



CITY COUNCIL MEETING MINUTES

**September 20, 2016 7:00 PM
Council Chambers
400 N. Douty St.**

6:00 PM - CALL TO ORDER STUDY SESSION & CLOSED SESSION:

Mayor Justin Mendes called the sessions to order at 6:00 p.m.

ROLL CALL:

Present: Gary Pannett, Russ Curry, David Ayers, Francisco Ramirez, Justin Mendes

PUBLIC COMMENT - STUDY SESSION & CLOSED SESSION:

Comments from the public are limited to items on the agenda (GC54954.3a). A maximum of five minutes is allowed for each speaker.

There were no comments.

STUDY SESSION:

A. City Code Enforcement Abatement Procedures

City Attorney Mario Zamora provided a PowerPoint presentation regarding the abatement process including identifying properties, investigations by staff, review of the report, demand letter to property owner, request abatement and inspection warrant to be approved by the Court, and following abatement the City returns to Court to provide status and close out the case. Abatements can range from cleaning up yards to demolition of structures. The City can recover the costs in a variety of ways. Mr. Zamora responded to questions and comments by the City Council.

B. Code Enforcement Report & Operations

Community Development Director Darlene Mata provided an overview of the Code Enforcement division's staff, priorities, and types of cases. Ms. Mata discussed administrative fines and the related revenue. She responded to questions and comments from the City Council.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

Mayor Mendes adjourned to closed session at 6:48 p.m.

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Government Code Section 54956.8

Property: APN 010-265-001, 113 Court Street
Agency Negotiators: Darrel Pyle and Ty Mizote
Negotiating Party: Unknown
Under Negotiation: Terms and Price

7:00 PM - CALL TO ORDER REGULAR SESSION:

Mayor Mendes called the regular meeting to order at 7:01 p.m.

ROLL CALL:

Attendee Name	Title	Status	Arrived
Russ Curry	Council Member	Present	5:55 PM
David Ayers	Council Member	Present	5:55 PM
Gary Pannett	Council Member	Present	5:50 PM
Francisco Ramirez	Vice Mayor	Present	5:35 PM
Justin Mendes	Mayor	Present	5:55 PM

INVOCATION:

Police Chief Parker Sever provided the invocation.

FLAG SALUTE:

Council Member Ayers led the flag salute.

CLOSED SESSION ACTION REPORT:

There was nothing to report.

RECOGNITIONS/PROCLAMATIONS:

A. Introduction of Firefighter Matthew Martinez

This item will be rescheduled to a future meeting.

STAFF COMMUNICATIONS:

City Manager Darrel Pyle distributed a communication for their review from Kings Medical Group regarding their request to waive their impact fees.

Police Chief Parker Sever stated that he is still in discussions over the National Guard Armory.

Community Development Director Darlene Mata reminded the Council about the Joint meeting scheduled for next week.

Public Works Director Lou Camara provided a brief update on street projects.

Finance Director Tom Dibble stated that the auditors will be here the last week of October.

Parks & Recreation Director Craig Miller announced the upcoming Renaissance Faire.

Fire Chief Chris Ekk invited everyone to their upcoming open house.

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 or to comment on items listed under the Consent Calendar or to request an item from the Consent Calendar be pulled for discussion purposes. Comments related to General Business items or Public Hearing items will be heard at the time the item is discussed.

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

Shelli Barker inquired about a problem with parked vehicles and trash in gutters that are an eyesore in front of an apartment complex. She would like the street to get cleaned up. Public Works Director Lou Camara will look into the matter.

Joseph James commented about water waste at Freedom Park and the frequent watering there.

Jack Willis submitted a proposal to reduce the fee for appealing Planning Commission decisions.

Dennis Ham expressed concern that the campaign signs do not identify which districts candidates are running in, so it can confuse voters. He also commented on the proposed ordinance pertaining to the City Council.

Rob Van Wagoner announced upcoming events hosted by the Carnegie Museum.

Kimberly Johnson commented on some past police actions.

Jeff Porterfield expressed his opposition to a Notice of Violation written by Code Enforcement to a local business.

Patricia Dickerson stated that the park has been cleaned up and thanked the Council.

Sheriff David Robinson stated that marijuana is still illegal in the United States and in California. He commented on case laws and drug enforcement issues pertaining to marijuana.

Michael McAdams discussed homeless issues and would like run down buildings to be fixed up for shelters.

Dennis Fausone commented on the complaint he submitted regarding Code Enforcement.

A woman requested that flashing signals be installed at a couple of crosswalks in front of schools.

CONSENT CALENDAR:

Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

Motion to approve the Consent Calendar.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary Pannett, Council Member
SECONDER:	Francisco Ramirez, Vice Mayor
AYES:	Curry, Ayers, Pannett, Ramirez, Mendes

- A. City Clerk: Approve Minutes from the September 6, 2016 Meeting
- B. Police: Waive the second reading and adopt Ordinance 16-09 amending Chapter 5.52 of the Hanford Municipal Code regarding Taxicabs, Automobiles for Hire, and Drivers for Hire.
- C. I.T. : Information Technology Budget Amendments for FY17 and FY18 to add a Computer Technician Position.
- D. Public Works: Notice of Completion for the FY 15/16 Reclamite Seal Project

E. Finance: Warrant Register

PUBLIC HEARINGS:

A. Community Development: Public Hearing to approve the FY 2015-16 submittal of Community Development Block Grant Consolidated Annual Performance and Evaluation Report (CAPER)

Housing Administrative Analyst Sandra Lerma-Martinez provided an overview of the action plans and budgets.

Mayor Mendes opened the public comments for the Public Hearing at 7:40 p.m. A gentleman requested that some funds be used for the homeless. Mayor Mendes closed the public comments at 7:41 p.m.

Motion to approve the item as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Russ Curry, Council Member
SECONDER:	Francisco Ramirez, Vice Mayor
AYES:	Curry, Ayers, Pannett, Ramirez, Mendes

GENERAL BUSINESS:

A. Community Development: First Amendment to a Development Agreement dated November 10, 2009 between the City of Hanford and MMV Development LLC pertaining to the development of Live Oak Master Plan.

Community Development Director Darlene Mata provided background information for the Council's review and consideration. She responded to questions and comments by the City Council.

Motion to approve the item as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Ayers, Council Member
SECONDER:	Francisco Ramirez, Vice Mayor
AYES:	Curry, Ayers, Pannett, Ramirez, Mendes

B. Community Development: Review of City Owned Property and Initiation of Declaration of Surplus Property

Community Development Director Darlene Mata discussed the proposed properties to be declared as surplus. The Council discussed whether additional properties should also be surplus. Council Member Curry recommended that the Mayor meet with Ms. Mata to prepare a list in regards to other properties that can be brought back at a future meeting.

Motion to move forward with the process to declare the properties surplus.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Russ Curry, Council Member
SECONDER:	Francisco Ramirez, Vice Mayor
AYES:	Curry, Ayers, Pannett, Ramirez, Mendes

C. City Clerk: Introduce and waive the first reading, and pass to a second reading Ordinance 16-10, amending Hanford Municipal Code Section 2.20.040 pertaining to Commissioners' Terms and Reappointments, and Chapter 2.04 pertaining to City Council

City Clerk Jennifer Gomez clarified the purpose of removing these ordinances from the Municipal Code.

Motion to introduce and waive the first reading, and pass to a second reading Ordinance 16-10.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Ayers, Council Member
SECONDER:	Francisco Ramirez, Vice Mayor
AYES:	Curry, Ayers, Pannett, Ramirez, Mendes

D. Administration: Removal of Commissioner from Parking & Traffic Commission

City Manager Darrel Pyle presented the proposed removal of Shaka Sudds.

Mayor Mendes discussed a code of ethics and conduct that the City Council and Commissioners should follow. Due to comments made by Ms. Sudds that the Mayor found to be inappropriate for someone in her position of leadership, he decided this should be placed on the agenda.

Council Member Pannett disagreed and believes that Ms. Sudds has the right to speak her opinion as a private citizen and that the City would be infringing on her rights.

City Clerk Jennifer Gomez read excerpts from the Council's Rules and Procedures regarding decorum.

Council Member Curry stated that he met with the Mayor and the Human Resources Manager regarding this issue, and he concurs with the Mayor.

Vice Mayor Ramirez stated that people make mistakes and that he agrees with Council Member Pannett. He does not believe Commissioners should be held to the same standard as Council Members, since Commissioners are not elected officials.

Mayor Mendes reiterated that actions have consequences, especially if they are going to be representatives of this city.

City Attorney Ty Mizote stated freedom of speech is not absolute and that Commissioners serve at the pleasure of the Council. He does not see any constitutional violations being committed in this matter.

Motion to approve the removal of Shaka Sudds from the Commission.

RESULT:	APPROVED [3 TO 2]
MOVER:	Russ Curry, Council Member
SECONDER:	David Ayers, Council Member
AYES:	Curry, Ayers, Mendes
NAYS:	Pannett, Ramirez

E. Administration: Review and discussion regarding request to amend Municipal Code Chapter 8.32 Medical Marijuana Cultivation, Collective, Dispensary

City Manager Darrel Pyle provided background information on current California laws regarding medical marijuana and the recent changes to regulate and control this substance. He discussed the request to change the City's ordinance to allow cultivation at a facility that an individual is purchasing in the industrial park.

Council Member Pannett would like more information before proceeding with this request.

Council Member Curry discussed the proposal that was presented to him, Council Member Ayers, Police Chief Sever, and City Manager Pyle. He expressed concern about his lack of financing. He agreed that more information would be beneficial to determine if the ordinance should be changed.

Council Member Ayers suggested a Request for Proposal as that is an ideal location for this proposal if there is a high interest. He also wants to make sure the community is comfortable with this too.

Mr. Pyle clarified that this is private property so the City could not do an RFP. However, there is local control over the permitting process and that will provide an opportunity for the City Council to lay out provisions to regulate it.

Vice Mayor Ramirez stated that he sees medical marijuana is benefiting patients, and it is being more regulated. He believes the community would benefit from this facility by adding jobs. He supports moving forward with changing the ordinance.

Mayor Mendes would like something to be brought back before the Council to discuss potential legal issues. He would support possible allowances for medical marijuana, but opposes recreational use.

The Council directed staff to bring back information on legal issues and to have a presentation or material given to the full Council. Staff will also prepare some draft language for the Council to review.

COUNCIL REPORTS/COMMENTS:

Council Member Pannett would like improvements to be made to the restrooms in the Civic Park. He also announced new businesses in downtown.

Council Member Curry attended the City/County Coordinating meeting.

Council Member Ayers also attended the City/County Coordinating meeting and briefly commented on the topics that were discussed.

Vice Mayor Ramirez attended the Main Street Hanford meeting and stated that it was very successful with a lot of discussion.

Mayor Mendes commented on his trip to Washington D.C. with KCAG.

ADJOURNMENT:

Mayor Mendes adjourned the meeting at 8:47 p.m.

Respectfully submitted,

Jennifer Gomez
City Clerk