



CITY COUNCIL MEETING MINUTES

June 17, 2019 7:00 PM

Council Chambers

400 N. Douty St.

5:00 PM CALL TO ORDER STUDY SESSION:

Vice Mayor Draxler called the Study Session to order at 5:01 p.m.

ROLL CALL BY CITY CLERK:

Present: Martin Devine, Francisco Ramirez, John Draxler, Art Brieno, Sue Sorensen (5:03 p.m.)

PUBLIC COMMENT:

*Comments from the public are limited to items listed on the agenda (GC 54954.3a). 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. Enterprise Budget Review

City Manager Darrel Pyle and Finance Director, Paula Lofgren reviewed the Proposed Budget for each department with the Council. Public Works Director, Lou Camara and Utilities & Engineering Director, John Doyel also provided specific department budget information for the Council. Regarding the General Fund, Mr. Pyle explained that the City has money to add new positions the Council had discussed earlier in the year. The positions are for a Community Development Liaison (estimated full-time: \$120,000.00 salary + benefits); Human Resources Analyst (estimated full-time \$100,000.00 salary + benefits); and a Finance Department reorganization to provide Accountant-level support for the additional responsibilities necessitated by the cannabis industry (estimated full-time \$70,000.00 salary + benefits). It is also recommended to advance pay-off the agreement with Pinnacle Pointe LLC, which would then put back an additional \$320,000.00 in the General Fund which would provide latitude in future meet-and-confer session with bargaining units. Additional approved General Fund budget items were for two POP Officers who would primarily focus on the homeless population, part time employees in Solid Waste, and changing a current part-time position to full-time in the City Clerk's department. Mr. Pyle also explained to the Council the agreement during the first budget review meeting to meet with and hire a public relations firm before hiring a full-time Public Information Officer in order to gauge the scope of work that will be required by such a position.

7:00 PM CALL TO ORDER SPECIAL MEETING:

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

ROLL CALL:

Attendee Name	Title	Status	Arrived
John Draxler	Vice Mayor	Present	4:50 PM
Martin Devine	Council Member	Present	4:35 PM
Sue Sorensen	Mayor	Late	5:03 PM
Art Brieno	Council Member	Present	4:59 PM
Francisco Ramirez	Council Member	Present	4:55 PM

INVOCATION:

Invocation led by Police Chief Parker Sever.

FLAG SALUTE:**RECOGNITIONS/PROCLAMATIONS:****STAFF COMMUNICATIONS:**

Police Chief Parker Sever - The Police Department's third K-9 officer has completed training.

Community Development Director, Lou Camara - Street work will begin on July 1st.

Utilities & Engineering Director, John Doyel - The intersection of 13th and Grangeville will be completely closed down for the traffic light project.

Interim Fire Chief Erik Brotemarkle - The City's new ladder truck is en route to Hanford.

PUBLIC COMMENT:

*Comments from the public are limited to items listed on the agenda (GC 54954.3a). A maximum of **three minutes** is allowed for each speaker. Please begin your comments by stating your name and providing your city of residence.*

Bob Ramos, Hanford - He said he's confused by the Special Meeting and Regular Meeting.

Michelle Brown, Main Street Hanford - On Saturday, June 22nd and Saturday, June 29th there will be artists painting downtown utility boxes.

Diane Sharp, Hanford - She requested the Council consider adopting an emergency ordinance for food trucks during the summer months.

Mark Pratter, Hanford - He gave his input on the City Manager position.

COUNCIL RESPONSE TO PUBLIC COMMENT:

Attorney Ray Carlson responded to Mr. Ramos's request to explain the difference between a Special Meeting and a Regular Meeting.

Mayor Sorensen asked Dir. Mata if there is an expected date for presenting a food truck ordinance to the Council. Dir. Mata stated she did not have a date at that time, but is working on it and will keep the Council updated.

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.

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

- A. City Clerk: Approve minutes from the City Council meeting held on April 16, 2019.
- B. City Clerk: Approve minutes from the City Council special meeting held on April 23, 2019.
- C. City Clerk: Approve minutes from the City Council special meeting held on May 22, 2019.
- D. City Clerk: Deny claim and direct the City Clerk to send notification of denial to claimant, Tanya McBroom.
- E. Utilities and Engineering: Continuance of Emergency Resolution for Treatment Project on Well No. 50.
- F. Utilities and Engineering: Authorize staff to advertise for bids for the FY 17-18 Pavement Resurfacing Project: 12th Avenue from Hanford Armona Road to Springcrest Street; Lacey Boulevard from 11th Avenue to Irwin Street.
- G. Utilities and Engineering: Approve a Notice of Completion for the Storm Drain Catch Basin Flat Grate Conversion Project, and authorize the Mayor to execute and the City Clerk to attest and file said Notice with the Kings County Recorder's Office.
- H. Utilities and Engineering: Approval of Final Map and Subdivision Agreement for Tract No. 922 (Mustang Drive & Devon Street)
- I. Utilities and Engineering: Approval of Final Map and Subdivision Agreement for Tract No. 918 Unit II, Bella Vista Subdivision and adopt Resolution No. 19-19-R annexing additional properties into Assessment District No. 18-01 (Centennial Drive & Devon Street)
- J. Public Works: Adopt Resolution 19-16-R, approving the Annual Engineer's Report and Intention to Levy and Collect Assessments as outlined, pursuant to Chapter 3 of the Landscape and Lighting Act of 1972.
- K. Utilities & Engineering: Adopt Resolutions 19-17-R and 19-18-R regarding Tract No.916, Pacific Grove Addition No. 2, Initiation of Landscape Assessment District Proceedings (12th Avenue and Bristol Lane)
- L. Finance: Warrant Register

PUBLIC HEARINGS:

- A. Community Development: Introduce and waive the first reading of Ordinance 19-07, approving Municipal Code Amendment No. 2019-01: a request by 198-43, LLC to amend Title 17, Section 17.08.030 – Commercial, Office, and Industrial Zone Use Table of the Hanford Municipal Code by adding sections in order to permit or permit with a conditional use permit, the following uses in the C-R Regional Commercial zone district: colleges; exercise studios; large health facilities; business support services; medical offices; professional and commercial offices; laboratories; government offices; furniture stores; landscape nurseries; banks and credit unions – secondary branch; food catering; payday lenders; and tailoring.

Mayor Sorensen stated that she has to recuse herself from the discussion on this item. She has contacted the Fair Political Practices Committee (FPPC) regarding her ability to vote on such zoning matters as the current agenda item, however, she has yet to receive their official response. She read a request from the 198/43 LLC that the first reading of this ordinance be continued to July 2, 2019 so all members of the Council may be able to cast a vote. After Mayor Sorensen recused herself, Vice Mayor Draxler opened the discussion to the other Council Members on the topic of continuing the item until July. Council Member Ramirez said he would be agreeable to that request. Council Member Ramirez made a motion to continue the public hearing until July 2, 2019, seconded by Vice Mayor Draxler. Motion failed 2-2.

Motion to Continue the First Reading of Ordinance 19-07 to July 2, 2019

RESULT:	FAILED [2 TO 2]
MOVER:	Francisco Ramirez, Council Member
SECONDER:	John Draxler, Vice Mayor
AYES:	Draxler, Ramirez
NAYS:	Devine, Brieno
RECUSED:	Sorensen

Vice Mayor Draxler opened the Public Hearing. Dir. Mata provided background information on the municipal code amendment presented before the Council. The Planning Commission heard this item and made a recommendation for it to be approved by the Council. At the Planning Commission meeting there were 2 people who spoke in favor of the amendment and 14 who spoke in opposition. Most of the opposing comments addressed the potential effects on the downtown property owners and businesses. Staff's response to the opposing comments is that the proposed amendment does not change the MX-D zone (downtown), it changes the CR zone and according to the findings for approval the Council is limited to looking at the zone that is proposed to be changed. She also noted that downtown property owners do not have a vested right to the current zoning since State law allows for City Council to make changes to the General Plan and Zoning Ordinance.

Council Member Ramirez asked about Serrano's Furniture and if they would need to go through the conditional use permitting process again if the zoning was amended. Dir. Mata answered they would not and if the zoning were amended to allow furniture stores over 20,000 sq. ft., they could use up the entire space of the area they are leasing. Council Member Ramirez said he did not want to limit businesses and if they [businesses] have an opportunity to grow, they should be allowed to grow. He said he felt that downtown was about to experience a lot of economic growth because of cannabis dispensaries and staked a future re-election on this statement.

Council Member Brieno asked if the project down east [Costco Project] completed an environment impact report (EIR). Dir. Mata answered in the affirmative. He said that major work needs to be done

on East Lacey Blvd. He said that he thinks the EIR is relevant to the decision on the zoning amendment. Dir. Mata stated the EIR that was prepared for the Costco project was a leakage study on retail; it did not evaluate for offices, facilities, or food catering type businesses. The leakage study evaluated how much money was leaving the regional market area; therefore, it would be difficult to do a study to evaluate the impact of money moving from the downtown area to other areas within the same regional market area.

Vice Mayor Draxler stated after reviewing the leakage study, he was amazed how much money is leaving Hanford because people choose to shop elsewhere. He thinks more people are lost instead of gained when the Council tries to shelter the downtown businesses through zoning. He said it would be fair to the citizens to not have them drive to Visalia or Fresno for example when they could be having their tax dollars go back into their own hometown.

Council Member Devine disagreed and said he doesn't think anybody has to leave the city in order to purchase items they need. He thinks the zoning protections were put in place for a reason and they have worked; they have kept the downtown safe. He speculated that the 198/43 LLC is having problems filling their spaces near Costco and feels they now want to change the game so to speak.

Council Member Ramirez asked Dir. Mata how many businesses were interested in coming to Hanford, but then weren't able to do so because of the zoning. Dir. Mata said there were many furniture stores that were interested and had to be turned away. Those stores have since moved to other cities. Council Member Ramirez said he knew of thirteen major retailers that wanted to do business in Hanford. He said that it's not true that changing the zoning would end small businesses.

Council Member Devine reiterated that he doesn't feel it's time to change the zoning. He said he would not support the amendment.

Vice Mayor Draxler opened the floor for public comment.

Comments from those IN FAVOR:

John Kashian, Manager of 198/43 LLC. - He said since 2015 the retail environment has changed. In other cities all over the Valley it is common to have mixed uses in zoning. He asked the Council to approve the amendment.

Comments from those OPPOSED:

Evette Gomez, Hanford - She is a business owner in downtown. She thinks the item has potential to do damage to downtown.

Jeff Garcia, Hanford - He said the zoning ordinance has saved the downtown area.

Diane Sharp, Hanford - She referred to pages in the staff report containing names of property owners and business owners in downtown. She said she agrees with Martin Devine. She stated the downtown is to be cherished and fostered.

Michelle Brown, Main Street Hanford - She spoke about encouraging sustainability in older areas of the city like the downtown Hanford.

Michael Mayor, Hanford - He said he agreed with Council Member Devine. He stated he is an optometrist in Hanford and the city does not need an optometrist in Costco or Target.

Bob Ramos, Hanford - He stated he has no financial ties to downtown. He said the downtown area is the heart of Hanford and changing the zoning would decimate the downtown businesses. He thinks when the population gets to 100,000 bigger stores will come to Hanford.

Dan Chin, Hanford - He said that there needs to be an EIR done. He is opposed to the zoning amendment.

Craig Johnson, Hanford - He stated his opposition to the zoning amendment. He stated he begs Council Member Ramirez to not vote against his "house," (referring to District B which encompasses downtown).

Paula Lehn, Hanford - She voiced her opposition to the zoning amendments. She stated the FAST building still has 25% vacancy even with the zoning protections.

Angel Galvan, Hanford - She spoke as a member of the Planning Commission and stated she did not vote to approve the amendment. The final vote was 4-3.

REBUTTAL for those IN FAVOR

No Comments.

Vice Mayor Draxler closed the Public Comment portion of the hearing.

Council Member Brieno asked about Mr. Chin's statement that an EIR needs to be completed. Attorney Ray Carlson stated that everything heard in the public comment was argument and speculation as opposed to actual facts and it's difficult to establish a cause and effect. He said there isn't substantial evidence to support the proposition that there should be an EIR.

Council Member Ramirez proposed the Council to review the land uses individually and attempt to reach consensus on specific uses. Dir. Mata read off each use line by line. The Council reached consensus on approving the following uses:

C5-College or university CONDITIONAL

C14-Studio for martial arts, music, dance, yoga, exercise, gymnastics or similar PERMITTED

E1-Business support service PERMITTED

G5-Health or fitness facility, large CONDITIONAL

Council Member Ramirez made a motion to uphold the Planning Commission's recommendation on the following uses: C5, C14, E1, and G5; seconded by Vice Mayor Draxler.

Council Member Brieno stated that people show up [to Council meetings] because they have a vested interest in the community. He said that zoning has its purpose and helps certain portions of a community. He addressed Mr. Kashain and said that if there was a little more work he probably could have had a consensus on his amendment. Council Member Brieno further stated to Mr. Kashain that if he invested in something, he probably would have had more help. He then said the old Courthouse needs investment.

Vice Mayor Draxler said he believes we need an incentive program for people to come downtown as well as incentives to get people to stay.

RESULT:	APPROVED AS AMENDED [3 TO 1]
MOVER:	Francisco Ramirez, Council Member
SECONDER:	John Draxler, Vice Mayor
AYES:	Draxler, Brieno, Ramirez
NAYS:	Devine
RECUSED:	Sorensen

GENERAL BUSINESS:

- A. 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 any time on Seventh Street west of 11th Avenue.

Mayor Sorensen rejoined the Council on the dais.

Dir. Doyel provided an overview of the project and stated that it is necessary for pedestrian safety.

Motion to approve.

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

- B. City Clerk: Designate a voting delegate and alternate(s) for the League of California Cities Annual Conference.

The Council reached consensus on designating Vice Mayor John Draxler as the voting member at the League of California Cities Annual Conference. Council Member Ramirez was designated as the alternate.

RESULT:	CONSENSUS
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- C. Police: Authorize a letter in opposition to AB 516 Authority to remove vehicles.

Chief Sever provided an overview of AB 516. It would prohibit law enforcement from removing vehicles that have five or more parking citations, towing vehicles with expired registrations, towing vehicles in violation of 72 hour restrictions. This could have a dramatic effect on the community and law enforcement agencies are against this bill. This bill has implications for allowing homeless people to live in vehicles and they wouldn't be towed.

Motion to approve.

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

D. Final Budget Discussions

City Manager Pyle asked the Council for their availability to meet the following week to approve the final budget. The Council reached consensus to meet Tuesday, June 25th at 5:15 p.m.

COUNCIL REPORTS/COMMENTS:

A. Council Comments

Council Member Brieno - He asked about the Kings County group to address homelessness. Council Member Devine said he will attend the meetings to stay involved.

Council Member Ramirez - He presented a trophy he won at a bowling tournament at the San Joaquin Valley Policy Conference he attended.

Council Member Devine - He said he and Vice Mayor Draxler will meet with the Chamber of Commerce the following week.

Mayor Sorensen - She asked for a line in the agenda to be for Future Agenda Items in a queue.

COUNCIL FUTURE AGENDA ITEMS:

A. Council Agenda Items

Council Member Brieno - He asked about a job description for volunteers for the Council Members. He also asked if the City would reach out to property owner of the lot across the street from his house. Attorney Ty Mizote said they have the contact information and will begin discussions.

Mayor Sorensen adjourned the Council to Closed Session at 9:54 p.m.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

A. Public Employment (GC 54957)

Public Employment
Title: Interim City Manager

ADJOURNMENT:

Mayor Sorensen adjourned the meeting at 10:07 p.m.

Respectfully,

Sarah Martinez
City Clerk