The City of Hanford
CALIFORNIA

CITY COUNCIL MEETING
MINUTES
July 18, 2017 7:00 PM
Council Chambers
400 N. Douty St.

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

Mayor David Ayers called the Study Session & Closed Session to order at 5:30 p.m.

ROLL CALL:

Present: Justin Mendes, Francisco Ramirez, Martin Devine, Sue Sorensen (5:37 pm), David Ayers

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.

No comments were given.

STUDY SESSION:

A. Goals & Objectives Update

City Manager Darrel Pyle provided a Power Point presentation and discussed the status of each action item listed on the Policy Agenda, Management Agenda, and Other Management Projects that the City Council identified for their 2017 goals and objectives. Staff responded to questions and comments by the City Council.

The City Council directed staff to move forward with the next Goals & Objectives in January 2019 without a consultant.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

Mayor Ayers adjourned to closed session at 6:47 p.m.

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

Property: APNs 018-242-067, 018-242-077
Agency Negotiators: Darrel Pyle and Ty Mizote
Negotiating Party: Steve Alexander and Jahn Kahn for Helena Chemical
Under Negotiation: Terms and Price

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9(d)(1)

CASE NAME: San Joaquin Valley Environmental Defense Center v. City of Hanford
CASE NUMBER: Kings County No. 17C0142

C. CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6

Agency Designated Representatives: Darrel Pyle and Mario Zamora
Employee Organization:
Hanford Firefighters Local 3898, IAFF
General Employees Management Association (G.E.M.A.)

7:00 PM CALL TO ORDER REGULAR SESSION:

Mayor Ayers called the regular meeting to order at 7:24 p.m.

ROLL CALL:

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

INVOCATION:

Pastor Bud Haskell provided the invocation.

FLAG SALUTE:

Mayor Ayers led the flag salute.

CLOSED SESSION ACTION REPORT:

Due to the lack of time Items B and C were tabled for a future meeting.

RECOGNITIONS/PROCLAMATIONS:

STAFF COMMUNICATIONS:

Police Chief Parker Sever commented on a current boxing tournament that have two individuals attending. He noted that a new fence was installed around the Armory, and they will begin working on the landscaping soon.

Community Development Director Darlene Mata announced that the City was awarded approximately $30,000 more from CDBG than originally estimated. Staff will be bringing an amendment back to the Council for direction with the additional funds.

Utilities & Engineering Director John Doyel gave an update on various capital improvement projects. Staff has been working hard at cleaning up the storm drain basins.

Parks & Recreation Director Craig Miller discussed current summer activities.

Fire Chief Chris Ekk commented on their crews that are currently working on fires throughout California.

Finance Director Paula Lofgren stated that they are working on closing the accounts from the last fiscal year.

PUBLIC COMMENT:

This is the time for citizens to comment on subject matters not on the agenda within the jurisdiction of the Hanford City Council 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.*

Tony Furtada requested that the City Council reject the resolution to charge property owners for delinquent utilities caused by tenants.

Paula Massey invited the City Council and the public to attend their Black History Committee's fundraiser on August 19th.

Dan Chin shared some sports history in Hanford and announced that Mark Lee will be inducted into the Green Bay Packers Hall of Fame. Mr. Chin requested that the City honor Mr. Lee in some manner.

Les Fierra expressed his support of selling vacant land and fixing up the historic buildings. He stated the negative effects of marijuana on those who use it and strongly opposed any dispensaries. He also supported additional taxes on hotels.

Kevin Henshaw commented on the problem with inconsistent utility extensions and related penalties. He does not believe that the poorer residents should be penalized if they are delinquent or have their water shut off.

Dennis Ham requested that the consent item regarding the approval of the Final Parcel Map No. 2016-02 be pulled as the map does not provide enough information to make a decision tonight.

Bob Ramos expressed his concern over the City's handling of large amounts of cash related to the marijuana industry. Mr. Ramos also commented on the lack of open space in Hanford and does not want the land next to Hidden Valley Park to be sold.

Don Blasser commented on a sign on their building that is not in compliance, but stated that it is a part of the structure. The City directed them to remove it, but he disagrees and requested that the Council allow the sign to remain.

CONSENT CALENDAR:

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

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

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

A. City Clerk: Approve Minutes from the July 5, 2017 Meeting

B. Administration: Approval of Memorandum of Understanding with the Hanford Police Officers Association

C. Utilities and Engineering: Award a Contract for the FY 16/17 Manhole Repair Project to SoCal Pacific Construction Corp. in the amount of $47,959 plus a contingency of $4,700.

D. Parks & Recreation: Purchase of a Whatcom Mulch Trailer in the amount of $25,654.20.

E. Fire: Purchase of one 2017 Ford F550 patrol from Skeeter Brush Trucks in the amount of $176,094.85 and authorize an additional appropriation and transfer of funds.

F. Community Development: Waive the second reading and adopt Ordinance 17-08 approving MUNICIPAL CODE AMENDMENT No. 2017-02, a request by the City of Hanford to amend the Hanford Municipal Code repealing section 8.32.070 of Title 8, the addition of Chapter 5.56 to Title 5 establishing the business regulations for commercial cannabis businesses; an amendment to Chapter 17.08 to amend Table 17.080.030 adding commercial cannabis uses as conditional uses in the I-H zone and addition of Chapter 17.69 “Cannabis Related Uses and Activity” to further regulate cannabis uses.

G. Finance: Adopt and File Treasurer's Report of Investments for Fiscal Year 2016-2017 as of June 30, 2017.

H. Finance: Warrant Register

ITEMS PULLED FROM CONSENT CALENDAR:

1. City Attorney: Sale of 16.43 Acres to Helena Chemical Company

City Attorney Mario Zamora requested that this item be tabled to a future agenda.

RESULT:	**TABLED [UNANIMOUS]**
MOVER:	Sue Sorensen, Vice Mayor
SECONDER:	Francisco Ramirez, Council Member
AYES:	Devine, Sorensen, Ayers, Ramirez, Mendes

2. Utilities and Engineering: Approval of Final Parcel Map No. 2016-02 and Acceptance of Right of Way Dedications and Easements along Centennial Drive & Devon Street.

This item was pulled by a member of the public for information on the parcel map.

Utilities & Engineering Director John Doyel provided a copy of the map to the Council for their review.

Motion to approve the item.

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

3. Public Works: Award a contract to Fresno Roofing Company, Inc., of Fresno, Ca., for roofing replacement on the Longfield Recreation Center and the Hanford Police Department buildings, in the amount of $258,363.00.

Council Member Mendes pulled the next 3 items because he inquired if the fiscal impact and fund balance could be included with agenda items.

Motion to approve as presented.

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

4. Public Works: Award a contract to Airworx Air Conditioning & Heating of Lemoore, Ca., to furnish and install four (4) new evaporative cooler units at the Longfield Center Facility and four (4) new air conditioning units at the Police Department main building, in the amount of $52,700.00.

Motion to approve as presented.

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

5. Public Works: Purchase of roofing materials for the Longfield Recreation Center and Police Department buildings from Garland Company of Cleveland Ohio, through a US Communities National Cooperative Purchasing Program, in the amount of $211,637.40, including tax and delivery.

Motion to approve as presented.

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

PUBLIC HEARINGS:

A. Finance: Adopt Resolution 17-42-R Approving and Confirming the Report of Delinquent Utilities Charges and Requesting Kings County to Collect Such Charges on the Tax Roll

City Manager Darrel Pyle provided background information for the Council's review and consideration. Staff responded to questions and comments by the City Council.

Mayor Ayers opened the public comments of the public hearing at 8:25 p.m.

Mr. Santos stated that this is hurting the property owners and that the contract is between the City and the tenant.

Bob Ramos inquired if this was a communication problem between the property owner and the City. He recommended that the property owner also be notified when the renters become delinquent.

Tony Furtado spoke again in opposition to this resolution since he did not receive any notification until four months later and that he no longer had any control over his previous tenant.

Eva Montero stated that she inherited the properties and had to evict the tenants. They had no knowledge of any delinquent charges.

Dr. David De Silva expressed his concern that the message to tenants is that the bill will get paid by the property owners and absolves them from personal responsibility. He felt that staff has not been staying on top of these charges allowing them to increase unnecessarily. He recommended that the City send notifications to the owners when the tenants are delinquent. He also inquired about General Business item B and if that has any impact on this agenda item.

Jose Maciel stated his opposition to this resolution.

Jesus Torres agreed that the utility deposit should be increased to cover the delinquent fees. He requested that the Council not pass this resolution.

Nancy Hitchcock stated that the City, like the property owners, offer a service for the tenant and that the City should be responsible for collecting the costs from the tenants. She requested that the City notify the owners when a tenant becomes delinquent.

Kevin Henshaw stated that the money should be collected from the customers and that the deposits should not be returned until the account is closed.

Fred Fonseca opposed the resolution and recommended that the City impose a deposit that can be used for the delinquent fees.

Mayor Ayers closed the public comments of the public hearing at 8:55 p.m.

Vice Mayor Sorensen recommended that communication be improved to notify the property owners if the City is going to make them responsible.

Mayor Ayers inquired about the cost for current deposits. Finance Director Paula Lofgren stated that it is currently $85, and staff recommends that it be doubled to cover these types of issues.

Council Member Mendes would like to table this item and allow some new processes to be implemented to address the problem.

Mr. Pyle addressed questions and comments by the City Council.

Utilities & Engineering Director John Doyel agreed that higher deposits will assist in recovering costs and that providing notice to property owners will improve it as well.

Motion to not adopt Resolution 17-42-R and direct staff to bring amendments to the Municipal Code to implement a new process.

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

Mayor Ayers called for a recess at 9:17 p.m. and reconvened the meeting at 9:25 p.m.

GENERAL BUSINESS:

A. Community Development: Resolution 17-43-R adopting Commercial Medical Cannabis Business application fees, applications and procedures for Commercial Medical Cannabis Business Permits and establishing a maximum number of permits in accordance with Section 5.56.080 and 5.56.090.

Community Development Director Darlene Mata provided an overview of the application process, fees, and procedures. She discussed the proposed number of cannabis permits for freestanding facilities and a cannabis campus. A limitation is recommended because the City does not have a tax in place and cost recovery is limited to cost for service in the form of a permit fee. There is also limited energy to service large scale cultivation operations. Staff capacity to process permits and documents is limited. Ms. Mata provided a map of potential parcels that are available in the heavy industrial zone. She also discussed the proposed application fees. The cost of a permit fee is currently unknown, because it will be calculated once the number of permits that will be issued by the City Council is determined. That fee will be presented on the same agenda that the Council awards the permits.

Council Member Mendes inquired about the issue of handling cash and also recommended that the number of campuses be reduced from three to two. He would prefer to error on the side of caution and limit the number of permits. Ms. Mata stated that this is a resolution so it can easily be amended to increase the number at a later date if things are going well.

Council Member Ramirez concurred with Mr. Mendes.

Council Member Devine agreed to limit the campuses to two. He inquired to Genezen how many permits they are needing for their model.

Vice Mayor Sorensen expressed concern about reducing the number of permits and supported staff's recommendation. Ms. Mata explained the application phases and the potential costs to applicants.

Mayor Ayers supported three campuses. He clarified that if not all permits are used then the application period could be reopened to allow companies to apply for those unused permits even if they already have permits. Ms. Mata stated that was correct if the Council made that direction at a future meeting.

Mayor Ayers invited the public to comment on this agenda item.

Rand Martin on behalf of Caliva expressed concern on whether the number of permits is too much but will support whatever the comfort level is of the City Council. He stated that they secure the cash in a vault, and it is picked up by a security company. All of their transactions are handled with cash.

Randi Knott of Genezen stated that they would like an increase in campus permits. She commented that future rounds of applications may not occur as other cities move forward. She believes a campus model brings an opportunity for additional businesses.

Staff responded to additional comments and questions by the City Council.

Motion to adopt Resolution 17-43-R as amended to limit the number of campuses to 2 with 8 permits per campus in the first year.

RESULT:	**APPROVED AS AMENDED [UNANIMOUS]**
MOVER:	Sue Sorensen, Vice Mayor
SECONDER:	David Ayers, Mayor
AYES:	Devine, Sorensen, Ayers, Ramirez, Mendes

B. Utilities and Engineering: Adopt Resolution 17-38-R identifying charges for water deposits, water meter inspections, delinquent accounts, fire flow testing, hydrant meters, and backflow devices.

Utilities & Engineering Director John Doyel provided background information for the Council's review and consideration.

Vice Mayor Sorensen recommended that the term residential be added to section 3 regarding new accounts.

Motion to adopt Resolution 17-38-R as amended.

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

CONVENE AS SUCCESSOR AGENCY:

City Attorney Mario Zamora recommended that this item be pulled from the agenda and tabled to a future meeting.

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.

SUCCESSOR AGENCY FOR THE DISCUSSION OF THE FOLLOWING:

A. City Attorney: Sale of 9.81 Acres to Helena Chemical Company

Motion to table this item and items B and C from Closed Session.

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

ADJOURN AS THE SUCCESSOR AGENCY:

COUNCIL REPORTS/COMMENTS:

COUNCIL FUTURE AGENDA ITEMS:

ADJOURNMENT:

Mayor Ayers adjourned the meeting at 10:51 p.m.

Respectfully submitted,

Jennifer Gomez
City Clerk