The City of Hanford
CALIFORNIA

**CITY COUNCIL MEETING**
**MINUTES**
**February 5, 2019 7:00 PM**
**Council Chambers**
**400 N. Douty St.**

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

Mayor Sorensen called the Study and Closed Session was called to order at 5:35 p.m.

## ROLL CALL:

Present: Art Brieno, Martin Devine, John Draxler, and Sue Sorensen
Late: Francisco Ramirez, arrived 6:46 p.m.

## 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.*

No comments.

## STUDY SESSION:

A. 2793 : STUDY: Adventist Health Presentation

Ray Madrigal, Emergency Preparedness Coordinator from Adventist Health presented "Communities of Excellence 2026," and described the project as a systematic approach to community performance. The goal is to align the community around recognizing the social determinants of educational achievement, economic vitality, and heath status. Adventist Health representatives would like to review the goals and benchmarks of the project quarterly with the City Council.

Mayor Sorensen adjourned to Closed Session at 6:08 p.m.

## CLOSED SESSION FOR DISCUSSION ON THE FOLLOWING:

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

Property: Salon Couture, 113 Court Street

Agency Negotiators: Darrel Pyle, Darlene Mata, and Ty Mizote

Property: APNs 028-240-008, 016, and 018-021; 028-310-005, 008, and 025
Agency Negotiators: Darrel Pyle and Ty Mizote
Negotiating Party: Mark Mendes

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

City of Hanford v. 321-333 E 7th Street
Kings County Case No. 18C0349

Valdez v. City of Hanford
Eastern District Case No. 1:17-cv-00430

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

State of CA v. City of Hanford
Kings County Case No. 18C0218

SJVEDC v. City of Hanford
Kings County Case No. 17C0142

C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Government Code Section 94956.9(d)(4)

Initiation of litigation: 3 potential cases

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

Initiation of litigation: 1 potential case

## 7:00 PM CALL TO ORDER REGULAR SESSION:

Mayor Sorensen called the Regular Session to order at 7:04 p.m.

## ROLL CALL:

| Attendee Name | Title | Status | Arrived |
|---|---|---|---|
| John Draxler | Vice Mayor | Present | 5:31 PM |
| Martin Devine | Council Member | Present | 5:24 PM |
| Sue Sorensen | Mayor | Present | 5:34 PM |
| Art Brieno | Council Member | Present | 5:35 PM |
| Francisco Ramirez | Council Member | Late | 6:46 PM |

## INVOCATION:

Led by Pastor Thomas King.

## FLAG SALUTE:

## CLOSED SESSION ACTION REPORT:

City Attorney noted that some litigation items were discussed with no action to be taken. The Council will return to Closed Session after the Regular Session.

## RECOGNITIONS/PROCLAMATIONS:

A. Recognition of Main Street Hanford Volunteers

The City of Hanford and Main Street Hanford recognized the long time volunteers of Main Street Hanford. Those recognized were: Yeti Ortiz, Carole Farris, Shirley Gullett, Sandi Beal, Dianne Mitchell, Sue Bairstow, Bob Abbott, and Jim Castleman.

## STAFF COMMUNICATIONS:

Police Chief, Parker Sever - He noted a few incidents of naked people walking around town.

Community Development Director, Darlene Mata - She thanked the City's legal counsel for successfully defending the City's general plan. City Attorney, Ty Mizote added that Dir. Mata's diligence in record-keeping was invaluable to the success of the defense.

Public Works Director, Lou Camara - He noted the Staff busy with projects for the upcoming year.

Utilities and Engineering Director, John Doyel - They are going out to bid for fiber seal project.

Fire Chief, Chris Ekk- Fire Station 3 is anticipated to in early March.

Parks Superintendent, Alvin Dias - Hanford High School is almost done with the letters for the Lacey Median Project.

## PUBLIC COMMENT:

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

Larry Peichoto, Hanford - Board Member of China Alley and he has been cleaning human waste up and down the Alley. He asks the police to drive by China Alley overnight.

Rose Shapely, Hanford - She spoke about the Fiscal Year 18/19 budget and water rates.

Frank Alves, Hanford - He made a comment regarding the brick facade on the Hop Forged Brewing Company building. He has received very high quotes for the work and requests that the Council grant him an extension to complete the project so he can get better bids.

Evette Gomez, Hanford - The Downtown Business Association want to see a committee formed to address the homeless situation.

Silvia Gonzalez Scherer, Hanford - She introduced herself as the newly elected Carnegie Museum Board President.

Paul Hardiman, Porches - He asked for clarification on the homeless issue. He said the City should consider hiring an expert in homelessness.

Craig Johnson, Hanford - Thanked the Council for deciding to not put a homeless center downtown. He asked about the parking plan for downtown and stated there are lighting problems.

Grady Hart, Porches - He expressed his concern that there was a robbery next to his business and he was never notified. He said that every business downtown should have been notified.

Nathan Odom, Hanford - There will be an Art Hop on February 12th. He said he is starting a weekly livestream called How's Hanford and will cover a wide range of topics pertinent to the community.

Emily Burnias, Hanford - She informed the Council that the Western Regional Vietnam Memorial Foundation is about to break ground on putting up a replica of the Vietnam's Veteran's War Memorial in Dinuba. She invited the City Council members attend the ground breaking ceremony.

Jacob Sanchez, Hanford - He thanked Chief Sever and Officer Levin when the robbery occurred at the Metro 4 Cinemas. He said the robber made off with $2000.

Michael Quinn, Hanford - He said the Carnegie Museum is a valuable asset to the community, but the General Manager's lack of skill and experience has made the museum deteriorate.

## 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 C [Police Dept. Floor Tile].

City Manager, Darrel Pyle requested to pull Item E [Acceptance of Affordable Parcels] for clarification purposes.

Motion to Approve.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Art Brieno, Council Member |
| **SECONDER:** | Francisco Ramirez, Council Member |
| **AYES:** | Draxler, Devine, Sorensen, Brieno, Ramirez |

A. Public Works: Purchase of 636 residential refuse containers from Toter Wastequip, LLC., in the amount of $32,652.00 (tax and freight included).

B. Public Works: Purchase of one 2018 CAT 272D skid steer loader and attachments from Quinn Co., of Selma, Ca., in the amount of $65,073.73; authorize an additional appropriation of $5,073.73 from Fleet Replacement Reserve Funds; and declare one 2005 Bobcat A300 skid steer loader and attachments as surplus.

C. Utilities and Engineering: Continuance of Emergency Resolution for Treatment Project on Well No. 50

D. Utilities and Engineering: Approve the dedication of an easement for fiber optic facility installation, access, and maintenance in favor of NCE General Contracting at the Kruger Street storm drainage basin, authorize the Mayor to sign the easement, and authorize the City Clerk to forward the easement to the Kings County Recorder for recording. (10th Avenue and Kruger Street)

E. Finance: Warrant Register

## ITEMS PULLED FROM CONSENT:

1. Public Works: Award a contract to Shaw Industries Inc., of Chatworth Georgia, for the Police Department Floor Tile Replacement Project, in the amount of $57,493.08.

[Item C]

Council Member Brieno asked about the re-tiling of the building. Mayor Sorensen asked about the budget, specifically regarding the funding coming from the Accumulated Capital Outlay (ACO) fund. Dir. Camara explained there was a budget shortfall.

Motion to Approve.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Art Brieno, Council Member |
| **SECONDER:** | Francisco Ramirez, Council Member |
| **AYES:** | Draxler, Devine, Sorensen, Brieno, Ramirez |

2. Community Development: City Council acceptance of four parcels from Rhetorical Flourish, LLC to fulfill their inclusionary housing requirements in accordance with the Live Oak Master Plan and condition of approval for Map 876 and authorization for the City Manager to sign the acceptance form. (APN 011-490-001, 011-490-002, 011-490-003, 011-490-004).

[Item E]

Dir. Mata explained the reference to the Live Oak Master Plan was incorrect, it should be a reference to Plan Unit Development 2006-01

Motion to Approve.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | John Draxler, Vice Mayor |
| **SECONDER:** | Art Brieno, Council Member |
| **AYES:** | Draxler, Devine, Sorensen, Brieno, Ramirez |

## PUBLIC HEARINGS:

## GENERAL BUSINESS:

A. Community Development: Historic Resources Permit 2019-01, a request to amend Historic Resources Permit 2018-02 to change the facade on the upper portion of the building located at 106 W. 7th Street. APN 012-053-007

Dir. Mata explained the application requests more time to put up a veneer on the upper portion of the Hop Forged Brewery building. This new Historic Resources Permit (HRP) 2019-01 would amend HRP 2018-02 which approved the building to have a brick veneer. The building owner, Mr. Frank Alves, requests twelve (12) months to change the facade and stated he will paint the building in the interim. Council Member Brieno stated that he supported the 12 month extension, Council Member Ramirez agreed.

Motion to Approve.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Art Brieno, Council Member |
| **SECONDER:** | Martin Devine, Council Member |
| **AYES:** | Draxler, Devine, Sorensen, Brieno, Ramirez |

B. Clerk: Appointment of a Parking & Traffic Commissioner

City Clerk, Sarah Martinez explained there is one vacancy on the Parking & Traffic Commission with a term expiring December 2022.

As Council Representative for the Parking & Traffic Commission, Mayor Sue Sorensen nominated Mr. Jason Lopez for appointment; seconded by Council Member Brieno. Approved by a roll call vote, 5-0.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Francisco Ramirez, Council Member |
| **SECONDER:** | Art Brieno, Council Member |
| **AYES:** | Draxler, Devine, Sorensen, Brieno, Ramirez |

C. Community Development: Update on status of the lease of the Hanford Carnegie Museum Inc. and report of the financials and activities of the museum for the FY 2017/18.

(Council Member Ramirez recused himself from discussion of the lease with the Carnegie Museum.)

Dir. Mata informed the Council that the current Board of the Carnegie Museum has not complied with the stipulations of the lease agreement. The leasee is supposed to submit to the leasor [City of Hanford] an annual activity report and a detailed financial report stating the financial condition of the leasee during each year covered by the term of the lease. Dir. Mata said the City received partial documents in August 2018 for a six month period and some from the January 25, 2018 board meeting. Dir. Mata's office has been in regular communication with the Carnegie to request the missing information and have not had much success.

Council Member Brieno asked Silvia Scherer, the elected Board President, if they have provided a list of board members. She answered that the lease does not require them to provide that information. She further stated that the only business transaction the Carnegie has with the City is the lease which requires them to only pay a dollar per year and they are paid up through 2031. She said the Carnegie is restructuring and will have a better website that lists board members and volunteers. She feels they are in compliance based on the lease agreement.

Vice Mayor Draxler asked the name of the Carnegie's accountant. Ms. Scherer answered M. Green. Vice Mayor Draxler questioned the financial report that was provided right before the meeting; the gross profit is shown to be $49,000 and the expenses are shown to be $166,000. Ms. Scherer said that is because of the roof and they took money out of a mutual fund to pay for it. Vice Mayor Draxler told her that expenses like that are typically a capital outlay or deferred maintenance; their accountant should be able to straighten out the financial report so that information is clear. Vice Mayor Draxler asked if the board had a problem with giving the City the required documents. Ms. Scherer replied they will supplement whatever the Council needs and provide an annual activity report, but they just ran out of time. Ms. Scherer requested to be sent a form to complete so they could provide the financial information.

Mayor Sorensen asked Dir. Mata how this will help them fulfill the requirements of their lease. Dir. Mata answered that one of the items required is the adopted budget because every non-profit is supposed to have their budgets readily available. City Attorney Ty Mizote stated that the building belongs to the people of Hanford, not just the City; the people want to know how the building is maintained. Ms. Scherer stated that they are a viable non-profit and have all the components of being a non-profit.

Mayor Sorensen asked if there is a timeline the Council could give the Carnegie to submit the required documents. Dir. Mata stated that they sent a comprehensive list of required documents to the Carnegie in December. Council Member Brieno recommended a 30-day timeline. Council Member Devine agreed that 30 days was reasonable. Ms. Scherer requested more time. Dir. Mata reiterated that the requested documents should be readily available if they are in fact operating properly. Council Member Brieno suggested 45 days and the rest of the Council agreed.

Consensus to provide the Carnegie Museum Board 45 days to submit the required documents and reports to fulfill their lease agreement with the City of Hanford. Documents must be submitted by the end of the business day on Friday, March 22, 2019.

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| **RESULT:** | **CONSENSUS** |

D. Community Development: Update on status of the lease of Suite D at 200 Santa Fe Street to Wounded Soldiers & Families Relief Fund, Inc. dba Our Heroes Dreams and report of the financials and activities of the non profit for FY 2017/18.

(Council Member Ramirez rejoined the Council on the dais.)

Dir. Mata stated that similar to the lease agreement with the Carnegie Museum, Our Heroes Dreams is also out of compliance with the agreement's stipulations to provide financial reports and other documentation. The City has tried to reach out to Mr. Justin Bond and he indicated that he would get the materials submitted in January, however Dir. Mata had not heard from him again. Mayor Sorensen asked if there was a representative from Our Heroes Dreams present - there was not. Dir. Mata affirmed that the group hasn't submitted the required documents in over two years.

Council Member Brieno suggested to give them a notice to vacate and see if they will respond. Council Member Devine said they didn't see any effort from the organization and recommended that they be given till the end of the month. Council Member Ramirez stated he would terminate the lease because there are better veteran organizations that could step up and use that space.

Consensus to give Our Heroes Dreams until the end of the month to provide the required documents.

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| **RESULT:** | **CONSENSUS** |

E. Community Development and Police Department: Discussion of impacts from changes to State of California Cannabis regulations and initiation of any changes to the City of Hanford Cannabis Ordinances.

Dir. Mata and Chief Sever addressed the Council to discuss the current ordinance and resolution involving cannabis sales within the City. They are seeking direction from the Council on how they would like to proceed with cannabis businesses. The current ordinance has some inconsistencies with the State of California regulations that became effective January 1, 2019. The State now allows deliveries of medical and recreational cannabis everywhere, so individual cities cannot prohibit such transactions from taking place. Currently the City only allows medical cannabis. Dir. Mata asked the Council for their input on updating the ordinance to allow recreational cannabis, storefront businesses, and/or delivery businesses. Dir. Mata further stated that she receives several calls a week inquiring when the application period will be opened for cannabis businesses. She does recommend that the municipal code be updated to be in line with the State regulations.

Council Member Ramirez would like to bring back the recreational cultivation amendment and see it approved. He said he would like to see dispensaries come to Hanford, but not Downtown; he suggested on the outskirts. He stated he would like to adopt a regulation on deliveries. He asked Dir. Mata about the current applications and their statuses. Dir. Mata answered that the businesses who have their conditional use permits (CUP) would expire a year from the day they were issued if they don't pursue and hold their cannabis permit. Genezen, who

pulled a significant number of permits has pulled out. Council Member Ramirez said he would support opening up a new application period and changing the municipal code to be consistent with the State.

Dir. Mata offered to take two Council Members at a time to see a nearby dispensary and get an idea of how the operation is ran. She noted that in the Goals and Objectives meetings the Council talked about a retail delivery model. Mayor Sorensen invited Rand Martin from Caliva to speak about the delivery model. He explained that it would be a non-storefront delivery only type of business to serve the South Valley. All of the sales would generate sales taxes and Measure C taxes for the City of Hanford because that is where the base of the operations would be located.

Mayor Sorensen asked Chief Sever what his thoughts were on having storefront dispensaries. Chief Sever replied he has visited some sites and saw that the professionalism and security features at each of these sites leads him to believe that storefront dispensaries are not much of a problem for law enforcement.

Council Member Ramirez said he would support putting a storefront dispensary in the industrial zone. Dir. Mata said that a zone would have to be established to address dispensaries and how they will be regulated.

The Council reached consensus on updating the ordinances to allow recreational cannabis, adopt regulations for cannabis delivery, opening up an application period, and updating the municipal code to ensure consistency with the State. Dir. Mata will also provide alternative language regarding storefront dispensaries to allow the Council time to research the business model.

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| **RESULT:** | **CONSENSUS** |

F. Utilities & Engineering: Introduce and pass to a second reading, an amendment to Ordinance Section 10.16.130(B) of the City of Hanford Municipal Code, to prohibit parking at 9 ¼ Avenue - the west side, from 375' north of the centerline of Summer Field Drive to 70' north, Florinda Street - the south side, from 75' west of the centerline of Harris Street to 70' west, Greenfield Avenue - the south side, from 235' west of the centerline of Campus Drive to 70' west.

Dir. Doyel explained to the Council that the Kings Area Rural Transit (KART) requested to prohibit car parking at certain bus stop locations. They've had trouble providing service to some locations due to cars parked in the bus loading area and it presents a difficulty to serve riders with ADA requirements. He stated there would be no significant costs to the project. It will require some curb painting and installation of signs.

Motion to Approve.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Francisco Ramirez, Council Member |
| **SECONDER:** | John Draxler, Vice Mayor |
| **AYES:** | Draxler, Devine, Sorensen, Brieno, Ramirez |

G. Utilities and Engineering: Approve the repair of the Well No. 44 casing to Valley Pump and Dairy Systems of Armona, CA for a not to exceed price of $162,965.75 and approve an additional appropriation of $162,965.75 from Water Capital Reserves. (Fargo Avenue and BNSF Railroad Tracks)

Dir. Doyel said Well 44 has six locations that have casing failures. This was not a budgeted item because it's an emergency repair. There is approximately $4 million in water capital reserves for these types of projects.

Motion to Approve.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Francisco Ramirez, Council Member |
| **SECONDER:** | John Draxler, Vice Mayor |
| **AYES:** | Draxler, Devine, Sorensen, Brieno, Ramirez |

H. Utilities and Engineering: Approve the repair of the Well No. 45 casing to Valley Pump and Dairy Systems of Armona, CA for a not to exceed price of $216,637.19, approve the purchase of a pump shelter from RPS Industries of Tualatin, OR for a not to exceed price of $19,135.00, establish a construction contingency of $64,227.81, and approve an additional appropriation of $300,000 from Water Capital Reserves. (E. Lacey Blvd @ KC Bowl)

Dir. Doyel explained that the motor froze up and failed on Well 45. The well is located at E. Lacey Blvd near KC Bowling Alley.

Motion to Approve.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | John Draxler, Vice Mayor |
| **SECONDER:** | Martin Devine, Council Member |
| **AYES:** | Draxler, Devine, Sorensen, Brieno, Ramirez |

## CONVENE AS SUCCESSOR AGENCY:

## 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 three minutes is allowed for each speaker.*

No Comments.

## SUCCESSOR AGENCY FOR THE DISCUSSION OF THE FOLLOWING:

Finance Director, Paula Lofgren presented the ROPS 19/20 which is the Recognized Obligation Payment Schedule. It is required to every year while we have RDA property. The second page shows the amount still owed to the Kings EDC for the loan on the property.

Council Member Brieno asked the location of the property. Dir. Lofgren answered that it is located on 11th Ave just north of Idaho Ave.

A. Finance: Review and approval of the Recognized Obligation Payment Schedule (ROPS 19-20) for the period July 1, 2019 to June 30, 2020.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Francisco Ramirez, Council Member |
| **SECONDER:** | Martin Devine, Council Member |
| **AYES:** | Draxler, Devine, Sorensen, Brieno, Ramirez |

## ADJOURN AS THE SUCCESSOR AGENCY:

Mayor Sorensen adjourned the Council as the Successor Agency.

## COUNCIL REPORTS/COMMENTS:

### A. Council Comments

Council Member Brieno - Water group will be interesting.
Council Member Ramirez - He said he was appointed as Vice Chair for KCAG.
Council Member Devine - He stated he will attend the Chamber meeting tomorrow at 8:00 a.m.
Vice Mayor Draxler - He said the last Planning Commission meeting was cancelled. He then attended the KWRA meeting and they did a study on whether or not it would work to go with privatization because of outdated equipment. When they did the study, it was recommended to go the private route. The problem was the County has two votes and they aren't in a rush to incur costs.
Mayor Sorensen - She said she attended the Main Street Hanford meeting and they are ramping up for a great new year. They will continue to have a discussion on expanding the crow abatement program.

## COUNCIL FUTURE AGENDA ITEMS:

### A. Council Items

Mayor Sorensen spoke about the Council's Goals and Objectives meeting.

Council Member Ramirez would like to start researching the idea of an intercom system downtown among the businesses.

Mayor Sorensen adjourned to Closed Session at 9:36 p.m.

## RETURN TO CLOSED SESSION:

No action taken from Closed Session.

## ADJOURNMENT:

Mayor Sorensen Adjourned to Closed Session at 10:02 p.m.

Respectfully submitted,

Sarah Martinez
City Clerk