-benefit activity benefits all residents in a particular area, where at least 51% of the residents are low- and moderate-income persons. Public infrastructure improvements are an area-benefit activity when located in a predominately low- or moderate-income neighborhood.

Discussion

See above.

AP-55 Affordable Housing – 91.220(g)

Introduction

Although entitlement resources are limited, the City does anticipate expending a significant portion of its CDBG entitlement on preserving and providing affordable housing. A detailed discussion of how HUD entitlements will be used to support community and economic development needs within the City is provided in AP-35, with the number of households to be assisted itemized by the goal.

The City received funding from the PLHA Grant Program to develop affordable owner-occupied homes and provide secondary financing for Idlewood infill lots and Parkside projects. Also, assist with the development of Northstar Apartments, an affordable multifamily project serving low- to very low-income households to include permanent supportive housing units. The City provided funds for the Sunrise Apartments project to assist in the renovation of the Stardust Motel and partnered with Kings/Tulare Homeless Alliance to provide permanent housing for low- to very low-income residents.

Table 7 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	0

Table 8 - One Year Goals for Affordable Housing by Support Type

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	
Rehab of Existing Units	32
Acquisition of Existing Units	0
Total	32

Discussion

Traditionally, the City has allocated CDBG federal funding to homeowner rehabilitation, preserving existing housing stock, providing rental assistance through services providers, and helping income-eligible first-time homebuyers.

AP-60 Public Housing – 91.220(h)

Introduction

This section describes what actions the City will take in the given program year to carry out the public housing portion of the Strategic Plan. The section will identify how its plan will address the needs of public housing during the program year. Suppose the public housing agency is designated as troubled by HUD or performing poorly.

Actions planned during the next year to address the needs to public housing

The City of Hanford does not own public housing. The City works in close collaboration with Kings County Housing Authority to provide public housing within the City. Hanford will continue to work independently and closely with the HA and local nonprofits to assist low-income families. As population demographics continue to change, the City will continue to work with the county housing authority and local (and regional) nonprofits to develop public housing projects in Hanford and provide the following Section 8 assistance:

- *Housing Choice Voucher Program.* HCV is the County's Section 8 voucher program, including other programs and services available to HA participants, such as Moving to Work.
- *Moving to Work.* Moving to Work (MTW) is a demonstration program supported by HUD created to accomplish three (3) goals: 1) promote self-sufficiency among assisted families; 2) achieve program efficiency and reduce costs; and 3) increase housing choice for low-income households.

Actions to encourage public housing residents to become more involved in the management and participate in homeownership

Kings County Housing Authority (KCHA) encourages resident involvement through various methods, mainly focusing on self-sufficiency and enhancing the quality of one's own life. KCHA connects residents and participants to services, activities, and other organizations that promote that vision. Neighborhood Network Centers (including public computer centers) and community partnerships for residents to utilize. On the Kings County Housing Authority website, residents can locate relevant services and service providers in the dedicated "resident" and "resident services" sections. Additionally, Kings County Housing Authority provides newsletters and reports about the status of its programs and residents for current and future participants.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

KINGS COUNTY HOUSING AUTHORITY is not designated as “troubled.”

Discussion

N/A

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Describe the jurisdiction’s one-year goals and actions for reducing and ending homelessness including

Introduction

The City of Hanford (City) is closely involved with the Kings/Tulare Homeless Alliance (Alliance), which serves as the local Continuum of Care on Homelessness (CoC). The City’s programs, designed to help homeless persons, are coordinated with the Alliance when possible.

There are several ongoing efforts that the City and Alliance are involved in as collaborative partners, including:

- Monthly Alliance Membership Meetings
- Kings Task Force on Homelessness
- Emergency Shelter/Bridge Housing Project
- Local Initiatives Navigation Center (LINC)

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs.

This section describes the City's one-year goals and the specific action steps it will undertake in the program year to carry out the homeless strategy outlined in the SP-60 Homelessness Strategy. The City will partner with Kings Tulare Homeless Alliance and Kings Community Action Organization (KCAO) to accomplish one-year goals objectives. It will also describe the jurisdiction's one-year goals and specify the activities it will undertake to serve the housing and supportive services needs of non-homeless populations who require supportive housing. The City will fund its Emergency Repair programs to assist non-homeless people who require supportive housing.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City of Hanford supports and collaborates with local service providers to assist

homeless individuals and families through the Alliance.

The Alliance has implemented *Every Door Open*, a coordinated entry and assessment system serving Kings/Tulare counties. This system assists individuals and families at risk of or experiencing homelessness within the region. Clients seeking assistance can access the system through any provider. Upon submittal and completion of the Kings/Tulare Housing Assistance application, staff/case managers complete a needs assessment to determine the appropriate level of services within 72 hours. Using the Needs Assessment tool, each applicant is evaluated on various criteria, including rental history, criminal history, domestic violence, mental health challenges, disabling conditions, language barriers, educational attainment, employment status, and length of homelessness. Services are then assigned based on the client-level determination. The coordinated intake and assessment system are a best practice for prioritizing homeless and most vulnerable people, including people who are chronically homeless, families with children, veterans, and unaccompanied youth.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

All programs within the Homeless Alliance — emergency, transitional and permanent housing— include supportive services for their clients. Each program designs and implements supportive services based on its target population and partnerships leveraged within the community. The supportive services' overarching goal is to link individuals and/or families with mainstream benefits and income support, education, employment services, and health and life skills services. These linkages are a critical component in assisting clients in self-sufficiency, reducing episodes of homelessness, and preventing recidivism. Programs that serve these vulnerable subpopulations include:

- Champions, Cornerstone, KCAO, and Kings County Behavioral Health— PSH programs for chronically homeless individuals and families and/or families with children.
- Westcare— Rapid Re-housing and Homeless Prevention for veterans and their families through the SSVF program.
- Aspiranet— Transitional housing program for youth ages 18-24.
- The Salvation Army— Rapid Re-housing and Homeless Prevention services for homeless individuals and families.

•

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care, and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

One of the primary goals for the Homeless Alliance and the City of Hanford is increasing access to housing for chronically homeless individuals and families, veterans, persons with disabilities, and youth. Obtaining permanent housing for these individuals and families will shorten the length of time spent in emergency shelters and/or transitional housing.

The City of Hanford will continue to facilitate new permanent-housing beds by partnering with the Alliance to provide leadership and technical assistance to agencies interested in developing homeless housing units. This will be accomplished by partnering with existing, under-utilized programs and new programs to promote set-aside units for these target populations.

The supportive services' overarching goal is to link individuals and/or families with mainstream benefits and income support, education, employment services, and health and life skills services. These linkages are a critical component to assisting clients in self-sufficiency, reducing episodes of homelessness,

Discussion

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

The City's 2016 Housing Element includes an analysis of potential and actual governmental constraints on the maintenance, improvement, or development of housing for all income levels, including land-use controls, building codes and their enforcement, site improvements, fees, and other exactions required of developers, and local processing and permits procedures.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Providing affordable housing and the support of existing and new affordable housing are critical to assuring that all households have access to quality housing. The City of Hanford is committed to removing or reducing barriers to affordable housing, producing a diversity of housing types. It has adequate land to support the projected housing needs of lower-income households.

According to the City's 2016 Housing Element, market factors and government regulations can significantly impact the cost of new housing. Although market factors are largely beyond the influence of local governments, Kings County jurisdictions can continue to implement responsive programs to mitigate the impact of market conditions and governmental regulations.

GOAL 3. Remove or mitigate, to the extent feasible and appropriate, potential governmental constraints to the production, maintenance, improvement, and affordability of housing.

Policy 3.1. Offer regulatory and/or financial incentives, as available and appropriate, to encourage quality housing construction.

Policy 3.2. Periodically review local ordinances and building regulations to ensure that they do not unduly impede housing investment.

Policy 3.3. Utilize planned developments and other creative mechanisms to facilitate the construction of more innovative, well-designed housing projects.

Policy 3.4. Ensure that developments are processed efficiently to minimize holding costs and comply with the Permit Streamlining Act.

Discussion:

Providing affordable housing opportunities and maintaining Hanford's existing housing stock are high priorities in Hanford. The City's strategies to remove barriers to affordable housing include the following:

First Time Home Buyers Assistance Program- Hanford's First Time Home Buyers Assistance Program is used to help low-income households purchase their first homes by providing government assistance with down payments, gap financing, and/or closing costs on their home. This is one approach to alleviate the number of residents needing affordable housing rental units, allowing them to have a place to call home. The City of Hanford plans to continue this program with past entitlement and prior PI funds next year. Additionally, the City has been awarded HOME grants funds and HOME PI funds.

Governmental barriers to producing housing are minimal; land use regulations, expedited permit processing, and low development fees push for the construction of lower-cost housing units compared to other Central Valley Communities. A further discussion can be read below:

- Residential Density – Hanford allows up to 30 dwelling units per acre residential densities.
- Zoning and Parking Standards - These standards are not highly stringent, so the minimum single-family lot size is enough to persuade developers to build single-family units for LMI first time home buyers. The majority of residential zones allow for alternative housing types such as mobile homes, group homes, and secondary dwelling units.

AP-85 Other Actions – 91.220(k)

Introduction:

This section will describe the City's planned actions to carry out the following strategies outlined in the Consolidated Plan:

- Foster and maintain affordable housing;
- Evaluate and reduce lead-based paint hazards;
- Reduce the number of poverty-level families;
- Develop institutional structure; and
- Enhance coordination.

In addition, the City will identify obstacles to meeting underserved needs and propose actions to overcome those obstacles.

Actions planned to address obstacles to meeting underserved needs

The City's strategies to address obstacles to meeting underserved needs include, but are not limited to, providing information and/or education about the City's programs to the public through forums, workshops, and a continued partnership with nonprofit agencies that provide services to the underserved population; and to leverage their programs and/or projects with CDBG funding to the greatest extent possible.

Actions planned to foster and maintain affordable housing

Providing affordable housing opportunities and maintaining Hanford's existing housing stock are high priorities in Hanford. The City's strategies to promote and sustain affordable housing include:

- Implementing a first-time homebuyer program to assist low- to moderate-income persons with financing to ensure their housing costs are within their affordability range.
- Implementing an owner-occupied rehabilitation program to assist low-income homeowners in preserving their homes.
- Implement ongoing code enforcement services.
- Continuing to support applications to HCD for rental new construction projects that target low-to-moderate income families.

Actions planned to reduce lead-based paint hazards

The City's strategies to reduce the presence of lead-based paint include:

- Implementing the lead-based paint regulations of 24 CFR Part 92 in all federally

assisted City housing programs.

- Enforcing federal laws through the permit process and code enforcement services requires contractors to be certified (if they are doing work that disturbs paint surfaces).
- Providing *Renovate-Right* pamphlets to homeowners, homebuyers, and contractors.
- Offering housing-rehabilitation loans and/or grants to qualifying households to remove/remedy lead-based paint.
- Refer individuals possibly affected by lead-based paint to their doctors or the Kings County Health Department nurse.

Actions planned to reduce the number of poverty-level families

The City will continue its efforts to improve the quality of housing in Hanford, promote safe, decent accommodation for Hanford residents, and support public-services agencies targeting poverty-level families.

The City's strategies are as follows:

- Continue to partner with KCAO, Kings-Tulare Continuum of Care, and other agencies providing services to homeless and low-income persons that do not have access otherwise. Funding has been allocated in this Action Plan for homeless prevention services.
- Continue to promote new construction rental activities targeted at lower-income households.
- Continue to fund revitalization programs, such as housing rehabilitation and emergency-repair programs, improving housing conditions for low- to moderate-income homeowners that could not afford to finance the repairs otherwise.
- The Community Development Department Housing staff will administer the CDBG funded Micro Enterprise Small Business Assistance Program, which includes CDBG CARES Act (CDBG-CV) funding to help for-profit and non-profit businesses in response to the impacts of COVID-19 and provide operational support to non-profits.
- The City will continue to work closely with and support the community service providers in meeting the special needs of its homeless and low- and moderate-income populations. Further, the City will continue to evaluate its delivery system and those of the agencies it works with to see if improvements can be made.
- The City anticipates that at least twelve (12) households will qualify for the purchase of a home under the City's First Time Low-Income Homebuyer Program funded with HOME or CalHome funds

Actions planned to develop an institutional structure

The primary gap in the institutional structure and service delivery system is the lack of funding to meet all service needs of the special-needs and homeless population. The strategy to address these needs has been an aggressive push to acquire additional resources. The City will continue pursuing other state and federal funding to close the existing gap.

Actions planned to enhance coordination between public and private housing and social service agencies

The City of Hanford maintains a list of the area public- and private-housing, social services agencies and will include these agencies in developing the Consolidated and Action Plans, notifying them of funding through the City's public-services NOFA.

Discussion:

See sections above.

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

Projects planned with all CDBG funds expected to be available during the year are identified in the Table. The following identifies program income that is available for use included in projects to be carried out.

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(l)(1)

1. The total amount of program income that will have been received before the start of the following program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate-income. Overall Benefit - A consecutive period of one, two, or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate-income. Specify the years covered that include this Annual Action Plan.	100.00%

Attachments

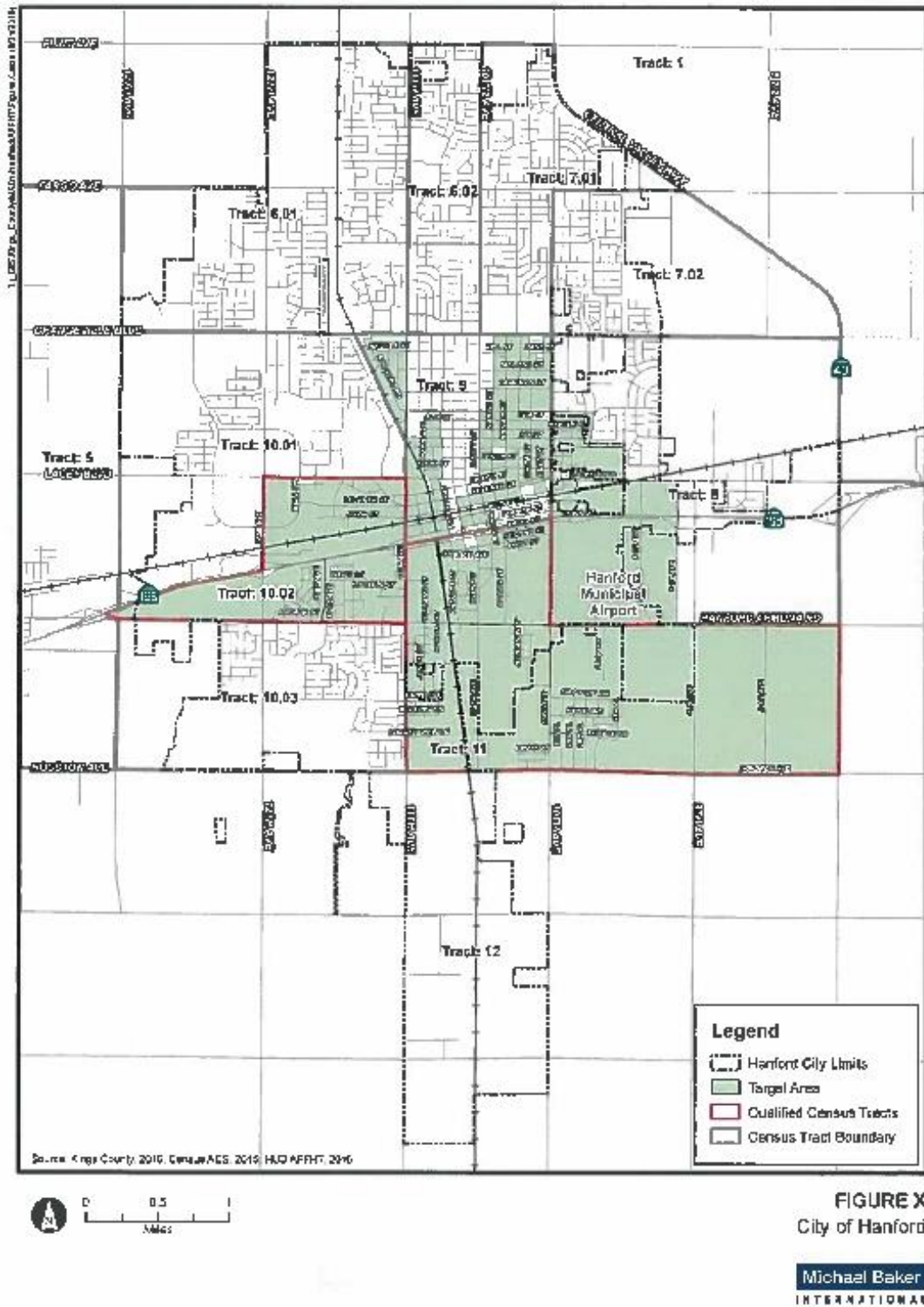
Citizen Participation Comments

Public comments received will be summarized in the final document.

No comments were received.

CDBG MAPS

Attachment: ACTION PLAN 22-23 DRAFT.v1 (CDBG Annual Acton Plan 2022-2023)



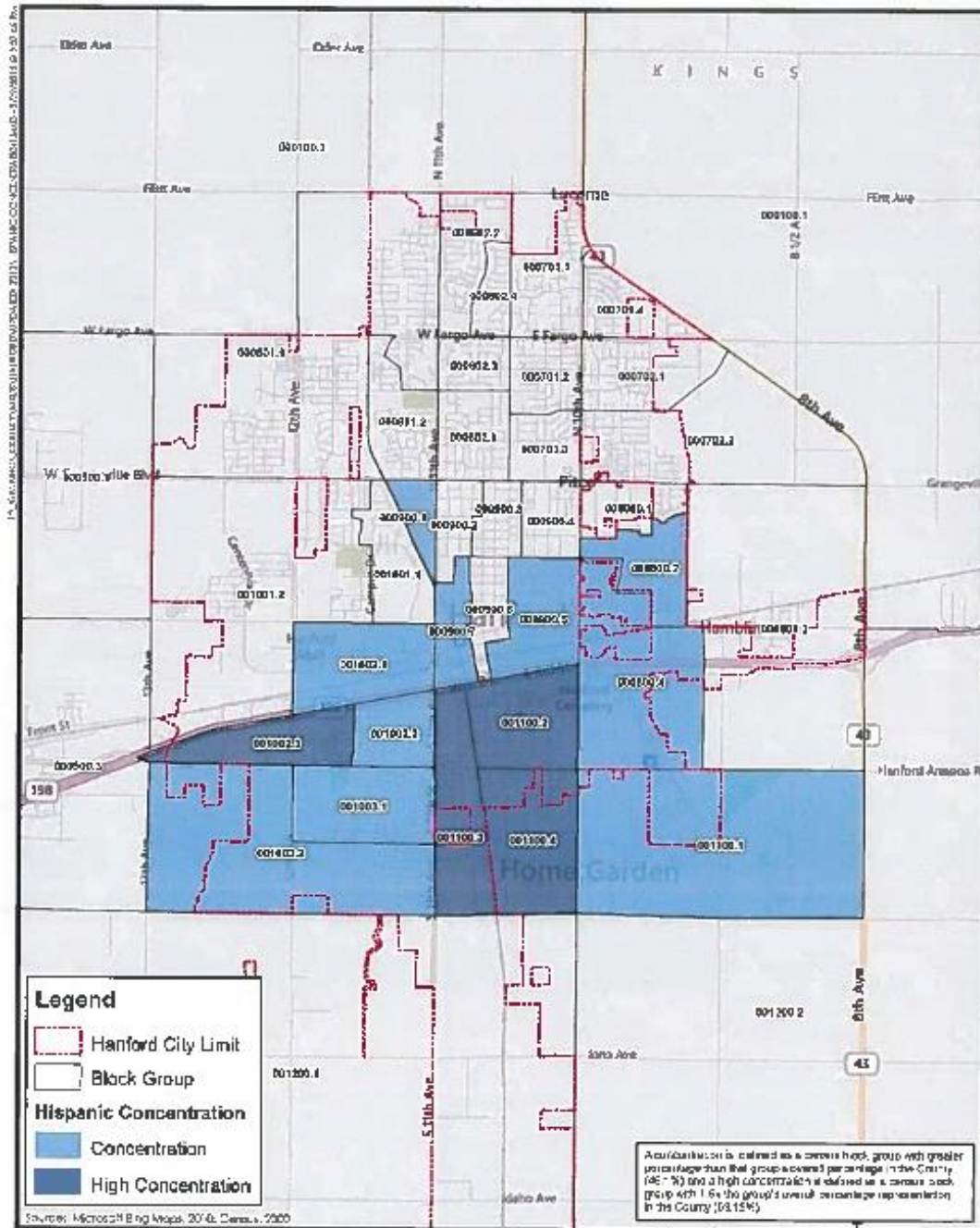


Figure 2
Hispanic Concentration



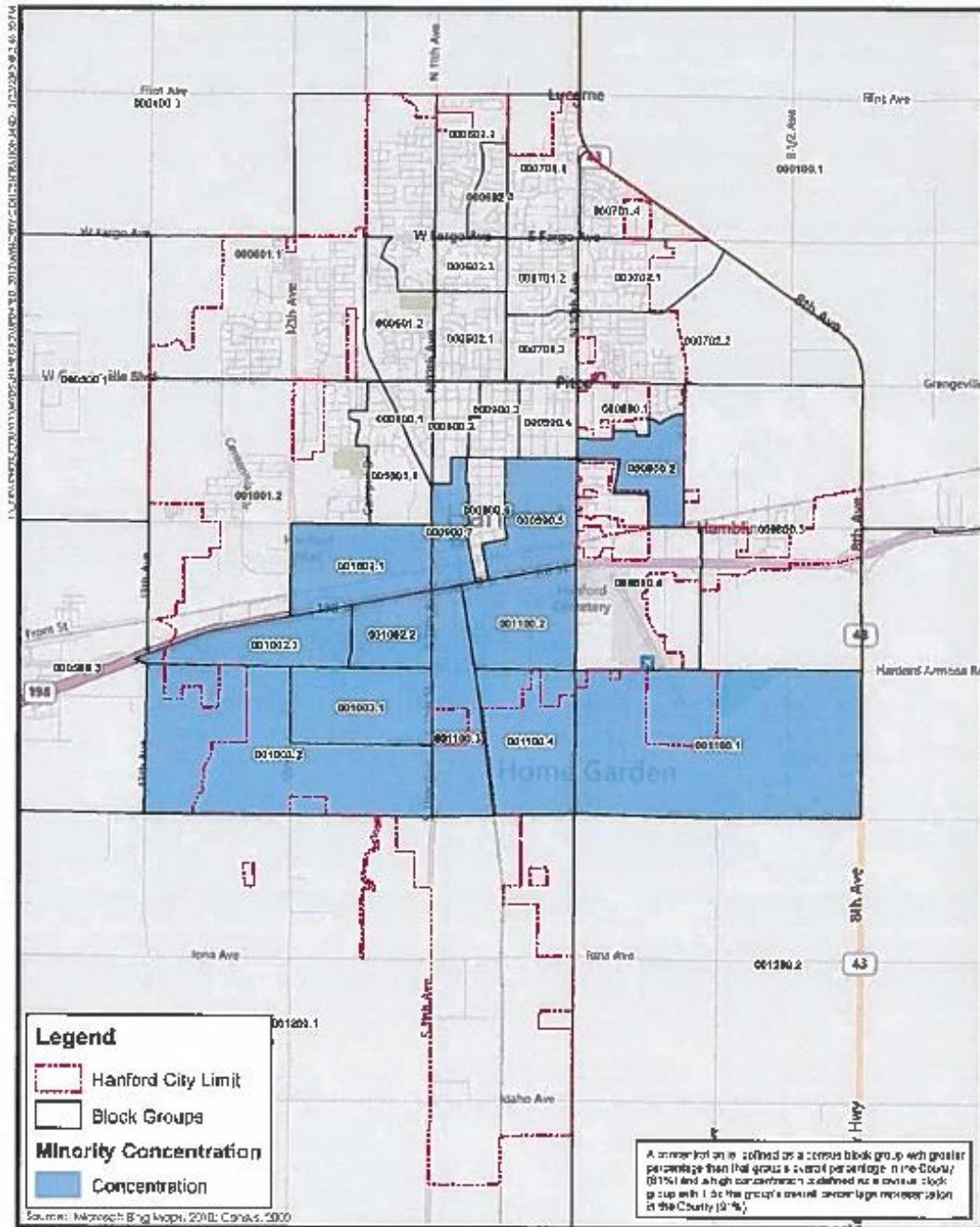


Figure 1
Minority Concentration



Grantee SF-424 and Certification(s)

To be included in the final document

Attachment: ACTION PLAN 22-23 DRAFT.v1 (CDBG Annual Acton Plan 2022-2023)



AGENDA STAFF REPORT

MEETING DATE: 5/3/2022	AGENDA SECTION: B
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SUBJECT:

Community Development: Roadway Abandonment No. 2021-01: Adoption of Resolution No. 22-18-R approving the vacation and abandonment of approximately 7,995 square feet of right-of-way and Order of the City Council of the City of Hanford to abandon approximately 7,994 square feet of right-of-way, an alley (“China Alley,” portion) located south of East Eighth Street between North Harris and North Brown Streets.

See staff report, attached.

FISCAL IMPACT:

ATTACHMENTS:

RA 2021-01_Staff Report

RA 2021-01_Resolution 22-18-R

RA 2021-01_Staff Report_Attachment 1

RA 2021-01_Notice of Exemption No. 2022-15

CITY OF HANFORD CITY COUNCIL STAFF REPORT

MEETING DATE: Tuesday, May 3, 2022

PROJECT: Roadway Abandonment No. 2021-01: Order of the City Council of the City of Hanford to abandon approximately 7,994 square feet of right-of-way, an alley ("China Alley," portion) located south of East Eighth Street between North Harris and North Brown Streets.

STAFF RECOMMENDATION

Staff recommends that the City Council of the City of Hanford adopt Resolution No. 22-18-R approving the vacation and abandonment of approximately 7,995 square feet of right-of-way, an alley ("China Alley," portion).

RECOMMENDED MOTION

1. I move to adopt Resolution No. 22-18-R.

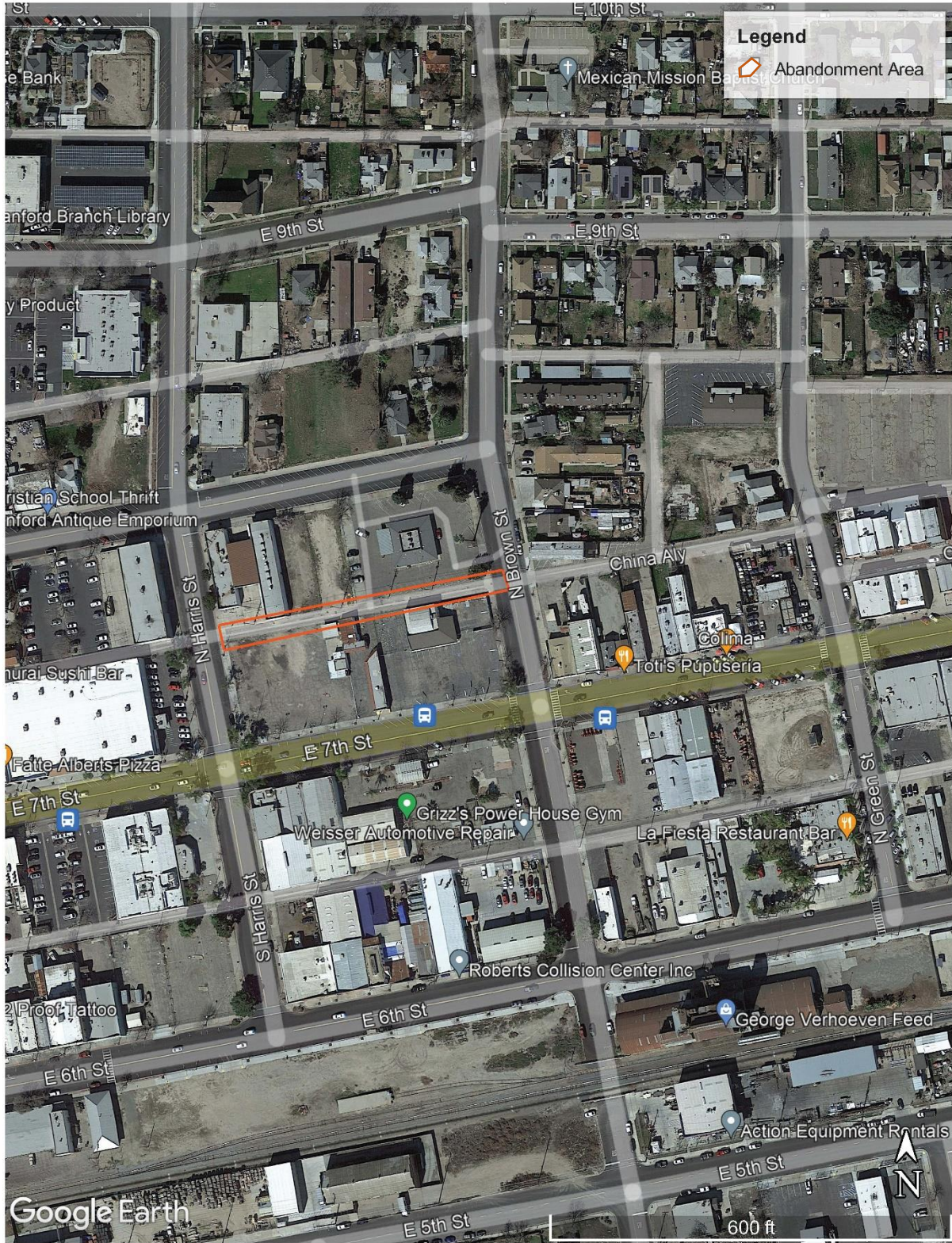
PROJECT DESCRIPTION

Roadway Abandonment No. 2021-01 is a request by CM Construction Services to abandon approximately 7,994 square feet of right-of-way ("China Alley," portion) to allow a parking lot and landscaping for the future Kings Area Regional Transit facility as shown in **Figure 1** and **Figure 2** below and described in **Exhibit A** and **Exhibit B** in Resolution No. 22-18-R. The surrounding properties are owned by the Kings County Area Public Transit Agency.

PROJECT BACKGROUND

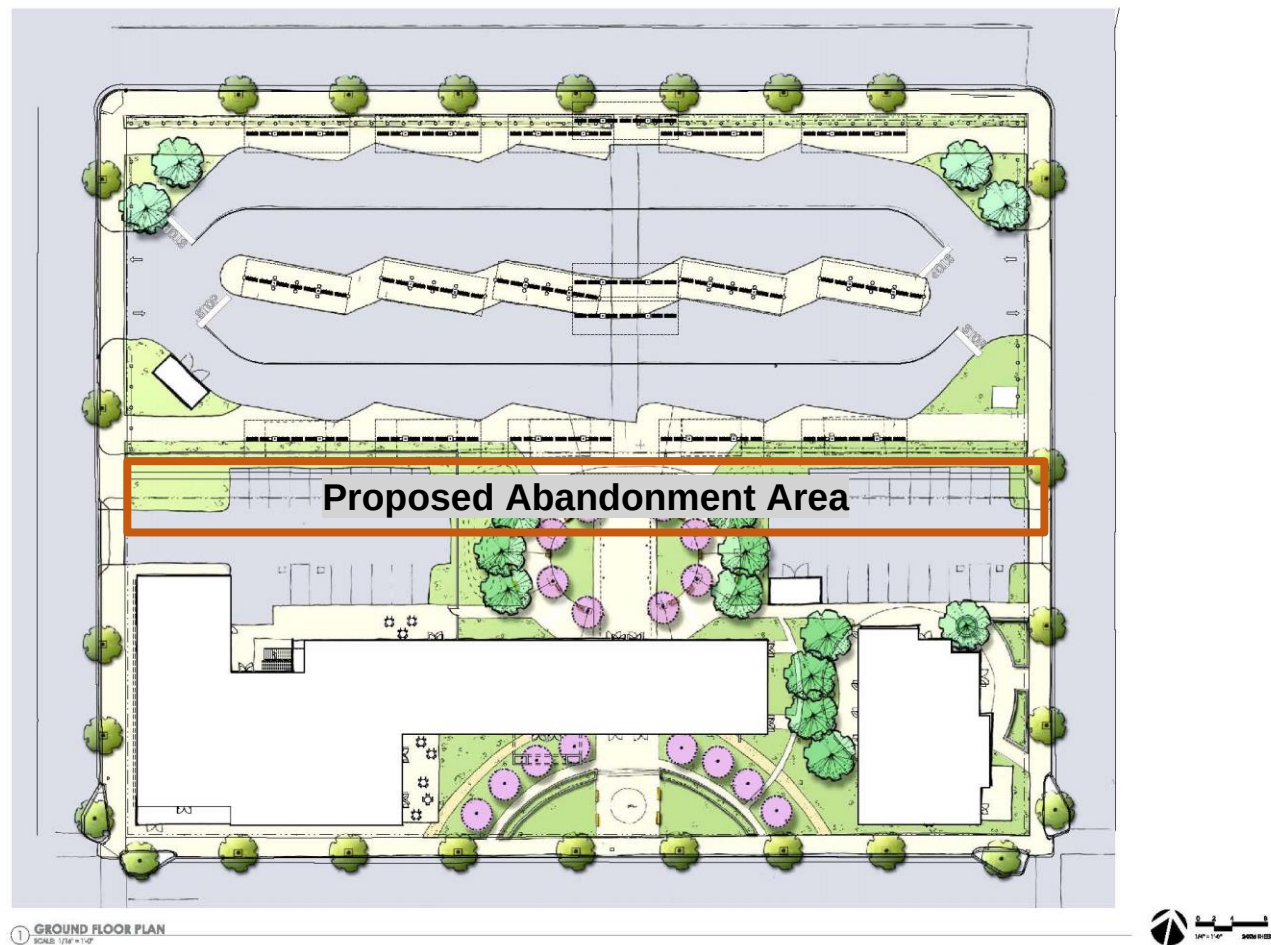
On March 22, 2022, the Hanford Planning Commission reviewed the proposed abandonment for consistency with the Hanford General Plan in accordance with California Government Code Section 65402 pertaining to Conservation and Planning which states, in part, the following: "If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, **no street shall be vacated or abandoned**, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, **until** the location, purpose and extent of such acquisition or disposition, **such street vacation or abandonment**, or such public building or structure **have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof.**" (emphasis added)

**Figure 1:
Proposed Alley Abandonment Area**



Attachment: RA 2021-01_Staff Report (CD: RA 2021-01 KART)

Figure 2:
Proposed KART Facility



The Hanford General Plan Circulation Element requires circulation on North Harris Street, and East Seventh Street as collectors and North Brown Street and East Eighth Street as local streets. The proposed roadway abandonment would not limit circulation on these adjacent roadways. The proposed abandonment was therefore determined by the Planning Commission to be consistent with the Hanford General Plan with the adoption of Planning Commission Resolution No. 2022-05 based on the following finding:

1. The proposed roadway abandonment would not limit circulation on the adjacent roadways, and therefore is not in conflict with any portion of the Hanford General Plan, including the Circulation Element.

An additional finding by the Hanford Planning Commission was required because abandoning the right-of-way creates an ambiguity of the zoning of the area to be abandoned. Section 17.06.050.D, of the Hanford Municipal Code (HMC) states that zoning interpretations may be made by the Planning Commission when such an ambiguity exists. As stated in HMC Section 17.06.050.D, zoning is generally expected to follow a street, alley, or rail right of way or parcel lines and will go to the center line of such street, alley, or rail right of way. In accordance with HMC Section 17.06.050.D, the Hanford Planning Commission determined that the area of abandonment shall be planned and zoned the same as the adjacent property which is Downtown Mixed Use or MX-D. The determination of the Hanford Planning Commission was based on the following findings:

1. That the zoning boundary lines were established to follow the public street adjacent to the property that was the previous China Alley (portion), which is to be abandoned.
2. That the abandonment of China Alley (portion) creates an ambiguity in the zoning boundary lines.
3. That the Planning Commission determines that the zoning boundary line shall follow the new street right of way, in accordance with Section 17.06.050, which states that it shall go to the centerline of the street.
4. That the areas to be added to the adjoining parcel(s) be designated as Downtown Mixed Use in the General Plan and MX – D on the Zoning Map.

On March 22, 2022, the Hanford Planning Commission adopted Resolution No. 2022-05, recommending that the Hanford City Council adopt a Finding of Conformity with the Hanford General Plan and adopt a Finding of Ambiguity clarification pertaining to the land use and zoning on the abandoned property, subject to the following conditions:

1. Retainment of a twenty (20)-foot, non-exclusive public utility easement in, upon, over, and across the alley proposed to be abandoned.
2. Access shall be provided to within 150 feet to all portions of a structure from approved access roadway. California Fire Code 503.1.1
3. If abandoned portion of alley is to be fenced, the City of Hanford will be provided Knox boxes for Fire Department and keys for Public Works Department for maintenance of utilities within alley.

4. No structures shall be allowed to be built over the abandoned alley.

PROCEDURE FOR ROAD ABANDONMENT

The California Streets and Highways Code governs the procedure for road and alley way abandonment. The procedure requires that a "Notice of Intent to Abandon" is adopted by the City Council prior to holding a public hearing to abandon the street. The City Council may then set a public hearing and publish a "Notice of Intent to Abandon" the street right of way. **Resolution No. 22-15-R was adopted by the Hanford City Council on April 5, 2022, approving the Notice of Intent to Abandon, and setting the public hearing to abandon the street for May 3, 2022. The Notice of Intent to Abandon was published in the Hanford Sentinel for two (2) successive weeks on April 15, and 22, 2022, as well as posted on the area to be abandoned. Concurrently, staff notified by mail all property owners within 300 feet of the abandonment.**

The purpose of the Planning Commission review is to determine whether or not the right-of-way abandonment proposal is consistent with the Hanford General Plan. If the requested abandonment is deemed to be consistent with the Hanford General Plan, the Planning Commission may recommend approval of the abandonment to the City Council. **As previously mentioned, Resolution No. 2022-05 was adopted by the Hanford Planning Commission on March 22, 2022, recommending that the Hanford City Council adopt a Finding of Conformity with the Hanford General Plan and adopt a Finding of Ambiguity Clarification pertaining to the land use and zoning of the abandonment area, subject to the following conditions:**

1. Retainment of a twenty (20)-foot, non-exclusive public utility easement in, upon, over, and across the alley proposed to be abandoned.
2. Access shall be provided to within 150 feet to all portions of a structure from approved access roadway. California Fire Code 503.1.1
3. If abandoned portion of alley is to be fenced, the City of Hanford will be provided Knox boxes for Fire Department and keys for Public Works Department for maintenance of utilities within alley.
4. No structures shall be allowed to be built over the abandoned alley.

NOTIFICATION

On January 3, 2022 (recirculated February 7, 2022), planning staff notified all utility companies that may be affected by the proposed roadway abandonment. A fourteen (14) day response time for the utility companies was allowed. A response was received by Southern California Gas Company (dated February 12, 2022) that requested a permanent easement be reserved and excepted from this vacation: "Reserving for Southern California Gas Company, a non-exclusive easement to excavate for, lay, construct, reconstruct, relocate, reconfigure, use, inspect, maintain, operate, repair, replace, patrol, change the size of, add to, or remove from time to time, as Grantee deems necessary, one or more pipelines and conduits, together with devices for metering, measuring, regulating, cathodic protection, communications and other appurtenances in, upon, over, and across the street or highway proposed to be vacated." The response letter is attached as **Attachment 1**.

On March 25, 2022, adjoining property owners within 300 feet of the abandonment area were notified of the April 5, 2022, Hanford City Council hearing date to declare intention to abandon the roadway. No responses were received.

On April 15, 2022, the Notice of Intent to Abandon was published in the Hanford Sentinel for two (2) successive weeks on April 15 and 22, 2022. Concurrently, public notices to adjoining property owners within 300 feet were mailed and the Notice of Intent to Abandon was posted on the area to be abandoned.

FINDINGS FOR APPROVAL

That Roadway Abandonment No. 2021-01 was noticed properly, in accordance with the California Streets and Highway Code. Planning staff noticed public and private agencies, as well as utility companies that may be affected, of the proposed roadway abandonment. On April 5, 2022, the Hanford City Council adopted a resolution to set the date of the public hearing for the abandonment of the right-of-way as May 3, 2022. Notice was published in the newspaper and on the property in accordance with state codes and was mailed to adjacent property owners.

ENVIRONMENTAL ASSESSMENT

This project is categorically exempt from further environmental review, as per Section 15305/Class 5 of the California Environmental Quality Act (CEQA) Guidelines. There are no exceptions to this exemption, as per Section 15300.2 Exceptions of the California Environmental Quality Act (CEQA) Guidelines. A Notice of Exemption has been prepared and is attached as **Attachment 2**.

ATTACHMENTS

Resolution

Exhibit A – Legal Description

Exhibit B – Abandonment Map

Attachment 1. Response Letter from Southern California Gas Company

Attachment 2. CEQA Notice of Exemption

Recording Requested By:
City of Hanford

When Recorded Return To:
 City of Hanford
 Attn: City Clerk
 319 N. Douty Street
 Hanford, CA 93230

RESOLUTION 22-18-R

ORDER OF THE CITY COUNCIL OF THE CITY OF HANFORD VACATING AND ABANDONING APPROXIMATELY 7,994 SQUARE FEET OF RIGHT OF WAY, AN ALLEY (“CHINA ALLEY,” PORTION) LOCATED SOUTH OF EAST EIGHTH STREET BETWEEN NORTH HARRIS AND NORTH BROWN STREETS

WHEREAS, the Planning Commission of Hanford did on March 22, 2022, at a regular meeting of said Commission, adopt Resolution No. 2022-05, recommending that the Hanford City Council adopt a Finding of Conformity with the Hanford General Plan and adopt a Finding of Ambiguity clarification pertaining to the land use and zoning on the abandoned property, subject to the following conditions:

1. Retainment of a twenty (20)-foot, non-exclusive public utility easement in, upon, over, and across the alley proposed to be abandoned.
2. Access shall be provided to within 150 feet to all portions of a structure from approved access roadway. California Fire Code 503.1.1
3. If abandoned portion of alley is to be fenced, the City of Hanford will be provided Knox boxes for Fire Department and keys for Public Works Department for maintenance of utilities within alley.
4. No structures shall be allowed to be built over the abandoned alley.

WHEREAS, the City Council of Hanford did on April 5, 2022, at a regular meeting of said Council motion to declare the intention of the City Council to vacate and abandon approximately 7,994 square feet of public right-of-way, an alley (“China Alley,” portion) located south of East Eighth Street between North Harris and North Brown Streets in the city of Hanford and hereinafter described, and

WHEREAS, notices of said proposed public street abandonment having been posted upon said property on April 18, 2022 in accordance with Section 8320 of Streets and Highway Code of the State of California, and publication of notice of said Intention and of the time and place of the public hearing set therein having been published on April 15, 2022 in the manner prescribed by law for publishing resolution of the City of Hanford pursuant to Section 8320 of the Streets and Highway Code of the State of California, and

WHEREAS, on the 3rd day of May 2022, the City Council of the City of Hanford, after notice given by said posting and publishing as provided by law, held a public hearing and received

Attachment: RA 2021-01_Resolution 22-18-R (CD: RA 2021-01 KART)

evidence on the proposed vacation and abandonment, and the said City Council of the City of Hanford having found from all the evidence submitted that the portion of the public street described in said Resolution of Intention are unnecessary for present or future public street purposes, and should be vacated and abandoned.

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

All of the 20.00-foot-wide alley, in Block 133 of the City of Hanford according to the Official Map thereof recorded in Volume 1, at Page 35 of Maps, Tulare County Records, situated in the North half of Section 36, Township 18 South, Range 21 East, Mount Diablo Base and Meridian, in the City of Hanford, County of Kings, State of California.

Reserving therefrom a Nonexclusive Public Utility Easement.

Containing 7,994 Square Feet, More Or Less.

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

ORDERED at a regular meeting of the City Council of the City of Hanford, duly called and held on the 3rd day of May 2022, by the following vote:

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Council of the City of Hanford at a regular meeting thereof held on May 3, 2022, by the following vote:

AYES: COUNCIL MEMBER_____

NOES: COUNCIL MEMBER_____

ABSTAIN: COUNCIL MEMBER_____

ABSENT: COUNCIL MEMBER_____

STATE OF CALIFORNIA)

COUNTY OF KINGS)ss.

CITY OF HANFORD)

Attachment: RA 2021-01 Resolution 22-18-R (CD: RA 2021-01 KART)

I, NATALIE CORRAL, City Clerk of the City of Hanford, do hereby certify the foregoing resolution was duly passed at a regular meeting of the City Council of the City of Hanford on the 3rd day of May 2022.

Date: _____

APPROVED: _____

KALISH MORROW

MAYOR of the City of Hanford

ATTEST: _____

NATALIE CORRAL

CITY CLERK

Attachment: RA 2021-01_Resolution 22-18-R (CD: RA 2021-01 KART)

EXHIBIT 'A'**City of Hanford Block 133 Alley Abandonment**

Lane Engineers, Inc. Job No. 21306
November 11, 2021

LEGAL DESCRIPTION:

All of the 20.00 foot wide alley, in Block 133 of the City of Hanford according to the Official Map thereof recorded in Volume 1, at Page 35 of Maps, Tulare County Records, situated in the North half of Section 36, Township 18 South, Range 21 East, Mount Diablo Base and Meridian, in the City of Hanford, County of Kings, State of California.

Reserving therefrom a Nonexclusive Public Utility Easement.

CONTAINING 7,994 SQUARE FEET, MORE OR LESS.

SEE EXHIBIT 'B' ATTACHED HERETO.



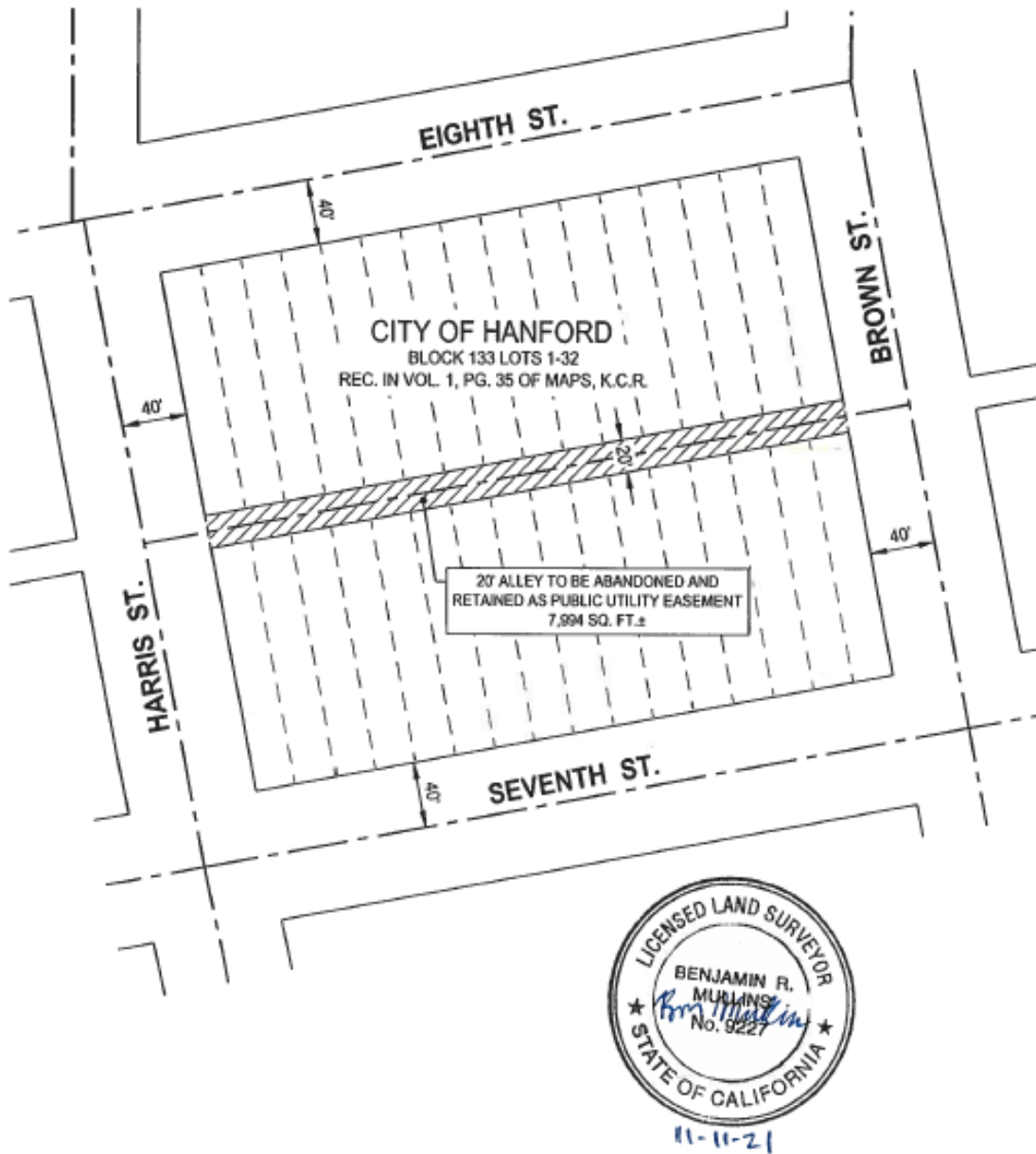
11-11-21

Attachment: RA 2021-01 Resolution 22-18-R (CD: RA 2021-01 KART)

EXHIBIT B

SCALE: 1" = 100'

CITY OF HANFORD BLOCK 133 ALLEY ABANDONMENT





Nathaniel McDuffie
Pipeline Planning Asst.

Southern California Gas Company
404 N. Tipton St.
M.L. 9390
Visalia, CA 93292

NMcDuffie@socalgas.com

02-12-22

City of Hanford
Attn: Bonique Emerson, Planner

Subject: Proposed Street Vacation – “China Alley” located south of East Eighth Street between North Harris Street and North Brown Street

Resolution No. 2021-01; Hearing Date 02-21-2022

We have received notice of the resolution of intention to vacate the above-named street(s) pursuant to California Streets and Highways Code Section 8320.

Southern California Gas Company maintains gas piping facilities within the area of this proposed street vacation, which facilities provide essential service to our customers. A location print is enclosed for your reference.

Pursuant to Section 8340(c) of the California Streets and Highways Codes we request that a permanent easement be reserved and excepted from this vacation: “Reserving for Southern California Gas Company, a non-exclusive easement to excavate for, lay, construct, reconstruct, relocate, reconfigure, use, inspect, maintain, operate, repair, replace, patrol, change the size of, add to, or remove from time to time, as Grantee deems necessary, one or more pipelines and conduits, together with devices for metering, measuring, regulating, cathodic protection, communications and other appurtenances in, upon, over, and across the street or highway proposed to be vacated.”

When the resolution and/or ordinance have been recorded, please send a copy to us so that we may update our records and mapping.

Thank you for bringing this matter to our attention. Should you have any questions or require additional information, please contact our Right of Way desk at NMcDuffie@socalgas.com

Sincerely,

Nathaniel McDuffie
Distribution Planning Department

Attachment: RA 2021-01_Staff Report_Attachment 1 (CD: RA 2021-01 KART)

Notice of Exemption 2022-15

To: ☐ Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

☒ County Clerk
County of Kings
Kings County Government Center
Hanford, CA 93230

From: City of Hanford
317 North Douty Street
Hanford, CA 93230

Project Title: Roadway Abandonment No. 2021-01

Project Location –
South of East Eighth Street between
North Harris and North Brown Streets (“China Alley”)

Project Location – City: Hanford **Project Location – County:** Kings County

Description of Nature, Purpose and Beneficiaries of Project: Roadway Abandonment No. 2021-01 is a request by CM Construction Services to abandon approximately 7,994 square feet of right-of-way (“China Alley,” portion) to allow a parking lot and landscaping for the future Kings Area Regional Transit facility located south of East Eighth Street between North Harris and North Brown Streets. The surrounding properties are owned by the Kings County Area Public Transit Agency.

Name of Public Agency Approving Project: City of Hanford, Planning Division

Name of Person or Agency Carrying Out Project: CM Construction Services

Exempt Status: **(check one)**

- ☐ Ministerial (Sec. 21080(b)(1); 152698);
☐ Declared Emergency (Sec. 21080(b)(3); 15269 (a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption: State type and section number: Minor alterations in land use limitations (CEQA Guidelines, Section 15305/Class 5)
☐ Statutory Exemption. State code number:

Reasons why project is exempt:

The City of Hanford determined the project to be exempt from environmental review pursuant to Section 15305 of the California Environmental Quality Act (CEQA) Guidelines. Section 15305 states that Class 5 exemptions consist of projects characterized as minor alterations in land use limitations. This project involves the abandonment of a roadway, an alley, that will not result in the creation of new lots or increased densities.

Lead Agency

Contact Person: Mary E. Beatie Area Code/ Telephone: (559) 585-2590

Signature: _____ Date: _____ Title: Interim Community Development Director

☒ Signed by Lead Agency Date received for filing at OPR: _____
☐ Signed by Applicant

Attachment: RA 2021-01_Notice of Exemption No. 2022-15 (CD: RA 2021-01 KART)



**AGENDA
STAFF REPORT**

MEETING DATE: 5/3/2022	AGENDA SECTION: C
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SUBJECT:

Community Development: Roadway Abandonment No. 2022-01: Adoption of Resolution No. 22-19-R and Order of the City Council of the City of Hanford to abandon approximately 2,252 square feet of right-of-way, an alley ("Civic Center," portion) located south of Center Street between North Irwin and North Douty Streets.

See staff report, attached.

FISCAL IMPACT:

ATTACHMENTS:

RA 2022-01_Staff Report

RA 2022-01_Resolution 22-19-R

RA 2022-01_Notice of Exemption No. 2022-16

CITY OF HANFORD CITY COUNCIL STAFF REPORT

MEETING DATE: Tuesday, May 3, 2022

PROJECT: Roadway Abandonment No. 2022-01: Order of the City Council of the City of Hanford to abandon approximately 2,252 square feet of right-of-way, an alley ("Civic Center," portion) located south of Center Street between North Irwin and North Douty Streets.

STAFF RECOMMENDATION

Staff recommends that the City Council of the City of Hanford adopt Resolution No. 22-19-R approving the vacation and abandonment of approximately 2,252 square feet of right-of-way, an alley ("Civic Center," portion).

RECOMMENDED MOTION

1. I move to adopt Resolution No. 22-19-R.

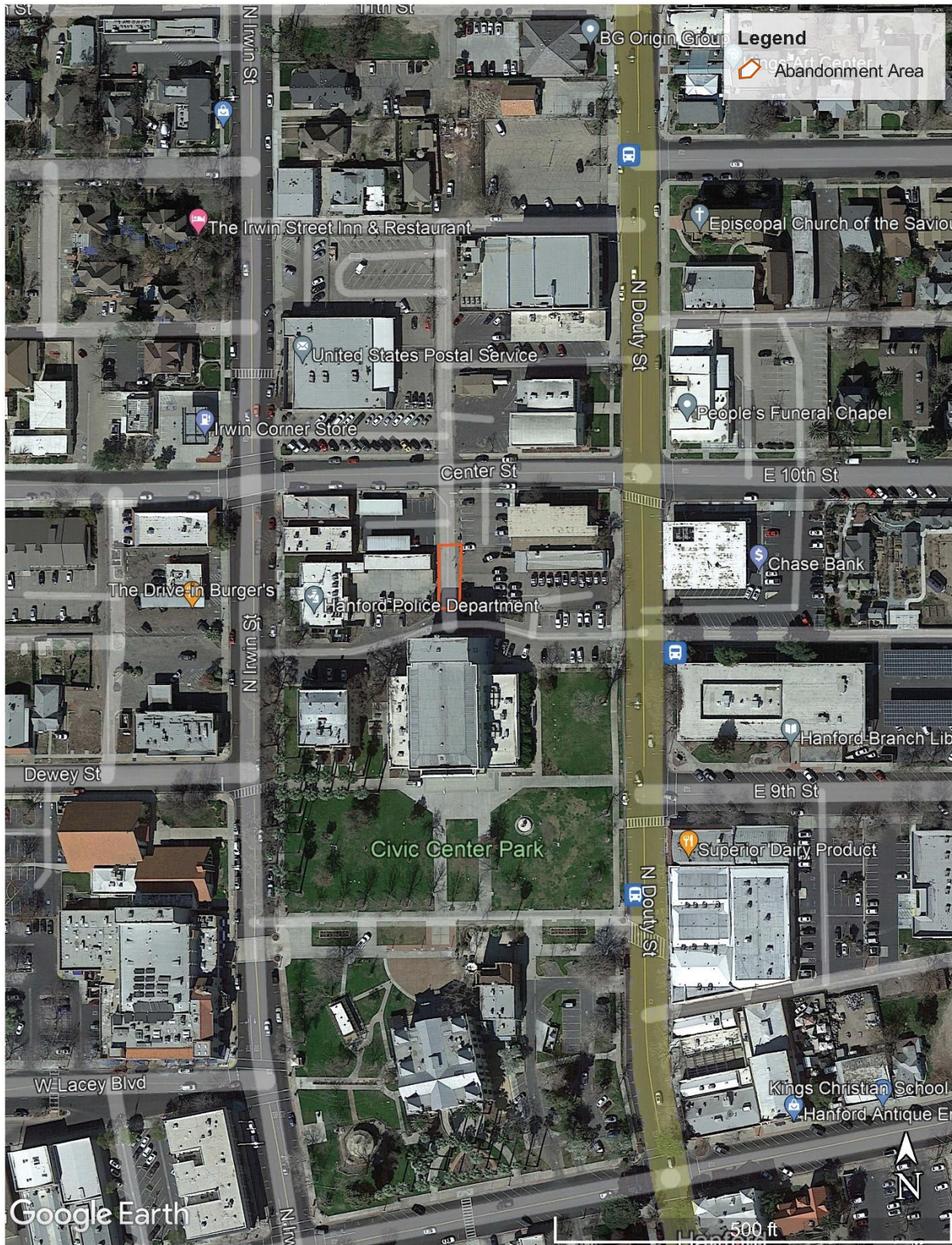
PROJECT DESCRIPTION

Roadway Abandonment No. 2022-01 is a request by the City of Hanford to abandon approximately 2,252 square feet of right-of-way ("Civic Center," portion) to allow a secured parking lot and storage for police vehicles as shown in **Figure 1** and **Figure 2** below and described in **Exhibit A** and **Exhibit B** in Resolution 22-19-R. The surrounding properties are owned by the City of Hanford, with the exception of one (1) parcel, which is an optometry office in the southeast corner of North Irwin and Center Streets (APN: 010-234-023).

PROJECT BACKGROUND

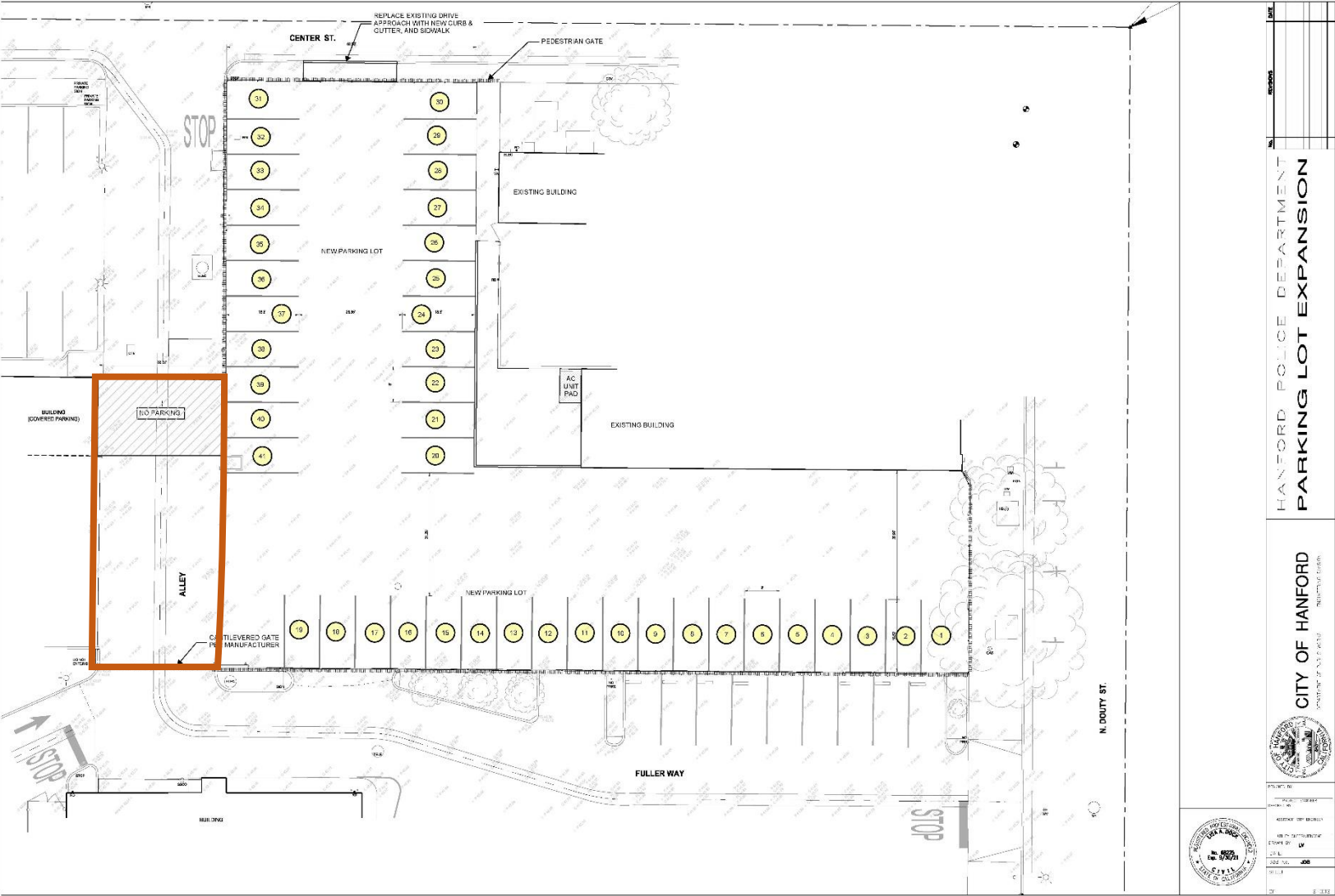
On March 22, 2022, the Hanford Planning Commission reviewed the proposed abandonment for consistency with the Hanford General Plan in accordance with California Government Code Section 65402 pertaining to Conservation and Planning which states, in part, the following: "If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, **no street shall be vacated or abandoned**, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, **until** the location, purpose and extent of such acquisition or disposition, **such street vacation or abandonment**, or such public building or structure **have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof.**" (emphasis added)

**Figure 1:
Proposed Alley Abandonment Area**



Attachment: RA 2022-01_Staff Report (CD: RA 2022-01 Police Department)

Figure 2:
Proposed Parking Lot



The Hanford General Plan Circulation Element requires circulation on North Douty and North Irwin Streets as collectors and Center Street as a local street. The proposed roadway abandonment would not limit circulation on these adjacent roadways. The proposed abandonment was therefore determined by the Planning Commission to be consistent with the Hanford General Plan with the adoption of Planning Commission Resolution No. 2022-06 based on the following finding:

1. The proposed roadway abandonment would not limit circulation on the adjacent roadways, and therefore is not in conflict with any portion of the Hanford General Plan, including the Circulation Element.

An additional finding by the Hanford Planning Commission was required because abandoning the right-of-way creates an ambiguity of the zoning of the area to be abandoned. Section 17.06.050.D, of the Hanford Municipal Code (HMC) states that zoning interpretations may be made by the Planning Commission when such an ambiguity exists. As stated in HMC Section 17.06.050.D, zoning is generally expected to follow a street, alley, or rail right of way or parcel lines and will go to the center line of such street, alley, or rail right of way. In accordance with HMC Section 17.06.050.D, the Hanford Planning Commission determined that the area of abandonment shall be planned and zoned the same as the adjacent property which is Downtown Mixed Use or MX-D. The determination of the Hanford Planning Commission was based on the following findings:

1. That the zoning boundary lines were established to follow the public street adjacent to the property that was the previous Civic Center Alley (portion), which is to be abandoned.
2. That the abandonment of Civic Center Alley (portion) creates an ambiguity in the zoning boundary lines.
3. That the Planning Commission determines that the zoning boundary line shall follow the new street right or way, in accordance with Section 17.06.050, which states that it shall go to the centerline of the street.
4. That the areas to be added to the adjoining parcel(s) be designated as Downtown Mixed Use in the General Plan and MX – D on the Zoning Map.

On March 22, 2022, the Hanford Planning Commission adopted Resolution No. 2022-06, recommending that the Hanford City Council adopt a Finding of Conformity with the Hanford General Plan and adopt a Finding of Ambiguity clarification pertaining to the land use and zoning on the abandoned property, subject to the following conditions:

1. Retainment of a ten (10)-foot, non-exclusive public utility easement in, upon, over, and across the alley proposed to be abandoned.
2. If abandoned portion of alley is to be fenced, the City of Hanford will be provided Knox boxes for Fire Department and keys for Public Works Department for maintenance of utilities within alley.
3. No structures shall be allowed to be built over the abandoned alley.

PROCEDURE FOR ROAD ABANDONMENT

The California Streets and Highways Code governs the procedure for road and alley way abandonment. The procedure requires that a "Notice of Intent to Abandon" is adopted by the City Council prior to holding a public hearing to abandon the street. The City Council may then set a public hearing and publish a "Notice of Intent to Abandon" the street right of way. **Resolution No. 22-16-R was adopted by the Hanford City Council on April 5, 2022, approving the Notice of Intent to Abandon, and setting the public hearing to abandon the street for May 3, 2022. The Notice of Intent to Abandon was published in the Hanford Sentinel for two (2) successive weeks on April 15 and 22, 2022, as well as posted on the area to be abandoned. Concurrently, staff notified by mail all property owners within 300 feet of the abandonment.**

The purpose of the Planning Commission review is to determine whether or not the right-of-way abandonment proposal is consistent with the Hanford General Plan. If the requested abandonment is deemed to be consistent with the Hanford General Plan, the Planning Commission may recommend approval of the abandonment to the City Council. **As previously mentioned, Resolution No. 2022-06 was adopted by the Hanford Planning Commission on March 22, 2022, recommending that the Hanford City Council adopt a Finding of Conformity with the Hanford General Plan and adopt a Finding of Ambiguity Clarification pertaining to the land use and zoning of the abandonment area, subject to the following conditions:**

1. Retainment of a ten (10)-foot, non-exclusive public utility easement in, upon, over, and across the alley proposed to be abandoned.
2. If abandoned portion of alley is to be fenced, the City of Hanford will be provided Knox boxes for Fire Department and keys for Public Works Department for maintenance of utilities within alley.
3. No structures shall be allowed to be built over the abandoned alley.

NOTIFICATION

On January 3, 2022 (recirculated February 7, 2022), planning staff notified all utility companies that may be affected by the proposed roadway abandonment. A fourteen (14) day response time for the utility companies was allowed. A response was received by Southern California Gas Company (dated February 11, 2022) noting that the company has no comment and no known facilities listed in said alley.

On March 25, 2022, adjoining property owners within 300 feet of the abandonment area were notified of the April 5, 2022, Hanford City Council hearing date to declare intention to abandon the roadway. No responses were received.

On April 15, 2022, the Notice of Intent to Abandon was published in the Hanford Sentinel for two (2) successive weeks on April 15 and 22, 2022. Concurrently, public notices to adjoining property owners within 300 feet were mailed and the Notice of Intent to Abandon was posted on the area to be abandoned.

FINDINGS FOR APPROVAL

That Roadway Abandonment No. 2022-01 was noticed properly, in accordance with the California Streets and Highway Code. Planning staff noticed public and private agencies, as well as utility companies that may be affected, of the proposed roadway abandonment. On April 5, 2022, the Hanford City Council adopted Resolution No. 22-16-R to set the date of the public hearing for the abandonment of the right-of-way as May 3, 2022. Notice was published in the newspaper and on the property in accordance with state codes and was mailed to adjacent property owners.

ENVIRONMENTAL ASSESSMENT

This project is categorically exempt from further environmental review, as per Section 15305/Class 5 of the California Environmental Quality Act (CEQA) Guidelines. There are no exceptions to this exemption, as per Section 15300.2 Exceptions of the California Environmental Quality Act (CEQA) Guidelines. A Notice of Exemption has been prepared and is attached as **Attachment 1**.

ATTACHMENTS

Resolution

Exhibit A – Legal Description

Exhibit B – Abandonment Map

Attachment 1. CEQA Notice of Exemption

Recording Requested By:
City of Hanford

When Recorded Return To:
 City of Hanford
 Attn: City Clerk
 319 N. Douty Street
 Hanford, CA 93230

RESOLUTION 22-19-R

ORDER OF THE CITY COUNCIL OF THE CITY OF HANFORD VACATING AND ABANDONING APPROXIMATELY 2,252 SQUARE FEET OF RIGHT OF WAY, AN ALLEY ("CIVIC CENTER," PORTION) LOCATED SOUTH OF CENTER STREET BETWEEN NORTH IRWIN AND NORTH DOUTY STREETS

WHEREAS, the Planning Commission of Hanford did on March 22, 2022, at a regular meeting of said Commission, adopt Resolution No. 2022-06, recommending that the Hanford City Council adopt a Finding of Conformity with the Hanford General Plan and adopt a Finding of Ambiguity clarification pertaining to the land use and zoning on the abandoned property, subject to the following conditions:

1. Retainment of a ten (10)-foot, non-exclusive public utility easement in, upon, over, and across the alley proposed to be abandoned.
2. If abandoned portion of alley is to be fenced, the City of Hanford will be provided Knox boxes for Fire Department and keys for Public Works Department for maintenance of utilities within alley.
3. No structures shall be allowed to be built over the abandoned alley.

WHEREAS, the City Council of Hanford did on April 5, 2022, at a regular meeting of said Council motion to declare the intention of the City Council to vacate and abandon approximately 2,252 square feet of public right-of-way, an alley ("Civic Center," portion) located south of Center Street between North Irwin and North Douty Streets in the city of Hanford and hereinafter described, and

WHEREAS, notices of said proposed public street abandonment having been posted upon said property on April 18, 2022 in accordance with Section 8320 of Streets and Highway Code of the State of California, and publication of notice of said Intention and of the time and place of the public hearing set therein having been published on April 15, 2022 in the manner prescribed by law for publishing resolution of the City of Hanford pursuant to Section 8320 of the Streets and Highway Code of the State of California, and

WHEREAS, on the 3rd day of May 2022, the City Council of the City of Hanford, after notice given by said posting and publishing as provided by law, held a public hearing and received evidence on the proposed vacation and abandonment, and the said City Council of the City of

Hanford having found from all the evidence submitted that the portion of the public street described in said Resolution of Intention are unnecessary for present or future public street purposes, and should be vacated and abandoned.

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

Alley Abandonment and Public Utility Easement

That portion of the Alley located in Block 181 of the City of Hanford as shown in Mapbook at Page 24, of Kings County Records, located in Section 25, Township 18 South, Range 21 East, Mount Diablo Base and Meridian, in the City of Hanford, County of Kings, State of California, described as follows:

Beginning at the Northwest corner of Lot 3 of said Block 181;

Thence South along the East Right of Way line of said Alley and it's southerly projection, 75.07 feet more or less, to the South Right of Way line of Fuller Way;

Thence West along said South Right of Way line, 30.00 feet more or less, to the southerly projection of the West right of way line of said Alley;

Thence North along said southerly projection and West Right of Way line of the Alley, 75.07 feet more or less, to the Northeast corner of Lot 36 of said Block 181;

Thence East, 30.00 feet more or less, to the Point of Beginning.

(Consisting of 2252 sf. more or less)

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

ORDERED at a regular meeting of the City Council of the City of Hanford, duly called and held on the 3rd day of May 2022, by the following vote:

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Council of the City of Hanford at a regular meeting thereof held on May 3, 2022, by the following vote:

AYES: COUNCIL MEMBER _____

NOES: COUNCIL MEMBER _____

ABSTAIN: COUNCIL MEMBER _____

ABSENT: COUNCIL MEMBER _____

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 at a regular meeting of the City Council of the City of Hanford on the 3rd day of May 2022.

Date:_____

APPROVED:_____

KALISH MORROW

MAYOR of the City of Hanford

ATTEST:_____

NATALIE CORRAL

CITY CLERK

Attachment: RA 2022-01_Resolution 22-19-R (CD: RA 2022-01 Police Department)

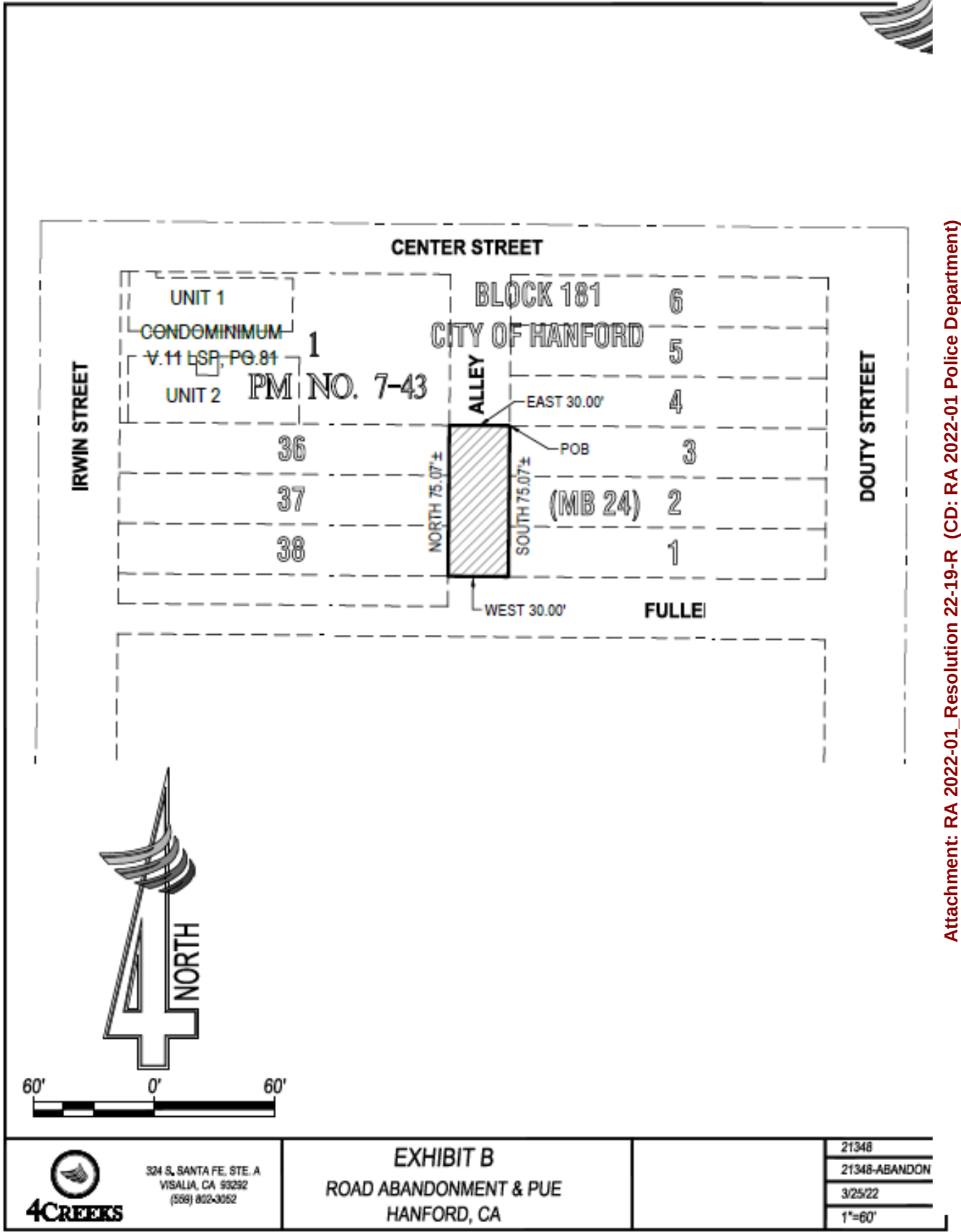
EXHIBIT A**ALLEY ABANDONMENT & PUBLIC UTILITY EASEMENT**

That portion of the Alley located in Block 181 of the City of Hanford as shown in Mapbook at Page 24, of Kings County Records, located in Section 25, Township 18 South, Range 21 East, Mount Diablo Base and Meridian, in the City of Hanford, County of Kings, State of California, described as follows:

Beginning at the Northwest corner of Lot 3 of said Block 181;
Thence South along the East Right of Way line of said Alley and it's southerly projection, 75.07 feet more or less, to the South Right of Way line of Fuller Way;
Thence West along said South Right of Way line, 30.00 feet more or less, to the southerly projection of the West right of way line of said Alley;
Thence North along said southerly projection and West Right of Way line of the Alley, 75.07 feet more or less, to the Northeast corner of Lot 36 of said Block 181;
Thence East, 30.00 feet more or less, to the Point of Beginning.

(Consisting of 2252 sf. more or less)





Notice of Exemption 2022-16

To: ☐ Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

☒ County Clerk
County of Kings
Kings County Government Center
Hanford, CA 93230

From: City of Hanford
317 North Douty Street
Hanford, CA 93230

Project Title: Roadway Abandonment No. 2022-01

Project Location –
South of Center Street between
North Irwin and North Douty Streets ("Civic Center Alley")

Project Location – City: Hanford **Project Location – County:** Kings County

Description of Nature, Purpose and Beneficiaries of Project: Roadway Abandonment No. 2022-01 is a request by the City of Hanford to abandon approximately 2,252 square feet of right-of-way ("Civic Center," portion) to allow a secured parking lot and storage for police vehicles located south of Center Street between North Irwin and North Douty Streets. The surrounding properties are owned by the City of Hanford, with the exception of one (1) parcel, which is an optometry office in the southeast corner of North Irwin and Center Streets (APN: 010-234-023).

Name of Public Agency Approving Project: City of Hanford, Planning Division

Name of Person or Agency Carrying Out Project: City of Hanford

Exempt Status: **(check one)**

- ☐ Ministerial (Sec. 21080(b)(1); 152698);
☐ Declared Emergency (Sec. 21080(b)(3); 15269 (a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption: State type and section number: Minor alterations in land use limitations (CEQA Guidelines, Section 15305/Class 5)
☐ Statutory Exemption. State code number:

Reasons why project is exempt:

The City of Hanford determined the project to be exempt from environmental review pursuant to Section 15305 of the California Environmental Quality Act (CEQA) Guidelines. Section 15305 states that Class 5 exemptions consist of projects characterized as minor alterations in land use limitations. This project involves the abandonment of a roadway, an alley, that will not result in the creation of new lots or increased densities.

Lead Agency

Contact Person: Mary E. Beatie Area Code/ Telephone: (559) 585-2590

Signature: _____ Date: _____ Title: Interim Community Development Director

☒ Signed by Lead Agency Date received for filing at OPR: _____
☐ Signed by Applicant



AGENDA STAFF REPORT

MEETING DATE: 5/3/2022	AGENDA SECTION: A
-------------------------------	--------------------------

SUBJECT:

Fire: Introduction of Ordinance No. 22-01 Amending most sections of Chapter 8.11 of the Hanford Municipal Code ILLEGAL FIREWORKS to update definitions, abatement procedures, penalties and re-identify the Hearing Body.

RECOMMENDATION:

That the City Council, by motion, Introduce Ordinance No. 22-01 amending most sections of Chapter 8.11 of the Hanford Municipal Code ILLEGAL FIREWORKS to update definitions, abatement procedures, penalties and re-identify the Hearing Body.

BACKGROUND:

Attempts to enforce fireworks violations in previous years has been met with multiple challenges related to increased call volumes, staffing shortages, and delineating violation ownership. Your fire chief has developed updates to Title 8 of the City Municipal Code to clear up some confusion. Attached is the redline version, to clearly detail changes to the chapter, as well as the final version.

The following is a summary of significant changes to HMC Chapters 8.11.030 and 8.11.060 that are contained in the attached Ordinance:

- Definitions updates
- Hearing Body changed to a Hearing Officer appointed by the City Manager to handle appeals

FISCAL IMPACT:

N/A

ATTACHMENTS:

Fireworks Ordinance - Final
Fireworks Ordinance - redline
Ordinance 22-01 Illegal Fireworks update

Chapter 8.11 ILLEGAL FIREWORKS

8.11.010 Short title.

This chapter and Chapter [8.12](#) of the Hanford Municipal Code (Municipal Code), shall collectively be known and cited as the “Fireworks Ordinance.” (Ord. 18-05 § 1, 2018)

8.11.020 Findings, intent, and general provisions.

A. The city council declares that the possession, manufacture, storage, sale, handling, use, or discharge of illegal fireworks, defined as “dangerous fireworks” in Section 8.11.080 of this Municipal Code, (collectively “illegal fireworks activities”) are each a threat to the peace, health, safety, quiet enjoyment of residential property, and general welfare of the public and constitute a public nuisance as they affect the neighborhoods in which they occur, as well as the entire community of the City of Hanford. The nuisance created thereby presents an immediate threat to public health and safety, warranting summary abatement by the Fire Chief, Police Chief, or other city-designated official under Government Code Section 38773.

B. While illegal fireworks activities can be tied to a particular residence or property, it is often difficult to tell who at the residence or property engaged in such activities. The owner or tenant of the premises is often in the best position to control, and knows or should know of, illegal fireworks activities on his/her residential or commercial premises, but some owners and tenants fail to prevent such activities. Furthermore, problems associated with the illegal fireworks activities are difficult to prevent and deter unless the Fire Chief, Police Chief, or other designated official of the city has the legal authority to hold responsible the owner or tenant of the premises where illegal fireworks activities occur.

C. The city council, pursuant to the police powers delegated to it by the California Constitution, has the authority to enact laws which promote the public health, safety, and general welfare of its residents, and it is the intent of the city council that this chapter promote such interests by creating enforcement mechanisms that impose strict liability on property owners and tenants that deter persons from actively and passively aiding, allowing, or tolerating or failing to prevent illegal fireworks activities on their property. Such intent and purposes are implemented by the imposition of a criminal and civil penalties against parties who intentionally violate this chapter and social hosts (landowners or tenants) who actively or passively aid, allow, tolerate, or fail to prevent illegal fireworks activities on their property.

D. This chapter supplements Chapter 56 of the [International Fire Code](#), as may be amended, and governs the imposition, enforcement, collection and review of administrative fines related to illegal fireworks activities, including the possession, use, storage, sale and/or display of those fireworks classified as “dangerous fireworks” in California [Health and Safety Code](#) Section 12505, et seq., as may be amended, and the possession, use, storage, sale and/or display of safe and sane fireworks on or at dates, times, and/or locations other than those permitted under this Municipal Code. The administrative fines are imposed under authority of [Government Code](#) Section 53069.4; [Health and Safety Code](#) Section 12557; and the police power of the city, all as may be amended.

E. This chapter shall not apply to the public display of fireworks in accordance with Section 5608 of the [International Fire Code](#), as may be amended.

F. This chapter shall not apply to the storage and handling of safe and sane fireworks in accordance with the [California Building Code](#) for Class 1.4G fireworks, as may be amended.

8.11.030 Definitions.

“Dangerous fireworks” means any fireworks specified as such in the State fireworks law, Section 12500, et seq., of the Health and Safety Code, and such other fireworks as may be determined to be dangerous by the State Fire Marshal.

“Exempt fireworks” means any special item containing pyrotechnic compositions which the California State Fire Marshal, with the advice of the State Fire Advisory Board, has investigated and determined to be limited to industrial, commercial, and agricultural use, or religious ceremonies when authorized by a permit granted by the authority having jurisdiction.

“Fireworks” means any device containing chemical elements and chemical compounds capable of burning independently of the oxygen of the atmosphere and producing audible, visual, mechanical, or thermal effects which are useful as pyrotechnic devices or for entertainment. These items include, but are not limited to:

1. Devices designated by the manufacturer as fireworks.
2. Torpedoes, skyrockets, roman candles, rockets, sparklers, party poppers, paper caps, chasers, fountains, smoke sparks, aerial bombs, and fireworks kits.

“Residence or other private property” means a home, yard, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall, meeting room, office, land, or building, whether occupied on a temporary or permanent basis, whether occupied as a dwelling, business, or location for parties or other social functions, and whether owned, leased, rented, or used with or without compensation.

“Responsible person” means a person or persons with a right of possession of the residence or other private property at which illegal fireworks activities occur, including but not limited to:

1. Any individual(s) or business entity(ies) who holds record title to the residence or other private property as of the time of any illegal fireworks activities at the property, wherever that person or entity resides at that time;
2. A tenant or lessee of the residence or other private property at the time when any illegal fireworks activities occur at the property;
3. The person(s) in charge of the residence or other private property at the time when any illegal fireworks activities occur at the property; or
4. A social host.

A responsible person need not be present at the time any illegal fireworks activities occur in order for the city to impose penalties upon such responsible person. Prior knowledge of illegal fireworks activities is not prerequisite to a finding that any specific individual is a responsible person as defined by this section.

“Safe and sane fireworks” means any fireworks which do not come within the “dangerous fireworks” definition of [Health and Safety Code](#) Section 12505, as may be amended, or exempt fireworks. All safe and sane fireworks shall be labeled with the safe and sane fireworks seal as authorized by the California State Fire Marshal. (Ord. 18-05 § 1, 2018)

“Social host” means a person who organizes, supervises, officiates, conducts, or controls the gathering or any other person responsible for such a gathering where any illegal fireworks activities occur.

8.11.040 General prohibition against possession, sale, use and/or display of fireworks.

Except as otherwise provided in the Fireworks Ordinance, no person shall possess, sell, use, display, explode or discharge any illegal fireworks within the city. Violation of the Fireworks Ordinance shall constitute a public nuisance.

8.11.050 Nuisance abatement and seizure and disposal of fireworks.

A. The Fire Chief, the Police Chief, or the designee of either shall seize, take, remove or cause to be removed, at the expense of the owner, possessor, or responsible person all stocks of fireworks offered or exposed for sale, stored or held in violation of the Fireworks Ordinance.

B. To the fullest extent permitted by law, individuals and entities responsible for violations under this chapter shall be responsible for all costs associated with the safe disposal of all confiscated fireworks, as well as all expenses, costs, fees, and fines associated with the investigation of the charges and enforcement of this chapter, as well as all expenses and costs associated with any emergency response by fire, police, building, and code enforcement departments as a result of a violation. The city will be entitled to all cost recovery allowed under State law and this Municipal Code, including, without limitation, cost recovery for nuisance abatement set forth in Chapter [17.94](#), as may be amended.

8.11.060 Responsible party, social host, and parent liability.

A. Every responsible person is required to maintain, manage, and supervise their property and all persons thereon in a manner to prevent violations of this chapter and, except as otherwise provided herein, shall be strictly liable for any violations that may occur at their property. The responsible person shall remain liable for such violations regardless of any contract or agreement with any third party regarding the property.

B. Exceptions.

1. The City, in its discretion, may opt to not hold a private property owner liable under this chapter for a violation if the owner can demonstrate that, at the time of such violation, they:

- a. Rented or leased the property to another;
- b. Were not present at the time of the violation;
- c. Had no prior knowledge of, or reason to know of the violation; or
- d. Had no prior notice of a violation or citation issued to the owner's tenant who occupied the property at which the violation occurred.

2. No person who has the right to use, possess, or occupy a unit in a multifamily residential property under a lease, rental agreement, or contract shall be liable under this chapter for violations caused by others in the common areas of the property, solely on the basis of that person's right to use, possess or occupy that unit.

C. Notwithstanding the foregoing exceptions, nothing in this section shall limit the liability of any social host for a violation of this chapter.

D. In the event that a juvenile engages in illegal fireworks activities or serves as a social host, the juvenile's parents or guardians will be jointly and severally liable for any penalties levied pursuant to this chapter.

8.11.070 Remedies and Penalties for Violations.

A. Criminal Remedies. Any person who violates any provision of this chapter is guilty of an infraction or a misdemeanor at the discretion of the agency responsible for prosecution of violations.

Upon conviction, the person is subject to punishment by as prescribed in this Chapter 8.11 and any other applicable available remedies in this Municipal Code.

B. Civil Remedies.

1. When the Fire Chief or the Police Chief finds that a person has violated or continues to violate any provision of this chapter, they may petition the Superior Court of Kings County, California, through the city's attorney, for the issuance of a temporary restraining order, temporary injunction, and/or permanent injunction, as appropriate, which restrains or compels the specific performance of any requirement imposed by this chapter. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action.

2. Nothing contained in this code shall preclude or limit the city from pursuing a civil action for damages against a person or entity that causes the city to incur injury, loss, costs, or expenses as a result of the person's or entity's violation of this chapter.

3. In addition to all other remedies, as part of any civil action brought by the city, a court may assess a civil penalty in an amount not to exceed the maximum allowed by State law per day for each violation with respect to any person or entity that violates this chapter, which penalty shall be payable to the city.

C. Administrative Remedies. In addition to any other remedy available at law, an administrative citation may be issued to any person or entity who: (1) possesses, uses, stores, sells and/or displays dangerous fireworks; (2) possesses, uses, sells and/or displays safe and sane fireworks on or at dates, times, or locations other than those permitted; or (3) otherwise engages in illegal fireworks activities or violates this chapter. The imposition of administrative fines under this chapter will, however, be limited to persons who possess, use, sell and/or display, or the seizure of twenty-five (25) pounds or less of dangerous fireworks or persons who possess, use, sell and/or display safe and sane fireworks on or at the dates, times, and/or locations other than those permitted by this code.

1. Issuance of Citation.

a. Whenever the city's Fire Chief, Police Chief, or a designee of either determines that a violation of this chapter has occurred, the Fire Chief, the Police Chief, or a designee of either shall have the authority to issue an administrative citation to the responsible person.

b. Each administrative citation shall contain the following information:

(i) The date of the violation or, if the date of the violation is unknown, then the date the violation is identified;

(ii) The address or a definite description of the location where the violation occurred;

(iii) The section of this chapter violated and a description of the violation;

(iv) The amount of the fine for the violation;

(v) A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid;

(vi) An order prohibiting the continuation or repeated occurrence of the code violation described in the administrative citation;

(vii) A description of the administrative citation review process, including the time within which the administrative citation may be contested and the place from which a request for hearing form to contest the administrative citation may be obtained; and

(viii) The name and signature of the individual issuing the citation.

2. Amount of Fines.

a. The amounts of the administrative citation fines for code violations imposed pursuant to this chapter shall be set forth in a schedule of fines established by resolution of the city council.

b. The schedule of fines shall specify any increased fines for repeat violations of the same code provision by the same person or entity.

c. Administrative fines collected pursuant to this chapter shall not be subject to [Health and Safety Code](#) Section 12706, as may be amended. The administrative fines collected shall be allocated in compliance with [Health and Safety Code](#) Section 12557, as may be amended, which requires the city to provide cost reimbursement to the California State Fire Marshal for reimbursement of costs, including, but not limited to, transportation and disposal of dangerous fireworks. Regulations adopted by the California State Fire Marshal setting forth this allocation shall control. Unless and until such regulations have been adopted by the State of California, the city shall hold in trust a two hundred fifty dollar (\$250.00) fee or twenty-five percent (25%) of the fine collected, whichever is greater, in addition to any fine levied, to cover the reimbursement to the California State Fire Marshal for the cost of transportation and disposal of the dangerous fireworks. This fee is non-refundable.

3. Payment of Fines.

a. Fines shall be paid to the city within thirty (30) days from the date of the administrative citation.

b. Any administrative citation fine paid shall be refunded if it is determined, after an appeal hearing, that a person or entity charged in the administrative citation was not responsible for the violation or that there was no violation as charged in the citation.

c. Payment of a fine under this chapter shall not excuse, discharge, or permit any continuation or repeated occurrence of the code violation that is the subject of the administrative citation.

4. Hearing Request.

a. Any recipient of an administrative citation may appeal the citation by submitting a written request for hearing to the City Clerk or designee within thirty (30) days from the date of the administrative citation, together with an advance deposit of the fine.

b. Notwithstanding the provisions of subsection a. above, the deposit of the administrative fine shall be waived if the City Manager determines that the appealing party is financially unable to pay such amount. A waiver request must be submitted to the City Clerk with the person's request for appeal, along with a sworn declaration and other supporting documents and materials showing the person's actual financial inability to deposit the fine amount. The appealing party bears the burden of demonstrating financial hardship to the satisfaction of the City Manager. If the City Manager determines that a waiver is warranted, the deposit will be waived or partially waived. If the City Manager finds that a waiver is not warranted, the appealing party must, within three (3) business days of the party's receipt of

the City Manager's written decision, deposit the administrative fine for the person's appeal to be processed.

c. The person or entity requesting the hearing shall be notified by the city of the time and place set for the hearing at least ten (10) days prior to the date of the hearing.

d. If the Fire Chief, the Police chief, or a designee of either submits an additional written report concerning the administrative citation to the hearing officer, then a copy of such report shall be served on the person requesting the hearing at least five (5) days prior to the date of the hearing.

5. Hearing Officer. The City Manager shall designate or appoint a hearing officer who shall be selected in a manner that avoids the potential for pecuniary or other bias, and in no event shall the enforcement officer, nor any other officer or employee in his/her department, be the hearing officer for appeals regarding administrative citations issued under this chapter.

6. Hearing Procedure.

a. Except as otherwise provided herein, no hearing to contest an administrative citation shall be held unless the fine has been deposited with the city in advance.

b. A hearing shall be set for a date that is not less than fifteen (15) days and not more than sixty (60) days from the date that the request for hearing is filed in accordance with the provisions of this chapter.

c. At the hearing, the party contesting the administrative citation shall be given the opportunity to testify and to present evidence concerning the administrative citation.

d. The failure of any recipient of an administrative citation to appear at the appeal hearing shall constitute a forfeiture of the fine and a failure to exhaust his/her/their administrative remedies.

e. The administrative citation and any additional report submitted by the Fire Chief, the Police chief, or a designee of either shall constitute prima facie evidence of the respective facts contained in those documents.

f. The hearing officer may continue the hearing and request additional information from the fire chief, the police chief, or a designee of either, or the recipient of the administrative citation prior to issuing a written decision.

7. Hearing Officer's Decision.

a. After considering all of the testimony and evidence submitted at the hearing, the hearing officer shall issue a written decision to uphold, modify, or cancel the administrative citation and shall list in the decision the reasons for the decision. The decision of the hearing officer shall be final.

b. If the hearing officer determines that the administrative citation should be upheld, then the fine amount on deposit with the city shall be retained by the city.

c. If the hearing officer determines that the administrative citation should be rescinded, then the city shall promptly refund the amount of the deposited fine.

d. If the hearing officer determines that the fine levied under the administrative citation should be adjusted, then the city will promptly refund the amount of the deposited fine that exceeds the amount fixed by the hearing officer or the recipient of the administrative citation will

promptly pay to the city an additional amount fixed by the hearing officer if the officer finds that the fine assessed under the administrative citation to be insufficient.

e. The recipient of the administrative citation shall be served with a copy of the hearing officer's written decision.

8. Late Payment Charges. Any person or entity who fails to pay to the city any fine imposed or amount owed pursuant to the provisions of this chapter on or before the date that the fine or amount is due shall also be liable for a late payment charge equal to ten percent (10%) of the unpaid amount, and interest shall accrue thereafter at a rate of one and one-half percent (1.5%) per month on the unpaid fine; provided however, the additional penalty and/or interest shall not apply if collection of the same by the city would violate State law.

9. Recovery of Administrative Citation Fines and Costs. The city may collect any past due administrative citation fines, enforcement and collection costs, and late payment charges by use of all available legal means. Collection costs shall be in addition to any interest and/or late charges imposed upon the delinquent obligation and shall be added to and become a part of the underlying obligation. Any partial payment of an obligation, when a partial payment is permitted, will be applied first to the principal amount of the underlying obligation, then to any penalties, and then to interest.

10. Right to Judicial Review. Any person or entity aggrieved by a decision of the hearing officer on an administrative citation may obtain review of the decision by filing a petition for review with the Superior Court for Kings County, California in accordance with the timelines and provisions set forth in California [Government Code](#) Section 53069.4, as may be amended.

11. Notices. The administrative citation and all notices required to be given by this chapter shall be served on the responsible party by personal delivery thereof to the person or entity to be notified or by deposit in the United States mail, certified mail with return receipt requested, addressed to such person to be notified at his/her/their last-known address as the same appears in the public records or other records pertaining to the matter to which such notice is directed. Service by mail shall be deemed to have been completed at the time of deposit in the mail.

C. Remedies Cumulative. The remedies provided in this chapter are not to be construed as exclusive remedies, and, in the event of violation, the city may pursue any proceedings or remedies otherwise provided by law, including, without limitation, injunctive relief.

D. Liens and Assessment Against Property for Unpaid Fines and Costs.

1. If the City engages in nuisance abatement pursuant to this chapter, including, without limitation, the seizure of dangerous fireworks, city officials engaging in abatement efforts shall keep an account of the cost of abatement on each separate lot or parcel of land where abatement occurs.

2. Any and all cost recovery remedies associated with nuisance abatement available under the Municipal Code or State law, including, without limitation, the recording of liens and the addition of amounts to the property tax roll, may be utilized by the city for the recovery of amounts owed to the city pursuant to this chapter.

a. If administrative costs, penalties, or other amounts owed to the city pursuant to this chapter are not paid within thirty (30) days of the date of a citation or the date of a city invoice for abatement work, as applicable, or the final disposition of an appeal therefrom, such amounts may be assessed against the parcel of land pursuant to Section 38773.5 of the Government Code and may be transmitted to the tax collector for collection. Said assessment shall have the same priority as *ad valorem* taxes. In such case, the city council shall confirm an account report of amounts owed under this chapter, and, on or before August 10 of each year, a certified copy of the confirmed report shall be filed with the Kings County tax collector for the amounts of the respective assessments against the respective

parcels of land as they appear on the current assessment roll. They shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for property taxes. All laws and ordinances applicable to the levy, collection, and enforcement of property taxes are made applicable to such special assessments, and the lien of said assessment shall have priority as the taxes with which it is collected.

Chapter 8.11 ILLEGAL FIREWORKS

8.11.010 Short title.

This chapter and Chapter 8.12 of the Hanford Municipal Code (Municipal Code), shall collectively be known and cited as the “Fireworks Ordinance.” (Ord. 18-05 § 1, 2018)

8.11.020 Findings, intent, and general provisions.

~~_____~~ A. ~~For these reasons, the City Council~~ declares that the possession, manufacture, storage, sale, handling, use, or discharge of illegal fireworks, defined as “dangerous fireworks” in Section 8.11.080 of this Municipal Code, (collectively “illegal fireworks activities”) ~~are~~ is each a threat to the peace, health, safety, quiet enjoyment of residential property, and general welfare of the public ~~and . Such actions constitute a public nuisance as they affect at the same time the entire community of the City of Hanford as well as the neighborhoods in which they occur, as well as the entire community of the City of Hanford.~~ The nuisance created thereby presents an immediate threat to ~~the~~ public health and safety, warranting summary abatement by the Fire Chief, Police Chief, or other cityCity of Hanford designated official under Government Code Section 38773.

B. ~~The City Council, pursuant to the police powers delegated to it by the California Constitution, has the authority to enact laws which promote the public health, safety, and general welfare of its residents. The illegal possession, manufacture, storage, sale, handling, use, and discharge of fireworks, defined as “Dangerous Fireworks” in Section 8.11.020 of this code, on private property is harmful to and creates a threat to public health, safety, quiet enjoyment of residential property and the general welfare. While the discharge of illegal fireworks activities can be tied to a particular residence or property, it is often difficult to tell who at the residence or property discharged the illegal fireworks (engaged in such activities). The owner or tenant of the premises is often in the best position to control, and knows or should know of, the possession, manufacture, storage, sale, handling, use, or discharge of illegal fireworks activities on his/her residence or commercial premises, but some owners and tenants . The City Council finds that in too many cases, persons having possession or control of private property where the illegal possession, manufacture, storage, sale, handling and use of fireworks occurs, have failed to ensure that illegal fireworks are not possessed, manufactured, stored, sold, handled, used, or discharged on their property to prevent such activities. Furthermore, problems associated with the illegal possession, manufacture, storage, sale, handling, use and discharge of fireworks activities are difficult to prevent and deter unless the Fire Chief, Police Chief, or other designated official of the cityCity of Hanford has the legal authority to~~ hold responsible the owner or tenant of the premises where illegal fireworks are possessed, manufactured, stored, sold, handled, used, or discharged activities occur.

C. ~~The city council, pursuant to the police powers delegated to it by the California Constitution, has the authority to enact laws which promote the public health, safety, and general welfare of its residents, and it is the intent of the city council that this chapter promote such interests by creating enforcement mechanisms that impose strict liability on property owners and tenants that deter persons from actively and passively aiding, allowing, or tolerating or failing to prevent illegal fireworks activities on their property. Such intent and purposes are implemented by the imposition of a criminal and civil penalties against parties who intentionally violate this chapter and social hosts (landowners or tenants) who actively or passively aid, allow, tolerate, or fail to prevent illegal fireworks activities on their property.~~

D. This chapter supplements Chapter 56 of the [International Fire Code](#), as may be amended, and governs the imposition, enforcement, collection and review of administrative fines related to [illegal fireworks activities, including](#) the possession, use, storage, sale and/or display of those fireworks classified as “dangerous fireworks” in California [Health and Safety Code](#) Section 12505, et seq., as may be amended, and the possession, use, storage, sale and/or display of safe and sane fireworks on or at dates, times, and/or locations other than those permitted under [this](#) Municipal Code. The administrative fines are imposed under authority of [Government Code](#) Section 53069.4; [Health and Safety Code](#) Section 12557; and the police power of the city, all as may be amended.

E. This chapter shall not apply to the public display of fireworks in accordance with Section

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F. This chapter shall not apply to the storage and handling of safe and sane fireworks in accordance with the [California Building Code](#) for Class 1.4G fireworks, as may be amended.

[“Dangerous fireworks” means any fireworks specified as such in the State fireworks law, Section 12500, et seq., of the Health and Safety Code, and such other fireworks as may be determined to be dangerous by the State Fire Marshal.](#)

[“Exempt fireworks” means any special item containing pyrotechnic compositions which the California State Fire Marshal, with the advice of the State Fire Advisory Board, has investigated and determined to be limited to industrial, commercial, and agricultural use, or religious ceremonies when authorized by a permit granted by the authority having jurisdiction.](#)

[“Fireworks” means any device containing chemical elements and chemical compounds capable of burning independently of the oxygen of the atmosphere and producing audible, visual, mechanical, or thermal effects which are useful as pyrotechnic devices or for entertainment. These items include, but are not limited to:](#)

[1. Devices designated by the manufacturer as fireworks.](#)

[2. Torpedoes, skyrockets, roman candles, rockets, sparklers, party poppers, paper caps, chasers, fountains, smoke sparks, aerial bombs, and fireworks kits.](#)

[“Residence or other private property” means a home, yard, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall, meeting room, office, land, or building, whether occupied on a temporary or permanent basis, whether occupied as a dwelling, business, or location for parties or other social functions, and whether owned, leased, rented, or used with or without compensation.](#)

[“Responsible person” means a person or persons with a right of possession of the residence or other private property at which illegal fireworks activities occur, including but not limited to:](#)

[1. Any individual\(s\) or business entity\(ies\) who holds record title to the residence or other private property as of the time of any illegal fireworks activities at the property, wherever that person or entity resides at that time;](#)

[2. A tenant or lessee of the residence or other private property at the time when any illegal fireworks activities occur at the property;](#)

3. The person(s) in charge of the residence or other private property at the time when any illegal fireworks activities occur at the property; or

4. A social host.

A responsible person need not be present at the time any illegal fireworks activities occur in order for the city to impose penalties upon such responsible person. Prior knowledge of illegal fireworks activities is not prerequisite to a finding that any specific individual is a responsible person as defined by this section.

“Safe and sane fireworks” means any fireworks which do not come within the “dangerous fireworks” definition of [Health and Safety Code](#) Section 12505, as may be amended, or exempt fireworks. All safe and sane fireworks shall be labeled with the safe and sane fireworks seal as authorized by the California State Fire Marshal. (Ord. 18-05 § 1, 2018)

“Social host” means a person who organizes, supervises, officiates, conducts, or controls the gathering or any other person responsible for such a gathering where any illegal fireworks activities occur.

Except as otherwise provided in the Fireworks Ordinance, no person shall possess, sell, use, display, explode or discharge any fireworks within the city. Violation of the Fireworks Ordinance shall constitute a public nuisance.

A. The Fire Chief, the Police Chief, or the designee of either shall seize, take, remove or cause to be removed, at the expense of the owner, possessor, or responsible person all stocks of fireworks offered or exposed for sale, stored or held in violation of the Fireworks Ordinance.

B. To the fullest extent permitted by law, individuals and entities responsible for violations under this chapter shall be responsible for all costs associated with the safe disposal of all confiscated fireworks, as well as all expenses, costs, fees, and fines associated with the investigation of the charges and enforcement of this chapter, as well as all expenses and costs associated with any emergency response by fire, police, building, and code enforcement departments as a result of a violation. The city will be entitled to all cost recovery allowed under State law and this Municipal Code, including, without limitation, cost recovery for nuisance abatement set forth in Chapter 17.94, as may be amended.

8.11.060 Responsible party, social host, and parent liability.

A. Every responsible person is required to maintain, manage, and supervise their property and all persons thereon in a manner to prevent violations of this chapter and, except as otherwise provided herein, shall be strictly liable for any violations that may occur at their property. The responsible person shall remain liable for such violations regardless of any contract or agreement with any third party regarding the property.

B. Exceptions.

1. The City, in its discretion, may opt to not hold a private property owner liable under this chapter for a violation if the owner can demonstrate that, at the time of such violation, they:

- a. Rented or leased the property to another;
- b. Were not present at the time of the violation;
- c. Had no prior knowledge of, or reason to know of the violation; or

d. Had no prior notice of a violation or citation issued to the owner's tenant who occupied the property at which the violation occurred.

2. No person who has the right to use, possess, or occupy a unit in a multifamily residential property under a lease, rental agreement, or contract shall be liable under this chapter for violations caused by others in the common areas of the property, solely on the basis of that person's right to use, possess or occupy that unit.

C. Notwithstanding the foregoing exceptions, nothing in this section shall limit the liability of any social host for a violation of this chapter.

D. In the event that a juvenile engages in illegal fireworks activities or serves as a social host, the juvenile's parents or guardians will be jointly and severally liable for any penalties levied pursuant to this chapter.

8.11.070 Remedies and Penalties for Violations.

A. Criminal Remedies. Any person who violates any provision of this chapter is guilty of an infraction or a misdemeanor at the discretion of the agency responsible for prosecution of violations. Upon conviction, the person is subject to punishment by as prescribed in this Chapter 8.11 and any other applicable available remedies in this Municipal Code.

B. Civil Remedies.

1. When the Fire Chief or the Police Chief finds that a person has violated or continues to violate any provision of this chapter, they may petition the Superior Court of Kings County, California, through the city's attorney, for the issuance of a temporary restraining order, temporary injunction, and/or permanent injunction, as appropriate, which restrains or compels the specific performance of any requirement imposed by this chapter. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action.

2. Nothing contained in this code shall preclude or limit the city from pursuing a civil action for damages against a person or entity that causes the city to incur injury, loss, costs, or expenses as a result of the person's or entity's violation of this chapter.

3. In addition to all other remedies, as part of any civil action brought by the city, a court may assess a civil penalty in an amount not to exceed the maximum allowed by State law per day for each violation with respect to any person or entity that violates this chapter, which penalty shall be payable to the city.

C. Administrative Remedies. In addition to any other remedy available at law, an administrative citation may be issued to any person or entity who: (1) possesses, uses, stores, sells and/or displays dangerous fireworks; (2) possesses, uses, sells and/or displays safe and sane fireworks on or at dates, times, or locations other than those permitted; or (3) otherwise engages in illegal fireworks activities or violates this chapter. The imposition of administrative fines under this chapter will, however, be limited to persons who possess, use, sell and/or display, or the seizure of twenty-five (25) pounds or less of dangerous fireworks or persons who possess, use, sell and/or display safe and sane fireworks on or at the dates, times, and/or locations other than those permitted by this code.

1. Issuance of Citation.

a. Whenever the city's Fire Chief, Police Chief, or a designee of either determines that a violation of this chapter has occurred, the Fire Chief, the Police Chief, or a designee of either shall have the authority to issue an administrative citation to the responsible person.

b. Each administrative citation shall contain the following information:

(i) The date of the violation or, if the date of the violation is unknown, then the date the violation is identified;

(ii) The address or a definite description of the location where the violation occurred;

(iii) The section of this chapter violated and a description of the violation;

(iv) The amount of the fine for the violation;

(v) A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid;

(vi) An order prohibiting the continuation or repeated occurrence of the code violation described in the administrative citation;

(vii) A description of the administrative citation review process, including the time within which the administrative citation may be contested and the place from which a request for hearing form to contest the administrative citation may be obtained; and

(viii) The name and signature of the individual issuing the citation.

2. Amount of Fines.

a. The amounts of the administrative citation fines for code violations imposed pursuant to this chapter shall be set forth in a schedule of fines established by resolution of the city council.

b. The schedule of fines shall specify any increased fines for repeat violations of the same code provision by the same person or entity.

c. Administrative fines collected pursuant to this chapter shall not be subject to Health and Safety Code Section 12706, as may be amended. The administrative fines collected shall be allocated in compliance with Health and Safety Code Section 12557, as may be amended, which requires the city to provide cost reimbursement to the California State Fire Marshal for reimbursement of costs, including, but not limited to, transportation and disposal of dangerous fireworks. Regulations adopted by the California State Fire Marshal setting forth this allocation shall control. Unless and until such regulations have been adopted by the State of California, the city shall hold in trust a two hundred fifty dollar (\$250.00) fee or twenty-five percent (25%) of the fine collected, whichever is greater, in addition to any fine levied, to cover the reimbursement to the California State Fire Marshal for the cost of transportation and disposal of the dangerous fireworks. This fee is non-refundable.

3. Payment of Fines.

a. Fines shall be paid to the city within thirty (30) days from the date of the administrative citation.

b. Any administrative citation fine paid shall be refunded if it is determined, after an appeal hearing, that a person or entity charged in the administrative citation was not responsible for the violation or that there was no violation as charged in the citation.

c. Payment of a fine under this chapter shall not excuse, discharge, or permit any continuation or repeated occurrence of the code violation that is the subject of the administrative citation.

4. Hearing Request.

a. Any recipient of an administrative citation may appeal the citation by submitting a written request for hearing to the City Clerk or designee within thirty (30) days from the date of the administrative citation, together with an advance deposit of the fine.

b. Notwithstanding the provisions of subsection a. above, the deposit of the administrative fine shall be waived if the City Manager determines that the appealing party is financially unable to pay such amount. A waiver request must be submitted to the City Clerk with the person's request for appeal, along with a sworn declaration and other supporting documents and materials showing the person's actual financial inability to deposit the fine amount. The appealing party bears the burden of demonstrating financial hardship to the satisfaction of the City Manager. If the City Manager determines that a waiver is warranted, the deposit will be waived or partially waived. If the City Manager finds that a waiver is not warranted, the appealing party must, within three (3) business days of the party's receipt of the City Manager's written decision, deposit the administrative fine for the person's appeal to be processed.

c. The person or entity requesting the hearing shall be notified by the city of the time and place set for the hearing at least ten (10) days prior to the date of the hearing.

d. If the Fire Chief, the Police chief, or a designee of either submits an additional written report concerning the administrative citation to the hearing officer, then a copy of such report shall be served on the person requesting the hearing at least five (5) days prior to the date of the hearing.

5. Hearing Officer. The City Manager shall designate or appoint a hearing officer who shall be selected in a manner that avoids the potential for pecuniary or other bias, and in no event shall the enforcement officer, nor any other officer or employee in his/her department, be the hearing officer for appeals regarding administrative citations issued under this chapter.

6. Hearing Procedure.

a. Except as otherwise provided herein, no hearing to contest an administrative citation shall be held unless the fine has been deposited with the city in advance.

b. A hearing shall be set for a date that is not less than fifteen (15) days and not more than sixty (60) days from the date that the request for hearing is filed in accordance with the provisions of this chapter.

c. At the hearing, the party contesting the administrative citation shall be given the opportunity to testify and to present evidence concerning the administrative citation.

d. The failure of any recipient of an administrative citation to appear at the appeal hearing shall constitute a forfeiture of the fine and a failure to exhaust his/her/their administrative remedies.

e. The administrative citation and any additional report submitted by the Fire Chief, the Police chief, or a designee of either shall constitute prima facie evidence of the respective facts contained in those documents.

f. The hearing officer may continue the hearing and request additional information from the fire chief, the police chief, or a designee of either, or the recipient of the administrative citation prior to issuing a written decision.

7. Hearing Officer's Decision.

a. After considering all of the testimony and evidence submitted at the hearing, the hearing officer shall issue a written decision to uphold, modify, or cancel the administrative citation and shall list in the decision the reasons for the decision. The decision of the hearing officer shall be final.

b. If the hearing officer determines that the administrative citation should be upheld, then the fine amount on deposit with the city shall be retained by the city.

c. If the hearing officer determines that the administrative citation should be rescinded, then the city shall promptly refund the amount of the deposited fine.

d. If the hearing officer determines that the fine levied under the administrative citation should be adjusted, then the city will promptly refund the amount of the deposited fine that exceeds the amount fixed by the hearing officer or the recipient of the administrative citation will promptly pay to the city an additional amount fixed by the hearing officer if the officer finds that the fine assessed under the administrative citation to be insufficient.

e. The recipient of the administrative citation shall be served with a copy of the hearing officer's written decision.

8. Late Payment Charges. Any person or entity who fails to pay to the city any fine imposed or amount owed pursuant to the provisions of this chapter on or before the date that the fine or amount is due shall also be liable for a late payment charge equal to ten percent (10%) of the unpaid amount, and interest shall accrue thereafter at a rate of one and one-half percent (1.5%) per month on the unpaid fine; provided however, the additional penalty and/or interest shall not apply if collection of the same by the city would violate State law.

9. Recovery of Administrative Citation Fines and Costs. The city may collect any past due administrative citation fines, enforcement and collection costs, and late payment charges by use of all available legal means. Collection costs shall be in addition to any interest and/or late charges imposed upon the delinquent obligation and shall be added to and become a part of the underlying obligation. Any partial payment of an obligation, when a partial payment is permitted, will be applied first to the principal amount of the underlying obligation, then to any penalties, and then to interest.

10. Right to Judicial Review. Any person or entity aggrieved by a decision of the hearing officer on an administrative citation may obtain review of the decision by filing a petition for review with the Superior Court for Kings County, California in accordance with the timelines and provisions set forth in California Government Code Section 53069.4, as may be amended.

11. Notices. The administrative citation and all notices required to be given by this chapter shall be served on the responsible party by personal delivery thereof to the person or entity to be notified or by deposit in the United States mail, certified mail with return receipt requested, addressed to such person to be notified at his/her/their last-known address as the same appears in the public records or other records pertaining to the matter to which such notice is directed. Service by mail shall be deemed to have been completed at the time of deposit in the mail.

C. Remedies Cumulative. The remedies provided in this chapter are not to be construed as exclusive remedies, and, in the event of violation, the city may pursue any proceedings or remedies otherwise provided by law, including, without limitation, injunctive relief.

D. Liens and Assessment Against Property for Unpaid Fines and Costs.

1. If the City engages in nuisance abatement pursuant to this chapter, including, without limitation, the seizure of dangerous fireworks, city officials engaging in abatement efforts shall keep an account of the cost of abatement on each separate lot or parcel of land where abatement occurs.

2. Any and all cost recovery remedies associated with nuisance abatement available under the Municipal Code or State law, including, without limitation, the recording of liens and the addition of amounts to the property tax roll, may be utilized by the city for the recovery of amounts owed to the city pursuant to this chapter.

a. If administrative costs, penalties, or other amounts owed to the city pursuant to this chapter are not paid within thirty (30) days of the date of a citation or the date of a city invoice for abatement work, as applicable, or the final disposition of an appeal therefrom, such amounts may be assessed against the parcel of land pursuant to Section 38773.5 of the Government Code and may be transmitted to the tax collector for collection. Said assessment shall have the same priority as *ad valorem* taxes. In such case, the city council shall confirm an account report of amounts owed under this chapter, and, on or before August 10 of each year, a certified copy of the confirmed report shall be filed with the Kings County tax collector for the amounts of the respective assessments against the respective parcels of land as they appear on the current assessment roll. They shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for property taxes. All laws and ordinances applicable to the levy, collection, and enforcement of property taxes are made applicable to such special assessments, and the lien of said assessment shall have priority as the taxes with which it is collected.

ORDINANCE NO. 22-01**AN ORDINANCE AMENDING HANFORD MUNICIPAL CODE CHAPTER 8.11
RELATING TO ILLEGAL FIREWORKS**

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

Section 1: Hanford Municipal Code Chapter 8.11 contains regulations relating to illegal fireworks.

Section 2: The regulations contained in Chapter 8.11 were adopted many years ago, and the Council has determined the chapter needs updates for the effective operation of the Fire Department.

Section 3: The City Council of the City of Hanford does ordain that Chapter 8.11 of the Hanford Municipal Code is hereby amended and restated as shown in the attached Exhibit "A", which is incorporated herein by reference.

Section 4: 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 or a summary of this ordinance shall be published in the Hanford Sentinel in a manner consistent with the requirements of the California Government Code.

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

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

APPROVED

Kalish Morrow
MAYOR of the City of Hanford

ATTEST:

NATALIE CORRAL
CITY CLERK

Attachment: Ordinance 22-01 Illegal Fireworks update (Fire: Fireworks Ordinance Revision)

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 ordinance was duly introduced at a regular meeting of the City Council of the City of Hanford on the 3rd day of May, 2022, and it was duly passed and adopted at a regular meeting of the City Council of the City of Hanford held on the day ____ of _____, 2022.

NATALIE CORRAL
CITY CLERK

Exhibit “A”



AGENDA STAFF REPORT

MEETING DATE: 5/3/2022	AGENDA SECTION: B
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SUBJECT:

Public Works: Authorization to Award a contract to VSS International, Inc. Of Sacramento CA, in the amount of \$1,170,000.00, establish a construction contingency of \$94,830.76, approve a scope of work change order for a net decrease of \$221,692.40, and re-appropriate the Gas Tax funds from the Reclamite Seal Treatment Budget to the Pavement Resurfacing Treatment Budget in order to fully fund the Project.

RECOMMENDATION:

That the City Council, by motion,

- 1.. Award a contract to VSS International, Inc. Of Sacramento CA in the amount of \$1,170,000.00.
2. Establish a construction contingency of \$94,830.00
4. Approve a scope of work change order for a net decrease of -\$221,692.40 to reduce the scope of the FY 21/22 Pavement Resurfacing: Single & Double Fiberized Micro Treatment Project.
4. Re-appropriate Gas Tax funds from The Reclamite Seal Treatment Budget to the Pavement Resurfacing Treatment Budget for construction in the amount of \$165,000.00

BACKGROUND:

Pavement resurfacing treatment is a surface protection and pavement preservation treatment for city streets. Treatment will include a single and double fiberized micro seal coating(s) needed to extend the useful life of roadways. 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.

The location of streets and types of treatment processes was evaluated by the Public Works Department. At this time the current street conditions will benefit more from applying a single & double fiberized micro surface treatment rather than a Reclamite Seal Treatment. Due to the current pavement conditions and budgetary constraints we are proposing to remove the following

streets from the original scope of work;

- * Fargo, from Douty to 10th Ave to include the turn pocket &
- * From, Fargo to Furlong and Furlong to Flint with a total deduction of 52,000SY

and request to re-allocate the funds out of the 0040 Gas Tax from the Reclamite Seal Treatment Budget to the Pavement Resurfacing Treatment Budget to fully fund the project.

This project will provide surface treatment for approximately seven miles of roadways (180,000 SY)

FISCAL IMPACT:

The FY 21/22 Capital Improvement Budget provides \$1,100,000.00 for this project. That amount is comprised of the following projects: FY 21/22 Pavement Resurfacing Treatment and the FY 21/22 Reclamite Seal Treatment. A copy of the budget pages is attached for Council Review.

ATTACHMENTS:

Pavement Resurfacing Treatment - Budget Page

Relamite Seal Treatment - Budget Page

Signed CCO 1

Bid Tabulation 04.11.2022

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
Expenditure	Program or Project	Construction	Construction	Construction	Construction	Construction
	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
Revenue	Funding					
	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

Reclamite Seal Treatment

Project Background:

Reclamite is a pavement surface protection and preservation treatment for city streets. The treatment keeps pavement surfaces flexible and reduces asphalt oil content loss.

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:

Reclamite seal treatments will extend the useful life of asphalt pavement surfaces thereby reducing street maintenance costs. This project will provide surface treatment for approximately five miles of arterial/collector street (175,000 SY).

Fiscal Implications:

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

Project Budget Summary:

		5-Year Funding Allocation				
	Program or Project	2022	2023	2024	2025	2026
		Construction		Construction		Construction
Expenditure	Engineering / Inspection	7,500		7,500		7,500
	Construction	150,000		150,000		150,000
	Contingency	15,000		15,000		15,000
	Department Overhead	9,080		15,000		15,000
Total Expenditure		\$181,580	\$0	\$187,500	\$0	\$187,500
Revenue	Funding					
	0040 Gas Tax	181,580		187,500		187,500
	Total Funding	\$181,580	\$0	\$187,500	\$0	\$187,500



CITY OF HANFORD

Department of Public Works

900 South 10th Ave. • HANFORD, CA 93230-5234 • (559) 585-2550

ENGINEERING DIVISION CONTRACT CHANGE ORDER NO. 1

REV. NO. ____ SUPPL. NO. ____

PROJECT FY 21/22 Pavement Resurfacing: Single & Double Fiber Micro ProjectSHEET 1 OF 2 SHEETSTO CONTRACTOR: VSS International, Inc.CONTRACT NO. 26670000-822615

YOU ARE HEREBY DIRECTED TO MAKE THE HEREIN DESCRIBED CHANGES FROM THE PLANS AND SPECIFICATIONS OR DO THE FOLLOWING DESCRIBED WORK NOT INCLUDED IN THE PLANS AND SPECIFICATIONS ON THIS CONTRACT.

NOTE: THIS CHANGE ORDER IS NOT EFFECTIVE UNTIL APPROVED BY THE CITY.

Contract Amount: \$1,170,000.00

DESCRIPTION OF WORK TO BE DONE, ESTIMATE OF QUANTITIES AND PRICES TO BE PAID. SEGREGATE BETWEEN ADDITIONAL WORK AT CONTRACT PRICE, AGREED PRICE AND FORCE ACCOUNT. UNLESS OTHERWISE STATED, RATES FOR RENTAL OF EQUIPMENT COVER ONLY SUCH TIME AS EQUIPMENT IS ACTUALLY USED AND NO ALLOWANCE WILL BE MADE FOR IDLE TIME.

CHANGE REQUESTED BY: City of Hanford

THE LAST PERCENTAGE SHOWN IS THE NET ACCUMULATED INCREASE OR DECREASE FROM THE ORIGINAL QUANTITY IN THE ENGINEER'S ESTIMATE.

1. Scope of work: (Per base bid schedule)

Item No. 2:

From: 148,000.00 SY @ \$2.810 Unit / \$415,880.00

To: 130,100 SY @ \$2.90 Unit / \$377,290.00

Item No. 3

From: 86,000 SY @ \$4.770 Unit / \$410,220.00

To: 51,578 SY @ \$5.20 Unit / \$268,205.60

Item No. 4

From: 52 EA @ \$1,519.40 Unit / \$79,008.80

To: 36 EA @ \$1,733.40 Unit / \$62,402.40

Item No. 5

From: 5 EA @ \$1,519.40 Unit / \$7,597.00

To: 2 EA @ \$1,733.40 Unit / \$3,466.80

Item No. 6

From: 75 EA @ \$1,519.40 Unit / \$113,955.00

To: 54 EA @ \$1,733.40 Unit / \$93,603.60

For a net Decrease of \$221,692.40

ESTIMATED COST THIS CHANGE, DECREASED \$221,692.40

CONTRACT TOTAL, INCLUDING THIS CHANGE \$948,307.60

BY REASON OF THIS ORDER THE TIME OF COMPLETION WILL BE AS FOLLOWS: N/A

APPROVAL RECOMMENDED, ENGINEER _____ DATE _____

WE, THE UNDERSIGNED CONTRACTOR, HAVE GIVEN CAREFUL CONSIDERATION TO THE CHANGE PROPOSED AND HEREBY AGREE IF THIS PROPOSAL IS APPROVED, THAT WE WILL PROVIDE ALL EQUIPMENT, FURNISH ALL MATERIALS, EXCEPT AS MAY OTHERWISE BE NOTED ABOVE, AND PERFORM ALL SERVICES NECESSARY FOR THE WORK ABOVE SPECIFIED, AND WILL ACCEPT AS FULL PAYMENT THEREFOR THE PRICES SHOWN ABOVE

ACCEPTED DATE 4/25/22 CONTRACTOR VSS InternationalBY [Signature] Matt Ferguson TITLE Area Manager

IF THE CONTRACTOR DOES NOT SIGN ACCEPTANCE OF THIS ORDER, HIS ATTENTION IS DIRECTED TO THE REQUIREMENTS OF THE SPECIFICATIONS AS TO PROCEEDING WITH THE ORDERED WORK AND FILING A WRITTEN PROTEST WITHIN THE TIME THEREIN SPECIFIED.

From: Tyler Tapa
 To: Jennifer Miner
 Subject: FW: Hanford
 Date: Friday, April 22, 2022 12:38:19 PM
 Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Jennifer,

Please see (Price Adjustment) below for both VSSI and H&H. New price based on deleted work discussed. Let me know if this works.

From: Nicholas Corcoran <nicholas.corcoran@slurry.com>
 Sent: Friday, April 22, 2022 12:33 PM
 To: Tyler Tapa <tyler.tapa@slurry.com>
 Subject: Hanford

Utility Adjustment based off billed minimal quantities listed below. Agency and VSSI to agree not to lower quantities anymore without discussion prior to mob.

DESCRIPTION	U / M	QTY	SUB UNIT/COST	SUB TOTAL	7%	BID UNIT	BID TOTAL
Traffic Control and Mobilization	LS	1	19,000.000	19,000.000	20,330.000	102,015.8000	102,015.80
Single Fiberized Micro Surfacing (One Type II Layer)	SY	130,100	0.000	0.000	0.000	2.9000	377,290.00
Double Fiberized Micro Surfacing (One Type II Layer Over One Type III Layer)	SY	51,578	0.000	0.000	0.000	5.2000	268,205.60
Adjust Existing Manhole Cover, Frame, and Concrete Collar to Finish Grade	EA	36	1,620.000	58,320.000	1,733.400	1,733.4000	62,402.40
Remove Manhole Frame, Cover and Concrete Collar. Install New, with City Fu	EA	2	1,620.000	3,240.000	1,733.400	1,733.4000	3,466.80
Remove Water Valve Frame, Cover and Concrete Collar. Install New, with City	EA	54	1,620.000	87,480.000	1,733.400	1,733.4000	93,603.60
Install Thermoplastic Stop Bars, Crosswalks, and Legends	LS	1	38,620.000	38,620.000	41,323.400	41,323.4000	41,323.40
TOTAL:							\$ 948,307.60
Original							1,170,000.00
Delta							221,692.40



Nicholas Corcoran
 Estimator / Project Manager
 VSS International, Inc.
 3785 Channel Drive, West Sacramento, CA 95691
 P: 916.798.8592 | O: 916.373.2420 | F: 916.373.0183

CONFIDENTIALITY NOTICE: This communication and any accompanying document(s) are confidential and privileged. They are intended for the sole use of the addressee. If you are not the intended recipient, you are hereby notified that any use or disclosure of this information is strictly prohibited. If you have received this message in error, please notify the sender immediately by reply e-mail and permanently delete the original message and any attachments. Your compliance is appreciated.

Attachment: Signed CCO 1 (PW: Authorization to Award the FY 21/22 Pavement Resurfacing: Single and Double Fiberized Project)

FY 21/22 Pavement Resurfacing: Double and Single Micro Fiber Project
 Project Account Number:26670000-822615

ITEM	QUANTITY	UNIT	LOWEST BIDDER VSS International, Inc.		Pavement Coatings Co.		American Asphalt South Inc.		Doolittle Construction LLC DBA	
			Unit Cost	Subtotal	Unit Cost	Subtotal	Unit Cost	Subtotal	Unit Cost	Subtotal
1 Traffic Control and Mobilization	1	LS	102,015.80	\$102,015.80	\$75,100.00	\$75,100.00	\$120,000.00	\$120,000.00	\$112,481.00	\$112,481.00
2 Single Fiberized Micro Surfacing (One Type II Layer Double Fiberized Micro Surfacing (One Type II Layer	148,000	SY	2.81	\$415,880.00	\$2.20	\$325,600.00	\$2.35	\$347,800.00	\$2.50	\$370,000.00
3 Over One Type III Layer) Adjust Existing Manhole Cover, Frame, and Concrete	86,000	SY	4.77	\$410,220.00	\$6.20	\$533,200.00	\$6.55	\$563,300.00	\$8.00	\$688,000.00
4 Collar to Finish Grade	52	EA	1,519.40	\$79,008.80	\$2,300.00	\$119,600.00	\$2,200.00	\$114,400.00	\$2,040.00	\$106,080.00
5 Collar.	5	EA	1,519.40	\$7,597.00	\$2,300.00	\$11,500.00	\$2,200.00	\$11,000.00	\$2,040.00	\$10,200.00
6 Concrete Collar. Install New, With City Furnished Install Thermoplastic Stop Bars, Crosswalks and	75	EA	1,519.40	\$113,955.00	\$1,700.00	\$127,500.00	\$1,650.00	\$123,750.00	\$1,530.00	\$114,750.00
7 Legends	1	EA	41,323.40	\$41,323.40	\$49,000.00	\$49,000.00	\$76,670.00	\$76,670.00	\$75,000.00	\$75,000.00
			\$1,170,000.00		\$1,241,500.00		\$1,356,920.00		\$1,476,511.00	
Total written in Bid if discrepancy exists							\$1,357,420.00			
							\$1,356,920.00			
							\$500.00			



AGENDA STAFF REPORT

MEETING DATE: 5/3/2022

AGENDA SECTION: C

SUBJECT:

Public Works: Authorization to Award a Contract to 4Creeks Engineering of Visalia, Ca., in the amount of \$71,861.00 and approve an additional appropriation of \$14,900.00 from the TDA Fund to fully fund the preparation of the Local Roadway Safety Plan.

RECOMMENDATION:

That the City Council, by motion:

- 1) Award a Contract to with 4Creeks of Visalia, Ca., to prepare a Local Roadway and Safety Plan, in the amount of \$71,861.00.
- 2) Award additional appropriation in the amount of \$14,861.00 from the TDA Fund Reserves to fully fund the project.

BACKGROUND:

Federal regulations require each State has a Strategic Highway Safety Plan (SHSP). A SHSP is a statewide data-driven traffic safety plan that coordinates the efforts of a wide range of organizations to reduce traffic accident fatalities and serious injuries on all public roads. In coordination with federal, state, local and private sector safety stakeholders, the SHSP establishes goals, objectives, and emphasis (or challenge) areas.

While the SHSP is used as a statewide approach for improving roadway safety, A Local Road Safety Plan (LRSP) is used in providing local and rural approach for improving roadway safety, while contributing to the statewide SHSP. The process of preparing an LRSP creates a framework to systematically identify and analyze safety problems and recommend safety improvements. Preparing an LRSP facilitates the development of local agency partnerships and collaboration, resulting in a prioritized list of improvements and actions that can demonstrate a defined need and contribute to the statewide plan. The LRSP offers a proactive approach to addressing safety needs and demonstrates agency responsiveness to safety challenges.

Staff solicited the current On Call Engineering firms to submit a proposal for the preparation of the LRSP. A total of one proposal was received and ranked based on qualifications. 4-Creeks Engineering was selected, for a cost of \$71,861.00.

Preparation of the City's LRSP will be accomplished through acquiring and analyzing data, identifying partners to review the data, selecting emphasis areas, developing safety strategies and countermeasures, and adopting the final plan. The LRSP will play a critical role in addressing traffic collision risks and may identify specific or unique conditions that contribute to traffic collisions within the City. The LRSP will provide the City the opportunity to proactively correct high collision or problem locations in hopes to prevent local road fatalities and injuries. The final plan will recommend proven countermeasures, provide a structured and realistic set of responses that implement changes over time, will integrate the "4 E's" approach (Education, Enforcement, Emergency Service, and Engineering) in its proposed solution strategies, and will identify road safety partners that could sustain a long-term effort.

If awarded, the study will take an approximately 7 months to complete.

FISCAL IMPACT:

The City received grant funding from The Department of Transportation in the amount of \$57,000.00 for Agency Preliminary Engineering for the Local Roadway Safety Plan. An additional appropriation of \$14,900.00 from the TDA Fund is necessary to fully fund this project. See attached finance letter for Councils review.

ATTACHMENTS:

State Grant Finance Letter-Signed

DEPARTMENT OF TRANSPORTATION

FINANCE LETTER

Date: 12/14/2021 EA No:
 D_CO_RT: 06-KIN-0-HAN
 Project No: LR SPL-5091(067)
 Adv Project Id: 0622000030
 Project End Date:

To: City of Hanford

FINANCE ITEMS	PRO RATA OR LUMP SUM	TOTAL COST OF WORK	PART. COST	STATE	LOCAL
Agency Preliminary Engineering	Lump Sum	\$65,000.00	\$65,000.00	\$57,000.00	\$8,000.00
Totals:		\$65,000.00	\$65,000.00	\$57,000.00	\$8,000.00

Participation Ratio: 100.00%

This Finance Letter was created based on specific financial information provided by the responsible local agency. The following encumbrance history is prepared by Local Assistance Accounting Office and is provided here for local agency's information and action.

Signature: _____



Title: HQ Senior Area Engineer

For questions regarding finance letter, contact:

Printed Name : Ted Davini

Telephone No: 916-653-4335

Remarks:

ACCOUNTING INFORMATION										LR SPL-5091(067)		Cooperative Work Agreement	
ADV. PROJECT ID	APPROP. UNIT	STATE PROG.	FED/STATE	ENCUMBRANCE AMOUNT	APPROP YEAR	EXPENDITURE AMOUNT	ENCUMBRANCE BALANCE	REVERSION DATE*		APPROVED AMOUNT	EXPIRATION DATE		
0622000030	20102	2030010555		\$57,000.00	1920	\$0.00	\$57,000.00	06/30/25					

*Please submit invoices to the appropriate Districts by April 1st to avoid funds lapsing on the June 30th reversion date listed above and to allow sufficient time for Accounting and SCO year-end closing procedures.



AGENDA STAFF REPORT

MEETING DATE: 5/3/2022

AGENDA SECTION: D

SUBJECT:

Public Works: Authorization to Award a contract to MAC General Engineering of Exeter CA, in the amount of \$1,176,870.70, establish a construction contingency of \$117,700.00; allocate the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Fund contribution of \$243,000.00 to this project; and approve an additional appropriation of \$189,000.00 from the Storm Drain Capital Reserves to fully fund the Emma Lee Lane Reconstruction Project

RECOMMENDATION:

That the City Council, by motion,

- 1.. Award a contract to MAC General Engineering of Exeter CA in the amount of \$1,176,870.70.
2. Establish a construction contingency of \$117,700.00.
3. Allocate the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Fund contribution of \$243,000.00 to this project.
4. Approve an additional appropriation of \$189,000.00 from the Storm Drain Capital Reserves to fully fund the Emma Lee Lane Reconstruction Project.

BACKGROUND:

This project will involve the reconstruction of Emma Lee Lane, from Grangeville Boulevard to Conquistador Street. Improvements to include installation of curb, gutter, sidewalk, ADA ramps, storm drainage collection system and reconstruction of street.

Emma Lee Lane is a residential street that lacks a proper drainage system and is in need of total reconstruction. This project will extend the useful life of the street by approximately 20-25 years.

A portion of this project will be funded through the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA). This is not ARPA funding but instead is a separate pot of money allocated to the City. Under the Act, these COVID Relief Funds may be

used for a broad range of surface transportation purposes listed in Section 113(b) of Title 23 of the U.S. Code and are meant to “prevent, prepare for, and respond to coronavirus.” Specifically, the Act allows cities to cover revenue losses and allows COVID Relief Funds to be used on new or existing projects, and for preventive and routine maintenance

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, construction is anticipated to begin in June 2022.

FISCAL IMPACT:

The FY 21/22 Capital Improvement Budget provides \$863,000.00 for this project. That amount is comprised of the following projects: Emma Lee Lane Crossing/Lift Station #37, Emma Lee Lane Reconstruction, Grangeville Boulevard to Conquistador Street and Water Main Replacement Program. In addition, the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Fund will contribute an additional \$243,000.00, making the total project budget \$1,106,000.00 including contingency. An additional appropriation of \$189,000.00 from the Storm Drain Capital Reserve is necessary to fully fund this project. A copy of the budget pages are attached for Council Review.

ATTACHMENTS:

Emma Lee Lane Reconstruction - Budget Page

Emma Lee Lane Crossing - Budget Page

Water Main Replacement Program - Budget Page

Emma Lee Lane Reconstruction, Grangeville Boulevard to Conquistador Street

Project Background:

This project will involve the reconstruction of Emma Lee Lane, from Grangeville Boulevard to Conquistador Street. Improvements to include installation of curb, gutter, sidewalk, ADA ramps, storm drainage collection system and reconstruction of street.

Existing Conditions:

Emma Lee Lane is a residential street that lacks a proper drainage system and is in need of total reconstruction.

Project Justification:

This project will extend the useful life of the street by approximately 25-30 years.

Fiscal Implications:

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

Project Budget Summary:

		5-Year Funding Allocation				
		2019	2020	2021	2022	2023
Expenditure	Program or Project	Design	Construction			
	Engineering / Inspection	15,000	8,000			
	Construction		350,000			
	Contingency		35,000			
	Department Overhead	3,000	2,000			
Total Expenditure		\$18,000	\$395,000	\$0	\$0	\$0
Revenue	Funding					
	040 Gas Tax (2105)	18,000	395,000			
	Total Funding	\$18,000	\$395,000	\$0	\$0	\$0

Emma Lee Lane Crossing / Lift Station #37

Project Background:

Pursuant to an agreement between the City of Hanford and the People's Ditch Company, the City of Hanford is responsible for any and all road crossings over the ditch within the city limits.

Existing Conditions:

During a recent inspection, the People's Ditch Company notified the City that the galvanized culverts that transfer water under Emma Lee Lane were failing and in need of repair or replacement. Storm Lift Station #37 also discharges under this crossing and must be relocated to affect the repairs.

Project Justification:

To prevent a failure of the pipes and the possible subsequent road collapse, the culvert pipes must be repaired or replaced and the lift station outlet relocated.

Fiscal Implications:

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

Project Budget Summary:

		3-Year Funding Allocation				
		2019	2020	2021	2022	2023
Expenditure	Program or Project	Construction				
	Engineering / Inspection	7,500				
	Construction	225,000				
	Contingency	25,000				
	Department Overhead	2,500				
Total Expenditure		\$260,000	\$0	\$0	\$0	\$0
Revenue	Funding					
	358 Storm Drainage Capital	260,000				
Total Funding		\$260,000	\$0	\$0	\$0	\$0

Water Main Replacement Program

Project Background:

This project will replace existing small mains and older mains that do not meet City standards for fire protection or for delivery of water to consumers.

Existing Conditions:

Project Justification:

Projects will include replacement of steel and cast iron mains, undersized mains causing low pressure areas, and in-fill in areas where minor adjustments to the distribution system will enhance system performance.

Fiscal Implications:

Funding for the Water Main Replacement Program will be allocated from Water Capital Reserves.

Project Budget Summary:

		5-Year Funding Allocation				
		2022	2023	2024	2025	2026
Expenditure	Program or Project	Construction		Construction		Construction
	Engineering / Inspection	38,000		38,000		38,000
	Construction	600,000		600,000		600,000
	Contingency	60,000		60,000		60,000
	Department Overhead	36,740		2,000		2,000
Total Expenditure		\$734,740	\$0	\$700,000	\$0	\$700,000
Revenue	Funding					
	0391 Water Capital	734,740		700,000		700,000
	Total Funding	\$734,740	\$0	\$700,000	\$0	\$700,000



**AGENDA
STAFF REPORT**

MEETING DATE: 5/3/2022	AGENDA SECTION:
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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
4/7/20	Discussion of Pay for Parking Options in the Downtown Area	Council Consensus	John Doyel	After presentation of Downtown Plan
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	Tom Webb	5/17/2022
1/18/22	Discussion of options for New Business Incentives in the Downtown District	Council Consensus	Mario Cifuentez	6/7/2022
3/29/22	Discussion of Future Facility Space Needs and Funding Mechanisms	Council Consensus	Various Staff	6/21/2022
3/29/22	Discussion of the future use of Roundabouts and cost savings	Council Consensus	John Doyel	7/19/2022
3/29/2022	Discussion of the implementation of City Geographic Information System	Council Consensus	Various Staff	8/2/2022
4/5/22	Review of options for Reducing the City's Unfunded Accrued Liability (UAL)	Council Consensus	Chris Tavarez	5/3/2022

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