



**CITY COUNCIL MEETING
MINUTES**

**February 7, 2017 7:00 PM
Council Chambers
400 N. Douty St.**

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

Mayor David Ayers called the Study Session and Closed Session to order at 6:03 p.m.

ROLL CALL:

Present: Justin Mendes, Martin Devine, Sue Sorensen, David Ayers

Absent: Francisco Ramirez

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 given.

STUDY SESSION:

A. 2016/17 Mid Year CIP Status Update and Enterprise Fund Update Reports for Water, Sanitary Sewer and Refuse Funds

Public Works Director Lou Camara provided a PowerPoint presentation on the status of the 2016-17 Capital Improvement Projects pertaining to Facilities and General Projects, Parks and Recreation, Downtown, Transportation, Storm Drainage, Water, Wastewater, Airport, and Industrial Park. Staff responded to questions and comments by the City Council.

Deputy Public Works Director John Doyel presented an Enterprise Fund Fiscal Update. He reviewed the Fund Balances and Debt Service Ratios for Water, Wastewater, and Refuse. There are some upcoming challenges for Refuse. The refuse fund is utilizing reserves for operations and the State has added two new mandatory programs that will increase costs. Additional staffing will be needed for growth and new service routes. Staff requested direction from the City Council regarding a Refuse Rate Study. The consensus of the Council was for staff to move forward with a study.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

Mayor Ayers adjourned to closed session at 6:37 p.m.

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9(d)(2)

Number of Potential Cases - 1

7:00 PM CALL TO ORDER REGULAR SESSION:

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

ROLL CALL:

Attendee Name	Title	Status	Arrived
Martin Devine	Council Member	Present	6:00 PM
Sue Sorensen	Vice Mayor	Present	6:00 PM
David Ayers	Mayor	Present	6:00 PM
Francisco Ramirez	Council Member	Present	7:00 PM
Justin Mendes	Council Member	Present	6:00 PM

INVOCATION:

Andrew Cromwell provided the invocation.

FLAG SALUTE:

Council Member Devine led the flag salute.

CLOSED SESSION ACTION REPORT:

There was nothing to report.

RECOGNITIONS/PROCLAMATIONS:

A. Presentation: Kings County Public Health Department - Tobacco Control Program

Araceli Gomez, Health Educator, introduced two students that participated in the program. The students commented on their experience with the Tobacco Litter Cleanup at Civic Park. A handout was provided to the Council for their information on the program.

STAFF COMMUNICATIONS:

Police Chief Parker Sever announced that they received keys to the National Guard Armory and they are looking forward to starting programs there.

Public Works Director Lou Camara thanked First Baptist Church for helping with a recent alley cleanup which was a huge success. He stated that the City was notified that People's Ditch Company is receiving flood release waters and were looking for groundwater recharge opportunities, so the City agreed to offer various basins.

Parks & Recreation Director Craig Miller commented on their upcoming events and programs including Challenger Youth Basketball, 3rd Annual Kids Fest, and the Daddy Daughter, Mother Son dances.

Fire Chief Chris Ekk stated that they are preparing to award a contract for the Fire Station 3 project.

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.*

William Munoz from Assemblymember Rudy Salas' office commented on the Young Assemblymember Program, and the students introduced themselves.

Paula Massey and Carolyn Hudgins commented on the Martin Luther King Jr. celebration. They announced the upcoming Black History Program on February 25th at the Civic Auditorium.

Patricia Dickerson of the Carnegie Museum thanked the City for improving the lighting and doing it with such a quick response.

Jeff Porterfield questioned whether the current downtown restrictions have benefited downtown or not. He supports changes to the zoning ordinances as it will bring in new businesses to Hanford.

Bob Ramos attended the Strategic Planning meeting on Monday and expressed his disappointment in the Council's interest in selling Rabobank.

Craig Johnson commented on the double taxes that he pays for his business being located downtown which is then used to keep downtown vibrant. He inquired where those funds are being used and spent.

Les Vierra supported the idea of increasing the Transient Occupancy Tax especially as additional hotels are built.

CONSENT CALENDAR:

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

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Justin Mendes, Council Member
SECONDER:	Francisco Ramirez, Council Member
AYES:	Devine, Sorensen, Ayers, Ramirez, Mendes

- A. City Clerk: Approve Minutes from the January 17, 2017 Meeting
- B. City Clerk: Deny claim for damages and direct the City Clerk to send out notification of such to Jayda Ridge
- C. City Clerk: Deny claim for damages and direct the City Clerk to send out notification of such to Heather Feleppa
- D. City Clerk: Deny claim for damages and direct the City Clerk to send out notification of such to Jesse Clark
- E. Public Works: Waive the second reading and adopt Ordinance 17-02 Pertaining to the Construction of and Reimbursement for Certain Water, Sanitary Sewer, and Storm Drain Improvements
- F. Public Works: Notice of Completion for Harris St. Reconstruction/Resurfacing Project From Ivy St. to Cameron St.

- G. Public Works: Award a contract to fumigate the Longfield Center Facility, Coe Park Facility and Police Department Operations Building to Terminix International LLC., of Visalia, in the amount of \$29,750 and approve an additional appropriation of funds in the amount \$17,250 from Accumulated Capital Outlay (ACO) Reserves.
- H. Public Works: Approval of Final Parcel Map 2015-03 and Acceptance of Right of Way for Street Purposes located at 12700 Grangeville Blvd.
- I. Public Works: Permission to Advertise the Longfield Center and Hanford Police Department Re-roofing Project.
- J. Public Works: Approve Notice of Completion for the Airport Taxilane Rehabilitation Phase 1 Project
- K. Public Works: Accept the attached Grant Deeds for street right-of-way purposes from Pinnacle Point, LLC, and authorize the City Manager to execute and the City Clerk to attest and record said deeds.
- L. Public Works: Award a contract to Aramark Uniform Services to provide uniform and laundry services, for \$447.42 per week, per specifications of Request for Bid No. 17-01.
- M. IT: Authorization to purchase ExecuTime Time Clock/Scheduling Software and Hardware from Sungard Public Sector and ExecuTime Software in the amount not to exceed \$100,000.
- N. City Attorney: Approve Waiver of Conflict
- O. Parks and Recreation: Approve Concessionaire Agreement for Joint Educational Center Softball Complex
- P. Parks & Recreation: Approve Ground Lease Agreement with Framework Racing
- Q. Community Development: Set February 21, 2017 as the date for a public hearing on the following actions: 1.) Site Plan Review No. 2015-07: a request to construct a new facility for the use of storage, blending, and sale of bulk and prepackaged dry and liquid fertilizer, along with the storage of agricultural protection products in the Kings Industrial Park. 2.) Road Abandonment No. 2015-01: a proposal to abandon approximately 46,389 square feet (1.05 acres) of street right-of-way on Energy Street, east of 11th Avenue and north of Idaho Avenue. 3.) Purchase/Acquisition of Real Property from the City of Hanford and Former Redevelopment Agency: a request to purchase two parcels totally 26.24 acres, parcel 018-242-077 from the City of Hanford and 018-242-067 from the former Redevelopment Agency to Helena Chemical. The project is located at the northeast intersection of 11th Avenue and Idaho Avenue, on either side of Energy Street (APN 018-242-067 and 018-242-077). The property is designed as Heavy Industrial by the General Plan and Zoned "HI" Heavy Industrial. The project is also within the limits of the Kings Industrial Park.
- R. Finance: Warrant Register

ITEMS PULLED FROM CONSENT:

- 1. City Clerk: Waive the second reading and adopt Ordinance 17-01 Amending Section 2.32.010 and 2.36.010 Pertaining to City Commissions

Council Member Mendes stated that he would like the Council to reconsider changing this ordinance and noted that meetings were not cancelled due to lack of quorums since reducing the seats to five. Mayor Ayers believed that the more people that can be involved in the decision making process the better. Vice Mayor Sorensen feels that the Commissioners need to be educated on the importance of attending meetings and to be more proactive in removing Commissioners if necessary. Council Member Ramirez stated that they were attempting to streamline the process. Council Member Devine agreed with Vice Mayor Sorensen.

Motion to adopt Ordinance 17-01.

RESULT:	APPROVED [3 TO 2]
MOVER:	Sue Sorensen, Vice Mayor
SECONDER:	Martin Devine, Council Member
AYES:	Devine, Sorensen, Ayers
NAYS:	Ramirez, Mendes

PUBLIC HEARINGS:

- A. Community Development: Public hearing on the following actions: 1.) Site Plan Review No. 2015-07: a request to construct a new facility for the use of storage, blending, and sale of bulk and prepackaged dry and liquid fertilizer, along with the storage of agricultural protection products in the Kings Industrial Park. 2.) Road Abandonment No. 2015-01: a proposal to abandon approximately 46,389 square feet (1.05 acres) of street right-of-way on Energy Street, east of 11th Avenue and north of Idaho Avenue. 3.) Purchase/Acquisition of Real Property from the City of Hanford and Former Redevelopment Agency: a request to purchase two parcels totally 26.24 acres, parcel 018-242-077 from the City of Hanford and 018-242-067 from the former Redevelopment Agency to Helena Chemical. The project is located at the northeast intersection of 11th Avenue and Idaho Avenue, on either side of Energy Street (APN 018-242-067 and 018-242-077). The property is designed as Heavy Industrial by the General Plan and Zoned "HI" Heavy Industrial. The project is also within the limits of the Kings Industrial Park. (Item is recommended to be Continued to February 21, 2017)

Community Development Director Darlene Mata requested that this item be continued.

Motion to continue the item to February 21, 2017.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Martin Devine, Council Member
SECONDER:	Francisco Ramirez, Council Member
AYES:	Devine, Sorensen, Ayers, Ramirez, Mendes

GENERAL BUSINESS:

- A. Discussion and Direction regarding possible Transient Occupancy Tax increase and Medical Cannabis Tax establishment

Vice Mayor Sorensen recused herself from the discussion pertaining to the TOT due to her conflict of interest in owning real property in the downtown and left the Council Chambers.

City Manager Darrel Pyle provided a presentation on a "Special Tax" Ballot question to increase the TOT and use the additional revenue for the specific purpose of Downtown Revitalization. The current 8% would remain in the General Fund tax revenue. A 66.67% approval by the voters would be needed for it to be implemented. A special election can take place on any ballot, including an all-mail ballot. Staff requested direction as to Council's desire to advance this measure, at what rate, and on what ballot.

Council Member Mendes supported the special tax to benefit downtown and to increase it to 12%. He also encouraged the election to take place in August to coincide with the City's birthday.

Council Member Ramirez stressed the importance in educating the public that this is not a tax on the residents, but on people visiting Hanford.

Council Member Devine also supported the proposed tax.

Mayor Ayers agreed that the timing is right to do it in August and to place emphasis on making improvements to downtown.

The consensus of the Council was for staff to move forward with ballot language with the intent to have the election in August 2017.

Vice Mayor Sorensen returned to the Council Chambers to participate in the discussion on a Medical Cannabis Tax.

Mr. Pyle discussed Council's past direction regarding the production of medical marijuana and the potential for a tax related to that industry. The measure would only be able to go on a general election ballot which would be November 2018 and would need a simple majority to pass. Mr. Pyle requested direction as to whether the Council would support the issuance of permits prior to the election with the risk that it may not pass.

Council Member Mendes supported this as a general tax, but does not support issuing permits prior to the voters approving the tax.

Council Member Ramirez and Council Member Devine agreed with Council Member Mendes.

Vice Mayor Sorensen inquired about the difference in revenue if the business was taxed under the current Municipal Code as a wholesale tax verses the tax that could be approved by the voters. Mr. Pyle stated the tax revenue would probably be in the thousands and just be a fraction of the millions that could be received each year. Ms. Sorensen would consider taking on the risk and allow the permitting prior to voter approval. Mr. Pyle noted that the tax would be on the industry and the end users, not on the Hanford residents, similar to the hotel bed tax. Vice Mayor Sorensen expressed her belief that the citizens would support this tax when it is not a cost to them.

Mayor Ayer questioned whether the current investor would pull out if the permits were delayed after the election. Mr. Pyle stated that it probably would. Mr. Ayers noted the benefit of additional jobs created by this business if they were permitted to operate.

Council Member Mendes stated that other investors will come along and have interest in the same property for the same industry, and therefore he is willing to wait until after the ballot measure passes.

Council Member Ramirez agreed with Mayor Ayers that the additional jobs are needed, and the City should take advantage of that opportunity. He determined that we should allow the permitting prior to the election.

Police Chief Parker Sever stated that these businesses are inherently non-compliant and do require a lot of time by the police department to monitor their actions. The current investor is willing to share the costs for the City to hire consultants to prepare the related ordinance and permitting process, but if he pulls out of the investment, then the City would have to pay for those costs.

Following additional discussion, the Council unanimously directed staff to do the ballot measure, then issue permits after it has passed.

CONVENE AS SUCCESSOR AGENCY:

Mayor Ayers convened the Successor Agency at 8:28 p.m.

PUBLIC COMMENT - SUCCESSOR AGENCY:

Any person may directly address the Board at this time on any item on the agenda, or on any item that is within the subject matter jurisdiction of the Board. A maximum of five minutes is allowed for each speaker.

There were no comments given.

SUCCESSOR AGENCY FOR THE DISCUSSION OF THE FOLLOWING:

- A. Review and Approval of Administrative Budgets for the periods July 1, 2017 to December 31, 2017 and January 1, 2018 to June 30, 2018.

Finance Director Tom Dibble provided background information for the Council's review and consideration.

Motion to approve the Administrative Budgets as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Francisco Ramirez, Council Member
SECONDER:	Martin Devine, Council Member
AYES:	Devine, Sorensen, Ayers, Ramirez, Mendes

- B. Review and approval of the Recognized Obligation Payment Schedule (ROPS) for the period July 1, 2017 to June 30, 2018.

Finance Director Tom Dibble discussed the ROPS for the Council's consideration and the related properties.

Motion to approve the Recognized Obligation Payment Schedule (ROPS) for the period July 1, 2017 to June 30, 2018.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sue Sorensen, Vice Mayor
SECONDER:	Justin Mendes, Council Member
AYES:	Devine, Sorensen, Ayers, Ramirez, Mendes

ADJOURN AS THE SUCCESSOR AGENCY:

Mayor Ayers adjourned the Successor Agency at 8:38 p.m.

COUNCIL REPORTS/COMMENTS:

Council Member Mendes commented on the new committees that he has been assigned to. In March, he will be attending the Valley Voice trip to Sacramento to advocate for transportation issues. He also thought the Goals and Objectives workshop was very productive this year.

Council Member Ramirez also praised the Goals and Objectives process this year.

Council Member Devine stated the Goals and Objectives Workshop was very beneficial to him.

Vice Mayor Sorensen also spoke in favor of the Goals and Objectives Workshop. She commented on the benefit to her and Council Member Devine of attending the New Mayor and Council Member Conference in Sacramento. Ms. Sorensen was glad to hear about the success of the City Employee Appreciation Dinner.

Mayor Ayers commented on the recent KART meeting that he attended and distributed some handouts to the Council. He reminded the Council that there will be a League of California Cities General Membership meeting next week in Selma.

City Manager Darrel Pyle clarified an inquiry made by a citizen under public comment about where the funds go that are received from the downtown business tax. They are kept in a separate fund and dispersed with a majority of it going to Main Street Hanford and the remainder amount is used by the City to make improvements to downtown parking lots and other downtown infrastructure needs.

COUNCIL FUTURE AGENDA ITEMS:

ADJOURNMENT:

Mayor Ayers adjourned the meeting at 8:49 p.m.

Respectfully submitted,

Jennifer Gomez
City Clerk