



CITY COUNCIL MEETING MINUTES

**April 17, 2018 7:00 PM
Council Chambers
400 N. Douty St.**

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

Vice Mayor Sue Sorensen called the study session and closed session to order at 5:36 p.m.

ROLL CALL:

Present: Justin Mendes, Diane Sharp, Martin Devine, Sue Sorensen, David Ayers (5:37 p.m.)

PUBLIC COMMENT - STUDY SESSION & CLOSED SESSION:

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

Jerry Irons on behalf of a property owner requested that the Council allow them to utilize the property as desired and not follow the decision given by the planning staff. The reason given by staff is not stated in the municipal code and therefore is not legal.

John Kashian stated that retail centers are getting smaller and are becoming more diverse. He commented that the City of Hanford should not be so restrictive in their zoning in order to allow more development.

Todd Cotta stated that the buyer for his property has decided not to purchase it due to the problems and costs created by the city. He discussed the current zoning for his property.

Renee Irons commented on the use of unwritten policies by staff and that people rely on what is stated in the municipal code.

STUDY SESSION:

A. Community Development: Discussion of General Plan and Zoning

Community Development Director Darlene Mata provided an overview of the process of the General Plan and Zoning to Development through Policy, Implementation, and Review. She discussed the need to be compliant with State law and mandated requirements. The General Plan is the "constitution" of the City and the foundation of everything that follows. Land Use is the basis for zoning. Zone districts must conform with the General Plan. When the zoning ordinance was adopted last year, a new Commercial, Office and Industrial Use Table was created to ease the understanding of what is permitted and where. Ms. Mata discussed the business development process such as identifying appropriate locations based on allowed use and determine if a site plan review is required. Site plan review meetings are held weekly and once approved they may proceed to entitlement or building permit.

Ms. Mata explained the processes involved in getting approval when the use is not permitted. If the Council initiates a general plan amendment and zone change at the request of an applicant, then the City is waiving the fees which sets a precedent for future requests and can result in impacts to the development.

City Attorney Ty Mizote discussed the issue that providing assistance to an applicant would be a gift of public funds which is prohibited by the California Constitution. It would not be considered a gift if a public purpose is served such as improving the economy which would be beneficial to all residents. Impact fees need to be paid in order to pay for improvements to sidewalks and streets for example. Another issue would be that prevailing wage would be triggered for the private project if the City contributes \$1,000 or more. This would occur if the City pays money, provides services, or waives or reduces fees. The City is also obligated to notify the California Department of Industrial Relations of prevailing wage projects and there are severe financial penalties to the City for failing to report.

Ms. Mata commented on recent permit streamlining including the elimination of Certificate of Occupancy, upgrading the Business License process, streamlining Site Plan Review process, and Site Plan applicants meet with staff within 10 days of application submittal.

Ms. Mata discussed the current and previous zoning of Mr. Todd Cotta's property. She stated that new development is being seen in that area due to the new zoning. She has spoken to Mr. Cotta, his attorney, and his potential buyers about the process they can follow in order to do a zoning amendment.

Ms. Mata commented on the property owned by Mr. Medeiros and the current permitted uses for that area. She discussed the steps that could be taken to modify that zoning. However, she did discuss the issue of spot zoning which is an island of property with less restrictive zoning in the middle of properties with more restrictive zoning, and it is not legal.

Ms. Mata discussed Used Car Sales in Downtown MX-D. To allow the sale of used cars, a zoning amendment would need to be done. While this change would create a lot of interest and the development of empty lots, this would also prevent the growth of commercial and retail businesses in those same locations.

Ms. Mata discussed the request by Board and Brush and that Ms. Price has submitted an application. It is anticipated to be on the May 8th Planning Commission agenda.

Ms. Mata stated that the City received a letter from San Joaquin Valley Homes and reviewed staff's concerns with the Council.

Ms. Mata also provided a brief overview of development activity for 2017.

John Zumwalt of Zumwalt-Hansen provided the history behind the process of approving the General Plan including a 20 member committee made up from the community. This is a large document, and he noted that no one is going to agree to every part. He stated that staff follows the rules and regulations and that staff cannot deviate from them. Numerous meetings were held with the public, Planning Commission, and City Council.

Mayor Ayers emphasized the importance of being consistent and that processes are in place and need to be followed when someone wants to make an amendment.

Council Member Mendes stated that the term "unwritten policy" should no longer be used by staff. He inquired about the property owned by Dr. Gage and how that was remedied. Staff provided information on the current status. In regards to the Medeiros property a text amendment could be done to allow vocational schools in that zone, but it would need to be applied to all neighborhood commercial zones.

Council Member Sharp inquired about the Site Plan Review process. Staff also responded to her questions and comments regarding the concerns submitted by San Joaquin Valley Homes.

Vice Mayor Sorensen asked if there was a common concern or problem that is brought up to staff by developers. Ms. Mata stated that there is no common thread that relates to the changes made in the General Plan update. Ms. Sorensen clarified that while the Council has the authority to change the rules that there are possible repercussions. Mr. Zumwalt provided examples of what kind of circumstances could allow amendments.

The City Council did not direct staff to initiate any amendments to the General Plan or Zoning Ordinances.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

Due to the lateness of the study session, closed session will follow the regular meeting.

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

Property: APN 008-410-055

Agency Negotiators: Darrel Pyle, John Doyel, and Ty Mizote

Negotiating Party: Brandon Lamatino

Under Negotiations: Terms and Price

Property: APN 018-242-077

Agency Negotiators: Darrel Pyle and Ty Mizote

Negotiating Party: Gery Zacher

Under Negotiations: Terms and Price

7:00 PM CALL TO ORDER REGULAR SESSION:

Mayor Ayers called the regular session to order at 7:05 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
Diane Sharp	Council Member	Present	7:00 PM
David Ayers	Mayor	Present	7:00 PM
Justin Mendes	Council Member	Present	7:00 PM

INVOCATION:

Pastor King provided the invocation.

FLAG SALUTE:

Mayor Ayers led the flag salute.

RECOGNITIONS/PROCLAMATIONS:

STAFF COMMUNICATIONS:

Captain Karl Anderson commented on the first homicide of the year.

Community Development Director Darlene Mata discussed the Faraday Future project.

Utilities & Engineering Director John Doyel provided an update on capital improvement projects.

Fire Chief Chris Ekk commented on a house fire and that the residents were able to evacuate safely due to operating smoke alarms.

Parks & Recreation Director Craig Miller stated that a recommendation from the Parks & Recreation Commission will be brought to the next City Council meeting regarding the expansion of Hidden Valley Park. He also announced upcoming events and celebrations.

Finance Director Paula Lofgren commented on training for staff and upcoming activities.

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.*

Todd Cotta addressed comments made during the Study Session regarding the zoning of his property.

Michelle Brown on behalf of Main Street Hanford announced their upcoming season for Thursday Night Market and commented on some of the changes that they will be providing including additional safety. She also expressed her excitement about the improvements made in Civic Park.

Dalton Pearce provided a handout regarding his property located at the NE corner of White and Visalia. He expressed his concern on the current zoning for that property.

A representative of Mr. Pearce commented on the multiple offers they have received for the vacant property.

Jerry Irons wanted to clarify that the unwritten policy was regarding the ratio of used cars which had to be 60/40. He also discussed the potential locations that car lots could be developed.

Steve Robinson commended the Council for their previous vote on not approving the changes to the marijuana ordinance. He stated that if another question is added to the ballot then there is the concern that the current ballot measure would fail too.

Bob Ramos attended the Parks and Recreation Commission meeting where staff presented the development and extension of Hidden Valley Park. He commented on current and future need of parks.

David Sumaya commented on the current vacancies in the Fire Department and that it is hurting the services provided to the community. He requested that the Council fill those positions now.

Mike Briones, employee of Hanford Fire Department, also requested that the vacancies be filled and maybe add more positions.

Lou Martinez asked why the issue of Hidden Valley Park keeps coming up year after year. He would like the Council to set money aside to develop the park.

Nathan Odom discussed the undeveloped land next to Hidden Valley Park and the recommendation made by the Parks & Recreation Commission. The Friends of Hidden Valley Park has requested to add three agenda items to the May 1st City Council meeting: 1) create a Citizens Advisory Committee to gather and submit community input regarding amenities to be included in the expanded Hidden Valley Park; 2) include members of the Friends of Hidden Valley Park on the committee; and 3) permit the Friends of Hidden Valley Park to submit a proposal for the park.

Mark Pratter stated that they have a good feel of what the community wants in expanding Hidden Valley Park. He claimed that funds are available to develop this park through state propositions.

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 except the items pulled for separate consideration.

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

- A. City Clerk: Approve Minutes from the April 3, 2018 Meeting
- B. Community Development: Waive the second reading and adopt Ordinance 18-03 in order to rezone 20 acres from R-L-12 Low-Density Residential to R-L-5 Low-Density Residential.
- C. Utilities and Engineering: Approve a Notice of Completion for the Courthouse Brick Area Site Improvements and authorize the Mayor to execute and the City Clerk to attest and file said Notice with the Kings County Recorder's Office.
- D. Utilities and Engineering: Approve the Encroachment Permit for the Main Street Hanford's Thursday Night Marketplace, approve the extension of the market place through October 2018, and approve the traffic control plan provided with the permit.

ITEMS PULLED FROM CONSENT CALENDAR:

- 1. Administration: Addendum to Tessengerlo Kerley, Inc., Purchase Agreement

City Attorney Ty Mizote pulled this item to be considered at a future meeting.

RESULT:	WITHDRAWN
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- 2. Finance: Warrant Register

Mayor Ayers pulled this item for clarification on the ACO fund which was funding five items. Staff discussed the projects which were approved by Council. A new fund balance will be discussed during upcoming budget sessions.

Motion to approve as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Ayers, Mayor
SECONDER:	Diane Sharp, Council Member
AYES:	Devine, Sorensen, Sharp, Ayers, Mendes

PUBLIC HEARINGS:

- A. Public Works: Conduct a public hearing for the formation of Landscape Assessment District No. 18-01 at Centennial Drive and Devon Street, and adopt Resolution 18-16-R establishing the formation of the district and confirming the levy and collection of annual assessments.

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

Mayor Ayers opened the public comments of the public hearing at 7:52 p.m., and with no comments given, closed the public comments at 7:53 p.m.

Motion to adopt Resolution 18-16-R.

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

GENERAL BUSINESS:

- A. Utilities & Engineering: Award a contract to Eslick Construction, Inc., of Clovis, CA in the amount of \$93,280.00 for the Lacey Street Median Renovation Project, approve the attached Contract Change Order No. 1 for a not to exceed value of \$33,915.00, and establish a construction contingency of \$4,800.00 for this project.

Utilities & Engineering Director John Doyel discussed the project and the requested change order. Due to the project being under budget additional work can be made. Mr. Doyel responded to questions and comments by the Council.

Motion to approve.

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

- B. Community Development: Discussion and Direction to Staff Regarding Future Cannabis Ballot Measures

Community Development Director Darlene Mata opened the discussion to the Council to provide direction to staff to prepare any other ballot measures.

Council Member Mendes stated that he does not believe the City should pursue any further measures regarding cannabis.

Council Member Sharp agreed with Council Member Mendes and expressed concern over the ballot language that was approved at the last meeting.

Vice Mayor Sorensen stated that the ballot measure approved by the Council at the last meeting needs to at least go forward as planned.

The consensus of the City Council was to not add any other ballot measures to the November election regarding cannabis.

RESULT:	CONSENSUS
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C. City Clerk: Adopt Resolution 18-15-R Setting Priorities for Filing a Written Argument Regarding a City Measure and Directing the City Attorney to Prepare an Impartial Analysis

City Clerk Jennifer Gomez discussed the preparation of an impartial analysis by the City Attorney and to select Council Members that may be interested in preparing a written argument in favor of the ballot measure. Staff responded to questions and comments by the City Council. Council Member Devine and Vice Mayor Sorensen stated that they would prepare a written argument.

Motion to approve Resolution 18-15-R.

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

D. Administration: Response to Grand Jury Report Regarding City Parks

City Manager Darrel Pyle provided an overview over the Grand Jury Report and the actions taken by the City that pertain to the findings of the Grand Jury.

Motion to approve the response to the 2017-2018 Kings County Grand Jury Report regarding City parks and to submit to the Presiding Judge of the Kings County Superior Court.

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

E. Finance: Accept and file the Fiscal Year 2017 audit reports and financial statements for the City of Hanford, the Single Audit Report, and the Appropriations Limit Report filed by the CPA firm of Sampson, Sampson & Patterson, LLP, Certified Public Accountants.

Finance Director Paula Lofgren and Bill Patterson from Sampson, Sampson & Patterson provided an overview of the audit and financial statements.

The auditor and staff responded to questions and comments by the City Council.

Motion to accept and file the Fiscal Year 2017 audit reports and financial statements for the City of Hanford, the Single Audit Report, and the Appropriations Limit Report filed by the CPA firm of Sampson, Sampson & Patterson, LLP, Certified Public Accountants.

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

COUNCIL REPORTS/COMMENTS:

Council Member Mendes clarified for the public that the Council is driving the discussion on the property next to Hidden Valley Park based on their Goals & Objectives. They are trying to reach a final resolution this year.

Council Member Sharp toured the Longfield Center and learned about the after school program with KCAO at Coe Park. She thanked the police department for addressing issues at Lacey Park.

Council Member Devine thanked the police department for their efforts on the vacant lot on 6th Street. He stated that the cannabis tax should be in place so that it will cover any changes by future council members.

Vice Mayor Sorensen commented on the improvements made to the Skate Park and would like to see some more at the entrance. She inquired about the standards for neighborhood parks and that agenda item should be brought to the Parks & Recreation Commission soon for their recommendations. Ms. Sorensen questioned about a triangle vacant land on Lacey near Chicken Shack and what will be done to landscape it. She asked for clarification on the vacant positions in the Fire Department. Mr. Pyle stated that the two vacant firefighter positions are being filled and candidates are currently in background to be hired. The Battalion Chief job description was drafted and amended, then provided to the bargaining unit for their approval which is required before recruitment can begin. The bargaining unit did not approve the job description and their representative instructed the City to not fly the position until fact finding has been finished and that process has been completed. The City therefore cannot fill that position until the bargaining unit instructs them to move forward.

Mayor Ayers commented on his recent and upcoming meetings.

City Manager Darrel Pyle discussed staff's trip to Faraday Future in Gardena for a meeting and tour. They have been moving forward with submitting plans to the City and hope to pull permits this summer.

COUNCIL FUTURE AGENDA ITEMS:

Council Member Mendes requested that staff look at the option of stopping and pulling the ballot measure from the November election. There was not a consensus by the Council to review this.

Council Member Sharp commented on the three requests by the Hidden Valley Park group and that she would like to meet with them. There was no consensus from Council to pursue any discussion with them at this time. Staff will be making a presentation to the Council and direction can be given by the Council on the next steps.

Vice Mayor Sorensen requested that the triangle of land be discussed at a future meeting. Staff can place it on an agenda as a study session to discuss options. The Council provided consensus and directed staff to put this on a future agenda.

Mayor Ayers stated that a citizens group would like to present a temporary half cent sales tax measure to restore buildings. The Council agreed to allow the presentation.

ADJOURNMENT:

Mayor Ayers adjourned to closed session at 9:18 p.m.

Following closed session, there was nothing to report.

Mayor Ayers adjourned the regular meeting at 10:20 p.m.

Respectfully submitted,

Jennifer Gomez
City Clerk