



City of Kingsburg

1401 Draper Street, Kingsburg, CA 93631-1908
Phone (559)897-5821 Fax (559)897-5568

Mayor Michelle Roman
Mayor Pro Tem Laura North
Council Member Sherman Dix
Council Member Vince Palomar
Council Member Jewel Hurtado

City Manager Alexander J. Henderson

AGENDA

KINGSBURG CITY COUNCIL REGULAR MEETING

Council Chamber, 1401 Draper Street, Kingsburg, CA 93631 (559) 897-5821
www.cityofkingsburg-ca.gov

Wednesday, March 4, 2020 at 6pm

6 P.M. REGULAR SESSION MEETING:

Invocation to be given by Pastor Tim Boynton, Covenant Church, followed by the Pledge of Allegiance led by Mayor Michelle Roman.

1. **Call to Order and Roll Call**
2. **Public Comments:** This is the time for any citizen to come forward and address the City Council on any issue within its jurisdiction that is not listed on the Agenda. A maximum of five (5) minutes is allowed for each speaker.
3. **Approve Agenda:** Action by the Council to approve the agenda or to make modifications. Items that can be added to the agenda is constrained by State law.
4. **Consent Calendar:** Items considered routine in nature are to be placed on the Consent Calendar. They will be considered as one item and voted upon in one vote unless individual consideration is requested. Each vote in favor of the Consent Calendar is considered and recorded as a separate affirmative vote in favor of each action listed. Approval of the Consent Calendar items include recitals reading ordinance(s) by titles(s) only and adoption of recommended action(s) contained in Staff Reports.
 - 4.1 **Approval of City Council Minutes:** Approve the minutes from the February 13, 2020 Joint Workshop Meeting and the February 19, 2020 Regular City Council Meeting, as prepared by City Clerk Abigail Palsgaard.
 - 4.2 **Check Register:** Ratify/approve payment of bills listed on the check register for the period February 13, 2020 through February 27, 2020 as prepared by Accounts Payable Clerk Grace Reyna.
 - 4.3 **Adopt the ADA Transition Plan for City Maintained Road System dated February 2020.**

- 4.4 Waive the first reading and introduce Ordinance No. 2020-002, An Ordinance Of The City Of Kingsburg Amending Section 15.40.010 Of Chapter 15.40 Of Title 15 Of The Kingsburg Municipal Code and pass to a second reading on March 18, 2020 with the following recital constituting reading the title of the Ordinance:**

**“AN ORDINANCE OF THE CITY OF KINGSBURG
AMENDING SECTION 15.40.010 OF CHAPTER 15.40 OF
TITLE 15 OF THE KINGSBURG MUNICIPAL CODE”**

- 4.5 Claim Rejection-** Reject Serena Bordens' claim against the City filed on February 27, 2020- Staff Report prepared by City Clerk Abigail Palsgaard

5. Regular Calendar

- 5.1 Caltrans Mendocino/Mountain View Interchange Feasibility Study Presentation-** Staff Report by City Engineer Dave Peters

Possible Action(s):

- a. Presentation by Caltrans
- b. Council Discussion
- c. Action as Deemed Necessary

- 5.2 Extraterritorial water service connection to the Warlow Reststop on Highway 99 south of the Kings River-** Staff Report by City Engineer Dave Peters

Possible Action(s):

- a. Presentation by City Engineer Dave Peters
- b. Council Discussion
- c. Action as Deemed Necessary

- 5.3 Kingsburg Fire Department Annual Report-** Report by Chief Daniel Perkins

Possible Action(s):

- a. Presentation by Chief Daniel Perkins
- b. Council Discussion
- c. Informational- No Action Necessary

6. Council Reports and Staff Communications

- 6.1** Community Services Commission
- 6.2** Public Safety Committee
- 6.3** Chamber of Commerce
- 6.4** Economic Development
- 6.5** Finance Committee
- 6.6** Planning Commission
- 6.7** South Kings Groundwater Sustainability Agency Joint Powers Authority (SKGSA)
- 6.8** City Manager's Report

7. Other Business that may come properly before the City Council

8. Future Agenda Items

These items will be added to a future agenda with direction from Council.

9. Adjourn Regular Kingsburg City Council Meeting.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such writings and documents may be posted on the City's website at www.cityofkingsburg-ca.gov.

I hereby certify, under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at the front entrance of City Hall not less than 72 hours prior to the meeting. Dated this 28th day of February 2020.

Abigail Palsgaard, City Clerk

**KINGSBURG CITY COUNCIL AND THE PLANNING COMMISSION
JOINT WORKSHOP
February 13, 2020**

6:30 P.M. KINGSBURG CITY COUNCIL AND PLANNING COMMISSION WORKSHOP:

Call to order and roll call: At 6:39pm Mayor Michelle Roman called the Joint Workshop to order.

Council Members present: Hurtado, Palomar, Dix, North and Mayor Roman.

Commissioners present: Carlson, Roundtree, Blayney and Chairman Kruper.

Commissioner absent: Brock.

City Staff present: City Manager Henderson, City Attorney Noland, City Planner Collins and City Clerk Abigail Palsgaard.

Tulare County Staff present: Aaron Bock, David Bryant and Susan Simon.

Public Comments: None.

Kingsburg Area Community Plan in Tulare County- Presentations by City and Tulare County staff.

City Manager Henderson stated that this is the first of several meeting on this topic. As a background, Kingsburg has a large portion of its sphere of influence in Tulare County, but will never be able to annex into the City Limits. With the experience of working with Tulare County with a housing project, staff thought forming a document with a plan of the future of our sphere of influence with Tulare County as the lead agency would be beneficial.

Aaron Bock, Tulare County, presented the County's zoning and the Urban Development Boundary that includes Kingsburg Sphere of Influence. The document will be called the Kingsburg Area Community Plan and the County does these often. Mr. Bock presented the timeline and went over the steps. This will guide all decision making for land use in the area.

The process of the drawing the Urban Development Boundary was discussed. It was drawn in the earlier 1970s to preserve agricultural land and to keep developments by existing cities in Tulare County. The Urban Development Boundary is a logical extension of growth by the City of Kingsburg and the Urban Development Boundary was established to regulate growth together. The County said the Urban Development Boundary can be extended.

A County resident asked how they are notified. They hadn't received anything in the mail. It was discussed how they notice. Council asked since the population is low in the area if they could ensure that all residents are contacted.

The workshop discussed the existing A1 Zone in the Urban Development Boundary that allows for residential next to commercial. Council stated that is why we want some say and input in what is going on with the process. That is why were are here tonight. To give input.

The public discussed having the boundaries shrink, not grow. The County wants it to expand and grow. It would be up to the City at the end to provide services.

Extra taxes in new developments (Community Facilities Districts) was discussed.

Council discussed affordable housing and declining enrollment in the school system.

The workshop discussed having growth while keeping Kingsburg a quality place to live.

Adjourn- Mayor Roman adjourned the Kingsburg City Council and the Planning Commission Workshop at 7:44pm.

Submitted by:

Abigail Palsgaard, City Clerk

**MINUTES
KINGSBURG CITY COUNCIL
REGULAR MEETING
FEBRUARY 19, 2020**

6:00 P.M. REGULAR SESSION MEETING:

Invocation was given by Deacon Steve Wright, Holy Family Catholic Church, followed by the Pledge of Allegiance led by Mayor Michelle Roman.

Call to Order and Roll Call – At 6:00 P. M. Mayor Michelle Roman called the regular meeting of the Kingsburg City Council to order.

Council Members present: Jewel Hurtado, Vince Palomar, Laura North, Sherman Dix, and Mayor Michelle Roman.

Staff present: City Manager Alexander Henderson, City Attorney Michael Noland, City Clerk Abigail Palsgaard, Finance Director Alma Colado, Director of Administrative Services Christina Windover, and Police Records Supervisor Corina Padilla.

Public Comments: None

Approve Agenda: A motion was made by Council Member Hurtado, seconded by Council Member North, to approve the Agenda as published. The motion carried by unanimous voice vote.

Consent Calendar: Council Member Dix asked that Items No. 4.9 - 4.11 be pulled because he has a financial relationship with one of the applicants. A motion was made by Council Member North, seconded by Council Member Palomar, to approve the Consent Calendar Items except Items 4.9, 4.10, and 4.11. The motion carried by unanimous voice vote.

A motion was made by Council Member North, seconded by Council Member Hurtado, to approve Items 4.9, 4.10, and 4.11 of the Consent Calendar. The motion carried, four in favor, Council Member Dix recusing himself.

- 4.1 Approval of City Council Minutes:** Approve the minutes from the February 5, 2020 Regular City Council Meeting, as prepared by City Clerk Abigail Palsgaard.
- 4.2 Check Register:** Ratify/approve payment of bills listed on the check register for the period January 30, 2020 through February 12, 2020 as prepared by Accounts Payable Clerk Grace Reyna.
- 4.3 Waive the second reading and adopt Ordinance No. 2020-001, An Ordinance Of The City Of Kingsburg Adding Chapter 16.42 To Title 16 Of The Kingsburg Municipal Code Pertaining To The Construction Of Model Homes And Production Homes with the following recital constituting reading the title of the Ordinance:**

“AN ORDINANCE OF THE CITY OF KINGSBURG ADDING CHAPTER 16.42 TO
TITLE 16 OF THE KINGSBURG MUNICIPAL CODE PERTAINING TO THE
CONSTRUCTION OF MODEL HOMES AND PRODUCTION HOMES”

- 4.4 **Council review and accept public comment regarding the FY2017/2018 and FY 2018/19 Development Impact Fee Annual Report and file the subject report with the Office of the City Clerk.-** Staff Report prepared by Finance Director Alma Colado.
- 4.5 **Adopt Resolutions 2020-011; 2020-012; 2020-013; 2020-014; 2020-015; 2020-016; 2020-017; 2020-018; 2020-019 Approving the Budget Amendments As Presented And Recommended By The Finance Committee-** Staff Report Prepared by Finance Director Alma Colado.
- 4.6 **Award a Contract to Willdan Financial Services for a Cost Allocation Plan Update -** Staff Report Prepared by Finance Director Alma Colado.
- 4.7 **Approve the Updated Public Works Director Job Description-** Staff Report prepared by Director of Administrative Services Christina Windover.
- 4.8 **Approve The City of Kingsburg participation in the Fresno County's Urban County Community Development Block Grant (CDBG) Program Years 2021-22, 2022-23 and 2023-24 and authorize the City Manager to sign the Joint Powers Agreement on the City's behalf.**
- 4.9 **Planning Commission Re-Appointment-** Affirm Mayor Roman's re-appointment of Paul Kruper to the Planning Commission to a term that is set to expire November 2023.
- 4.10 **Planning Commission Appointment-** Affirm Mayor Roman's appointment of Briana Valdez to the Planning Commission to a term that is set to expire November 2022.
- 4.11 **Planning Commission Appointment-** Affirm Mayor Roman's appointment of Robert Anthony Gonzales to the Planning Commission to a term that is set to expire November 2024.
- 4.12 **Public Safety Committee Appointment-** Affirm Mayor Roman's appointment of Vincent Lathom III to the Public Safety Committee to a term that is set to expire November 2023.

REGULAR CALENDAR

Kingsburg Fire Department Pinning Ceremony- Presentation by Chief Daniel Perkins

Chief Perkins asked that a moment of silence be observed for the two Porterville Firefighters that lost their lives in the Porterville Library fire.

Chief Perkins introduced new Kingsburg Fire Department personnel, Captain Jeremy Owens and Firefighter Dariuss Rodriguez, followed by the swearing in and pinning ceremony.

Financial Statements for the Year Ended June 30, 2019 – Consider Statements as prepared by Price Paige & Company. Staff report prepared by Finance Director Alma Colado

Representatives from Price Page & Company presented the Financial Statements and explained the process. The City received an Unqualified Opinion (clean opinion) which is the best result. The results were and areas of improvement were reviewed. Council asked if the cash at the Building Department is necessary. Finance Director Alma Colado said that it is, for customer service.

A motion was made by Council Member North, seconded by Council Member Dix to Accept Financial Statements for Year Ended June 30, 2019. The motion carried by unanimous voice vote.

Crime Statistics Report for the Month of January 2020 and General Police Department Update-
Crime Statistics Report prepared by Kingsburg Police Department Records Supervisor Corina Padilla.

Police Records Supervisor Corina Padilla reported that in 2019 the Records Department processed 1,658 reports that included reading every single report, verifying, stating, dissemination, and uploading to District Attorney's office for prosecution. The Police Department completed 140 public Livescans in 2019. In 2019 Police Services Technician Eva Zimmerman processed 418 articles of evidence including 16 weapons and released 22 articles. Evidence processing and storage is key to convictions. Records Supervisor Corina Padilla stated that they are converting storage to hold evidence. The January 2020 Crime Stats were reviewed. Council Member Dix asked about reviewing home surveillance video. Council thanked Records Supervisor Corina Padilla for all that she does.

Informational - No action necessary.

Council Reports and Staff Communications

Community Services Commission- Council Member North said they will meet next Wednesday.

Public Safety Committee- Council Member Palomar said they will meet next Tuesday.

Chamber of Commerce – Council Member Hurtado reported Chamber Vice President Jason Poyner resigned, they discussed car show, starting monthly mixer, annual chamber membership meeting, potential workshops to benefit businesses, and progress with the Downtown Business Improvement District. Mayor Roman mentioned the SKF Mixer in March.

Economic Development – Council Member Dix stated that they meet tomorrow morning to discuss agritourism. City Manager Henderson said the 5 Cities Fresno County Economic Development JPA are working on rebranding.

Finance Committee- Council Member Dix said they met a few weeks ago. City Manager Henderson said that a couple items on consent were recommendations from the meeting.

Planning Commission- Mayor Roman reported that they participated in a joint workshop regarding property zoning and use in Tulare County.

South Kings Groundwater Sustainability Agency Joint Powers Authority (SKGSA) Council Member Dix discussed ponding basin options to take the Consolidated Irrigation District water immediately. A couple of Kingsburg's will be able to take 300 to 400 of the 1000 acre feet. There will be a cost to convert them to Consolidated Irrigation District standards requiring the ability to measure the flow of water in to the basin.

City Manager's Report- City Manager Henderson gave an update regarding the T-Mobile merger, Public Works Director Darren Hayes upcoming retirement and applying for a California League for Cities award for the City's partnership with the Kingsburg Tri-County Health Care District.

Other Business that may come properly before the City Council

None.

Future Agenda Items

None.

Adjourn Kingsburg City Council Regular Meeting into Closed Session – Mayor Roman adjourned the meeting into closed session at 6:55pm to discuss the following item(s):

9.1 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Initiation of litigation pursuant to California Government Code Section 54956.9(c)
(One potential case)

Adjourn out of Closed Session into the Regular Kingsburg City Council Meeting and report out of Closed Session – Mayor Roman adjourned out of closed session into the regular meeting at 7:36pm.

Mayor Roman reported there was nothing to report.

Adjourn – Mayor Roman adjourned the Regular Kingsburg City Council Meeting at 7:36pm.

Submitted by:

Abigail Palsgaard, City Clerk

Accounts Payable

Checks by Date - Summary by Check Date

User: gracer
 Printed: 2/28/2020 2:16 PM



City of Kingsburg
 1401 Draper Street
 Kingsburg, CA 93631-1908
 (559)897-5821

Check No	Vendor No	Vendor Name	Check Date	Check Amount
77362	4072	FAHRNEY FORD SALES	02/13/2020	38,820.20
Total for 2/13/2020:				38,820.20
ACH	3231	ICMA RETIREMENT CORPORATION - V	02/14/2020	661.63
ACH	3470	Internal Revenue Service - ACH	02/14/2020	45,978.04
ACH	3471	Employment Development Department - A	02/14/2020	7,504.59
ACH	3472	CalPERS - ACH	02/14/2020	33,059.29
ACH	3475	Empower	02/14/2020	2,915.00
ACH	3476	CHILD SUPPORT STATE DISBURSEME	02/14/2020	505.84
ACH	3526	Public Employees Retirement System 457 I	02/14/2020	20.00
ACH	3470	Internal Revenue Service - ACH	02/14/2020	2,731.10
ACH	3471	Employment Development Department - A	02/14/2020	170.26
ACH	3472	CalPERS - ACH	02/14/2020	1,662.70
ACH	3470	Internal Revenue Service - ACH	02/14/2020	1,836.00
ACH	3471	Employment Development Department - A	02/14/2020	116.31
ACH	3472	CalPERS - ACH	02/14/2020	769.68
ACH	3470	Internal Revenue Service - ACH	02/14/2020	2,299.91
ACH	3471	Employment Development Department - A	02/14/2020	175.76
77363	4149	US DEPARTMENT OF EDUCATION AW	02/14/2020	313.03
Total for 2/14/2020:				100,719.14
77364	4199	AAA BACKFLOW PREVENTION	02/21/2020	4.00
77365	4184	ADVANCED COMBAT EVOLUTIONS	02/21/2020	3,582.00
77366	3006	AIRGAS NCN	02/21/2020	750.67
77367	4173	AMI CONCEPTS	02/21/2020	2,000.00
77368	3020	ANGELICA TEXTILES SERVICES COR	02/21/2020	276.40
77369	3029	AT&T CALNET 3	02/21/2020	1,520.52
77370	3030	AT&T MOBILITY	02/21/2020	980.31
77371	3035	BAUER COMPRESSORS, INC.	02/21/2020	1,064.68
77372	3038	BENETRAC	02/21/2020	425.00
77373	3056	CAL STATE TERMITE AND PEST	02/21/2020	460.00
77374	3057	CALIFORNIA BUILDING STANDARDS	02/21/2020	752.40
77375	3704	CANON FINANCIAL-EQUIPMENT SAL	02/21/2020	1,079.34
77376	3068	BARBARA CARPENTER	02/21/2020	990.00
77377	4203	CEN-CAL AUTO & TRUCK PARTS/ NAF	02/21/2020	2,108.61
77378	3077	CENTRAL VALLEY OVERHEAD DOOR	02/21/2020	424.00
77379	3918	CINTAS	02/21/2020	1,106.56
77380	3111	COLLINS & SCHOETTLER	02/21/2020	3,712.50
77381	3115	COMCAST-PD	02/21/2020	161.20
77382	3120	COPWARE, INC.	02/21/2020	615.00
77383	3142	DELRAY TIRE & RETREADING	02/21/2020	2,437.55
77384	3152	E C N POLYGRAPH & INVEST	02/21/2020	200.00
77385	4197	ELLBERG WIGH PROPERTIES INC.	02/21/2020	58.00
77386	4011	ESCI EMERGENCY SERVICES CONSUI	02/21/2020	831.70
77387	3158	ENER POWER	02/21/2020	566.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
77388	4176	ENGINEERED FIRE SYSTEMS, INC	02/21/2020	700.00
77389	3162	ESO SOLUTIONS	02/21/2020	9,858.00
77390	3188	FRESNO COUNTY SHERIFF	02/21/2020	15,929.25
77391	3201	ALFREDO FUENTES	02/21/2020	64.00
77392	3219	HEALTHWISE SERVICES	02/21/2020	492.50
77393	3222	HENRY SCHEIN, INC.	02/21/2020	884.44
77394	4059	KRISTIN HERNANDEZ	02/21/2020	115.00
77395	3999	IRON MOUNTAIN	02/21/2020	35.00
77396	4190	J.P. COOKE COMPANY	02/21/2020	126.00
77397	3237	JC'S LAWN SERVICE	02/21/2020	5,000.00
77398	3248	KAHN, SOARES & CONWAY, LLP	02/21/2020	5,668.60
77399	3253	KINGSBURG CHAMBER OF COMMERCE	02/21/2020	180.00
77400	3625	KINGSBURG MEDIA FOUNDATION	02/21/2020	3,064.56
77401	3518	METRO UNIFORM	02/21/2020	3,770.84
77402	4204	METROPOLITAN TRANSPORTATION C	02/21/2020	1,500.00
77403	3300	MuniServices/Avenue	02/21/2020	450.00
77404	3315	P G & E	02/21/2020	18,363.97
77405	4201	DANIEL PERKINS	02/21/2020	61.77
77406	3333	PRICE, PAIGE & COMPANY	02/21/2020	2,485.00
77407	4205	PRO CLEAN UP, INC	02/21/2020	8.70
77408	3334	PROFESSIONAL PRINT & MAIL, INC	02/21/2020	2,888.97
77409	3335	PROFORCE LAW ENFORCEMENT	02/21/2020	10,017.59
77410	4202	DIEGO RODRIGUEZ	02/21/2020	16.27
77411	3363	SAVE MART SUPERMARKETS	02/21/2020	34.96
77412	3369	SILVAS OIL COMPANY, INC.	02/21/2020	2,948.59
77413	3380	STATE OF CALIFORNIA-D O J	02/21/2020	367.00
77414	3397	THE GAS COMPANY	02/21/2020	1,974.43
77415	4016	ULINE Shipping Supplies Specialist	02/21/2020	446.58
77416	3413	UPS	02/21/2020	23.63
77417	4198	VAN BEURDEN INSURANCE	02/21/2020	300.00
77418	4102	VIVINT SOLAR DEV., LLC - ATT: AR D	02/21/2020	159.29
77419	4200	WIGH VAUGHAN PROPERTIES LLC	02/21/2020	13.00
Total for 2/21/2020:				114,054.38
Report Total (73 checks):				253,593.72



ADA TRANSITION PLAN FOR CITY MAINTAINED ROAD SYSTEM



City of Kingsburg
February 2020

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I. EXECUTIVE SUMMARY

This transition plan has been prepared in order to comply with The Americans with Disabilities Act (ADA) of 1990. The intention of the Plan is to define the policies for identifying and prioritizing deficiencies in pedestrian facilities within the City of Kingsburg's (City) public roadway rights-of-way. The Plan also sets forth strategies to address the identified deficiencies. The goal of these policies and practices is to ensure that pedestrian facilities evaluated in this plan are safe and accessible for all users.

The ADA Transition Plan (Plan) is required by the Department of Justice to address the following aspects of accessibility:

1. If a public entity has responsibility or authority over streets, roads or walkways, its ADA Transition Plan shall include a schedule for providing curb ramps or other sloped areas where pedestrians walk across curbs. In addition, priority will be given to walkways serving entities covered by the ADA, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas;
2. The ADA Transition Plan shall identify physical obstacles in the public entity's right of way that limit the accessibility of its programs or activities to individuals with disabilities; this is achieved by providing a survey of the existing conditions of curb ramps and sidewalk locations and identifying if the locations are compliant or not;
3. The ADA Transition Plan shall describe the methods that will be used to make the facilities accessible, and;
4. The ADA Transition Plan shall specify the schedule for taking the steps necessary to achieve compliance with the ADA and, if the time period of the ADA Transition Plan is longer than one year, identify steps that will be taken during each year of the transition period.

The Plan focuses on all areas of pedestrian usage of City maintained roadway facilities. The areas were evaluated by performing a physical field review. Each ramp and sidewalk location was assigned a unique identifier and catalogued accordingly. Ramp locations were only identified where one of the following conditions existed: existing compliant ramp and existing non-compliant ramp, and no ramp. Sidewalk locations were only identified where a sidewalk currently exists. In some instances within the City, entire neighborhood areas lacked sidewalk or ramp improvements.

The Site Survey included an evaluation of both curb ramps and sidewalk locations along the study roadways. Six areas of compliance were evaluated for curb ramp/intersection areas, including whether each ramp has a lip and detectable warning system, both longitudinal and wing slopes, the width of each ramp, and the top of ramp landing slope.

In addition to the data collected for curb ramps, six pieces of data were collected for sidewalk locations, including sidewalk width, slopes for the west/south end, middle, and east/north end, sidewalk location uplift and the percentage of the sidewalk location uplift along the sidewalk location run.

Through this data collection, a database was built using a rating system for each ramp and sidewalk location. First the ramp or sidewalk location is identified as either compliant or non-compliant. For example, if one piece of collected information was found to be non-compliant, the sidewalk or curb ramp location was therefore categorized as non-compliant. Then the location is given a rating by ranking the physical proximity of the ramp or sidewalk to known frequented routes of persons with disabilities. Ramps or sidewalk locations near community facilities, such as government, post office, or libraries, or within two blocks of a combination of bus stops/schools, major streets, and commercial areas, were given a rating of “4” while ramps or sidewalk locations located in residential neighborhoods more than two blocks from major streets or other services were given a rating of “0”.

The intention of the Plan is to allow City Staff to efficiently and effectively identify areas where improvements are needed and to make the necessary improvements to curb ramp and sidewalk locations.

If you have any questions regarding the City’s plan or have concerns in regards to improvements in your neighborhood or around your business you can contact the Kingsburg Department of Public Works at (559) 897-5821 or reach the City Engineer by email at dpeters@peters-engineering.com

II. PROJECT BACKGROUND

Introduction

Goals and Objectives:

The Americans with Disabilities Act (ADA) of 1990, along with its implementing regulations, and the California Government Code Sections 4450 et seq. prescribe that facilities shall be made accessible to persons with disabilities. The Federal Highway Administration has reaffirmed that the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG) shall apply to the design of Caltrans facilities under Title II of the ADA, which applies to the operations of State and local governments.

The goal of the Plan is to outline what has been accomplished to date, what is currently being done, and what the ongoing efforts will be to ensure that the City creates accessible paths of travel in the public right of way for people with disabilities.

To this end, the preparation of the Plan includes a site survey, which identified deficiencies and outlined needs. This survey- has been provided as a GIS layer for inclusion in the City’s database. The priority designations will assist City staff in choosing projects and a schedule of implementation for approval by the Board of Supervisors. The City has recently updated the grievance/complaint form, which is required by law for handling complaints.

The City also provided opportunities for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of this Plan by participating in public meetings and having the opportunity to make comments or recommendations along the way.

City of Kingsburg Commitment:

The City has made a significant and long-term commitment to improving the accessibility of the public right of way. These improvements will be constructed using the current City of Kingsburg Standard Details for ramps and sidewalk locations.

Improvements in the public right of way can be characterized in the following ways:

1. Maintenance, Minor Upgrades, and Repair Projects and Programs
2. Capital Projects for Alterations
3. Capital Projects for New Construction
4. Improvements made during private land development improvement projects
5. Improvements made to existing roadway facilities previously constructed

Maintenance, Minor Upgrades, and Repair Projects and Programs:

Work that specifically addresses spot areas that are limited to normal maintenance, minor upgrades, and repairs in the public right-of-way will maintain accessibility of the public right- of-way.

Capital Projects for Alterations:

Work that, under the ADA, would be considered an alteration of existing public right-of-way will provide new accessible features and upgrade existing accessible features in the project area to meet current design standards.

Capital Projects for New Construction:

Work that involves creating new public right-of-way will provide accessible features in the project area that meets current design standards. All new projects include ADA approved access features such as ramps, pedestrian actuated signal buttons, detectable warning, etc.

Private Land Development Improvement Projects:

Since 1990, curb ramps have been required to be constructed to meet current ADA standards in all new land development projects of the City. Changes in standards since 1990 have resulted in the existence of many curb ramps which are out of compliance.

Previously Constructed Roadway Improvements:

Some City roadway improvements such as curb ramps exist that were constructed previously and do not meet current standards. These have been incorporated in this Transition Plan.

The City is thoroughly committed in making all sidewalk location and curb ramp areas accessible to all pedestrians including those with disabilities. It is the goal to work within budget and resource constraints while providing accessibility to all users.

This Transition Plan on City Maintained Roadways is intended not only to comply with the ADA requirements, but to also ensure that citizens can travel safely throughout the unincorporated City.

ADA Legislative Requirements/Background

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, transportation, telecommunications and access to public accommodations. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. This legislation mandates that qualified disabled individuals shall not be excluded from participation in, denied the benefit of, or be subjected to discrimination under any program or activity.

The legislative requirements of the ADA are divided into five parts, covering the following areas: Employment (Title I), Public Services (Title II), Public Accommodations (Title III), Telecommunications (Title IV), and Miscellaneous Provisions (Title V). Public Services (Title II) will be the focus of this Transition Plan, and is described as follows:

Title II: Public Services:

This Title prohibits state and local governments from discriminating against persons with disabilities or from excluding participation in or denying benefits of public programs, services, or activities to persons with disabilities. Curb ramps, sidewalk locations, and other roadway access issues are required as part of this title. A Transition Plan is intended to outline the methods by which physical or structural changes will be made to effect the non-discrimination policies described in Title II. It is under this Title that a Transition Plan is prepared.

Specifically, construction standards and requirements were implemented to insure that new development would be compliant. In addition, all new capital projects were designed to meet the latest accessibility requirements and standards.

Curb Ramps:

Curb ramps are used by all pedestrians, including those who are visually impaired, disabled, and hearing impaired to safely cross roads where controlled crossings are provided. Design and construction standards for curb ramps have evolved and changed over time as consensus has been forged by all users. This evolving nature of the standards has made it somewhat difficult to keep current of new needs, implement new standards, and to retrofit non-compliant facilities.

Sidewalk locations:

Sidewalk locations provide a safe, protected location for pedestrians to travel adjacent to vehicular traffic. While design standards have maintained a 2% maximum cross slope, construction of sidewalk locations has not always adhered strictly to the standard. Tree root uplift can also be a concern, especially for sidewalk locations in older neighborhoods with mature trees. With most of the retrofitting and reconstruction focused at ramp locations, sidewalk location issues may not be addressed as timely as desired.

City Responsibilities under the ADA

The City has various responsibilities under Title II of the ADA. Title II of the ADA is similar to Section 504 of the Rehabilitation Act of 1973, but differs in that Section 504 applies only to government agencies.

Title II of the ADA, mandates that a public agency such as the City operates each service, program or activity so that the service, program or activity when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. However, as described in Title 28 of the Code of Federal Regulations, Section 35.150(a) (hereafter referred to as the ADA Rules), this does not necessarily require a public agency to make each of its existing facilities accessible to and usable by individuals with disabilities. Nor does it require a public agency to take any action that would threaten or destroy the historical significance of an historic property. If the public agency can demonstrate that a modification would fundamentally alter the nature of its service, program or activity, or cause undue financial and administrative burdens, it is not required to make that particular modification.

Title II dictates that a public agency must evaluate its facilities and public areas to determine whether or not they are in compliance with the nondiscrimination requirements of the ADA. The regulations detailing compliance requirements were issued in July 1991. The requirements include completing a self-evaluation and site survey first to identify any areas not within compliance of the ADA standards. Next, a Transition Plan is to be prepared describing any necessary structural or physical changes needed to make all required areas accessible and compliant with ADA. The City's plan as it relates to curb ramps and sidewalk location accessibility on City maintained roadways per Section 35.150(d)(2) of the ADA Rules accomplished the following:

1. Identifies inaccessible and non-compliant curb ramps and sidewalk locations located in the unincorporated urban portions of the City on City maintained roadways; and
2. Develops a planning schedule and budget for making corrections and repairs; and
3. Develops a repair/request procedure; and
4. Develops a grievance/complaint process; and
5. Implements a public involvement process; and
6. Provides a periodic review of standards and procedures

Site survey of curb ramps and sidewalk locations have been prepared as part of this study. The results are tabulated databases and are included in a Geographic Information System (GIS) file maintained by the City. All curb ramps and sidewalk locations in the urban portions of the City as indicated in the Appendix were evaluated. Six specific pieces of information were collected and catalogued for each curb ramp and sidewalk location. The City's GIS system was used to identify the existing locations of the curb ramps and sidewalk locations, with GIS nodes applied to their location. Each ramp and sidewalk location area was examined with levels and measuring tapes to determined exact slopes, widths, and other measurements. Each curb ramp and sidewalk location was deemed compliant or non-compliant. Each of these items has been thoroughly documented in Arc GIS database and is ready for use within the City's GIS system, as shown in Figure I below.

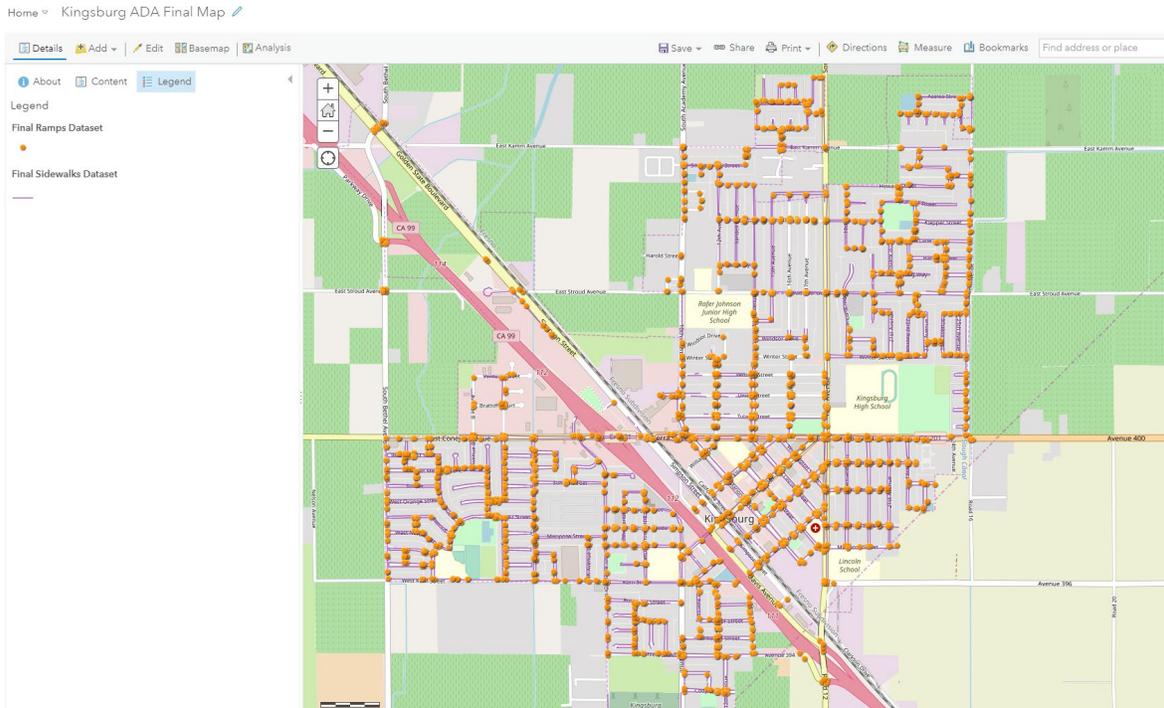


FIGURE I – GIS System

Transition Plan Content and Priorities

A Transition Plan identifies physical obstacles in the public agency’s facilities that limit the accessibility of its programs or activities to individuals with disabilities; describes in detail the methods that will be used to make the facilities accessible; specifies the schedule for taking the steps necessary to achieve compliance in making the facilities accessible; and indicates the official responsible for implementation of the plan.

In addition to the requirements for City facilities, a public agency that has responsibility or authority over streets, roads or walkways, must also develop a transition plan to include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act. The Department of Public Works and Planning possesses that responsibility for the City.

III. SELF EVALUATION

A self-evaluation form will be distributed to select staff within the Department of Public Works and Planning. The intent of the self-evaluation is to identify how well City Staff understands the procedure for identifying ADA issues and what person or persons are responsible for processing these issues. Their responses will be tabulated in a chart which will be included in the appendix.

Based on results of this survey, the City will provide additional training to their staff on the process and procedures for identifying ADA issues and acknowledge which person or persons are responsible for processing.

IV. SITE SURVEY

Objectives

The objectives of the site survey process involved surveying curb ramp and sidewalk locations throughout the City and prioritizing locations for any necessary corrective action. This was accomplished through exhaustive field data collection.

After all the field data was collected, each ramp and sidewalk location was evaluated, using both the existing condition of the curb ramp or sidewalk location and its physical proximity to frequented routes of persons with disabilities.

Existing Condition:

The existing condition factors upon which each ramp and sidewalk were rated are shown in Table II and III. The ramp and sidewalk locations were deemed compliant only if all measurements met the minimum standards.

The database is too large to feasibly be presented within this Transition Plan.

Physical Proximity Rating:

The factors upon which the physical proximity to frequented routes of persons with disabilities of the curb ramp or sidewalk location was rated are shown in Table I below.

TABLE I – CURB RAMPS & SIDEWALK – PHYSICAL PROXIMITY RATING

RATING	EVALUATION FACTORS	STANDARDS
4.	Known frequented routes of persons with disabilities	Located within two blocks of a government facility, post office, library, or a combination of the other evaluation factors. Highest rating.
3.	Transit Stop or School	Located within two blocks of a transit stop or school location.
2.	Commercial Business	Located within two blocks of retail/office/industrial businesses.
1.	Major Street access	Located within two blocks of an arterial or collector street.
0.	Residential Neighborhood / Rural Area	Located in a rural area or residential neighborhood without meeting any of the above criteria. Lowest rating.

GIS Mapping:

Using previously developed City GIS information an AutoCAD file was created and overlaid with aerial photos from Google Earth to assist with locating existing curb ramps and sidewalk locations for analysis. GIS nodes were created at each curb ramp location and the length of each sidewalk location run. Using these coordinates and aerials, it was possible to

identify the locations for review and link the database of the collected information to the AutoCAD file as GIS layers. The layers and databases developed for this plan will be incorporated into the City's GIS system. Figure II is an example.



FIGURE II – GIS Map view near SR 99 and SR 201

Methodology/Field Procedure

The site survey for curb ramps and sidewalk locations was completed in the spring of 2019. Data was collected within the city limits and on city maintained roadways. Using City GIS information, a smart-level, tape measure, and an iPad, information was gathered about each curb ramp and sidewalk location. Ramp locations were identified where one of the following conditions existed: existing compliant ramp, existing non-compliant ramp, or no existing ramp. Sidewalk locations were only identified where a sidewalk currently exists. In some instances within the City, entire community areas lacked sidewalk or ramp improvements. Evaluation factors for curb ramp locations consisted of checking ramp and sidewalk slopes and cross-slopes, ramp and sidewalk widths, presence of detectable warning systems (DWS) within the ramp area, and the existing type of curb and gutter. Evaluation factors for sidewalk locations consisted of checking cross slopes at three

locations along the sidewalk location run, verifying sidewalk location width, identifying uplifts, and estimating a percentage of uplifts within the sidewalk location run.

Survey Results

Results from the field survey and location rating information are compiled in Tables IV – V listed below. The data is broken down between ramp and sidewalk locations.

Curb Ramp Existing Condition Ratings:

Survey data was compared to the evaluation factors shown below in Table II to determine compliance.

TABLE II - CURB RAMPS – EXISTING CONDITION EVALUATION FACTORS

EVALUATION FACTORS	STANDARDS
Lip	Must be flush between gutter and ramp. If no lip, must not be greater than 5%
Slope	Longitudinal ramp slope must be 8.33% or less (1:12)
Width	Ramp width must be 4’0” or greater
Landing	Top of ramp landing must be 4’ by 4’ Square and must be less than 2%
Wings	Slopes on transitions adjacent to ramps must be 10% or less
Detectable Warning (DW)	Detectable Warning surface must be present – full ramp width and 36” in length

Sidewalk Existing Condition Ratings:

Based on the information gathered from the survey, a compliant or non-compliant rating was assigned to each sidewalk location based on the evaluation factors shown in Table III below.

TABLE III - SIDEWALK – EXISTING CONDITION EVALUATION FACTORS

EVALUATION FACTORS	STANDARDS
W/S Slope	West/South end of sidewalk location cross slope must be 2% or less
M Slope	Middle of sidewalk location cross slope must be 2% or less
E/N Slope	East/North end of sidewalk location cross slope must be 2% or less
Uplift	Are there any uplifts present in sidewalk location that are estimated to be over 3/8”
% Uplift	An estimate of the amount of sidewalk location in the run needing to be replaced due to uplift

Proximity Rating:

Physical proximity ratings were determined using the process of Table I. Ratings are displayed in Tables IV and V below.

TABLE IV- CURB RAMPS - PROXIMITY RATINGS

Ramp Proximity Rating	Quantity	Percent of Total
4 Points - Highest Priority	83	6.3%
3 Points	363	27.6%
2 Points	73	5.5%
1 Point	613	46.6%
0 Points - Lowest priority	184	14.0%
Total	1,316	100%

TABLE V- SIDEWALKS - PROXIMITY RATINGS

Sidewalk Proximity Rating	Quantity	Percent of Total
4 Points - Highest Priority	61	5.3%
3 Points	274	23.8%
2 Points	61	5.3%
1 Point	506	43.9%
0 Points - Lowest Priority	168	21.7%
Total	1,151	100%

V. FINAL TRANSITION PLAN

Evaluation of Ramps and Sidewalk Locations

This Transition Plan identifies a priority list by using the proximity ratings of non-compliant curb ramps and sidewalk locations. This priority list will assist in understanding which ramps or sidewalk locations are most in need of replacement, as shown in Tables VI and VII below.

TABLE VI - SUMMARY OF RATINGS AND POINTS

Ramp Status	Quantity	Percent of Total
Ramp Does Not Exist	251	19.1%
Compliant	48	3.7%
Non-Compliant	1,017	77.2%
Total	1,316	100%

TABLE VII - SUMMARY OF RATINGS AND POINTS

Sidewalk Status	Quantity	Percent of Total
Compliant	104	9.0%
Non-Compliant	1,047	91.0%
Total	1,151	100%

The above tables show that a significant number of ramps and sidewalk locations are in need of repair or installation. The City can access the actual ramp and sidewalk locations by searching the GIS database prepared as a part of this plan. This will better assist the City in reviewing the locations with the highest priority rating and initiating the construction process for upgrades.

VI. PUBLIC OUTREACH

The Americans with Disabilities Act of 1990 (ADA) stipulates involving the community, particularly those with disabilities, in the development and improvement of services. Participation by the disability community is essential for a key station plan. In highway planning, public involvement is important in the development of access at sidewalk locations, curb ramps and street crossings.

The City of Kingsburg held one public informational meeting on February 5, 2020 to introduce the ADA Transition Plan to the public and provided opportunities for feedback. The meeting was properly noticed on the City's website. A draft copy of the report was available for review and any comments from the public were answered.

The City will continue its efforts to provide services in the most integrated setting possible. The City's Transition Plan was designed to enhance the quality of life for anyone who may require special accommodations due to developmental, emotional, medical or physical considerations.

VII. CAPITAL IMPROVEMENT PROJECTS

Repair/Replacement - Schedule

The City of Kingsburg plans capital improvement programs approximately five years into the future.

The City will replace and/or repair existing curb ramps or install new ramps as part of the capital improvement program. A majority of these project sites are in areas where significant numbers of ramps that need upgrades are located.

As additional funds become available from other sources, the city will prioritize these funds for investment in ADA infrastructure as appropriate. In addition, new development will require ADA compliance for approval, to ensure accessibility in all newly constructed areas.

Ongoing and Near-Future Projects

- Mehlert Avenue Reconstruction
- 18th Avenue Sidewalks
- Sierra St & Bethel Ave Roundabout

Recently Completed Projects

- 18th Ave & Kern Street Lighted Crosswalk
- 21st Avenue Reconstruction
- 6th Avenue Drive / Sierra Street Reconstruction

VIII. DEVELOPMENT STANDARDS

Ramp Design Standards

Sheets ST-30 to ST-41 of the Kingsburg Standard Drawings reflect current ADA design requirements. Figure III below depicts the criteria measured for this project. Future improvement projects shall follow current city standards, available at (<https://www.cityofkingsburg-ca.gov/159/Public-Works>).

Periodic updates to the design standards will correlate with State and Federal requirements.

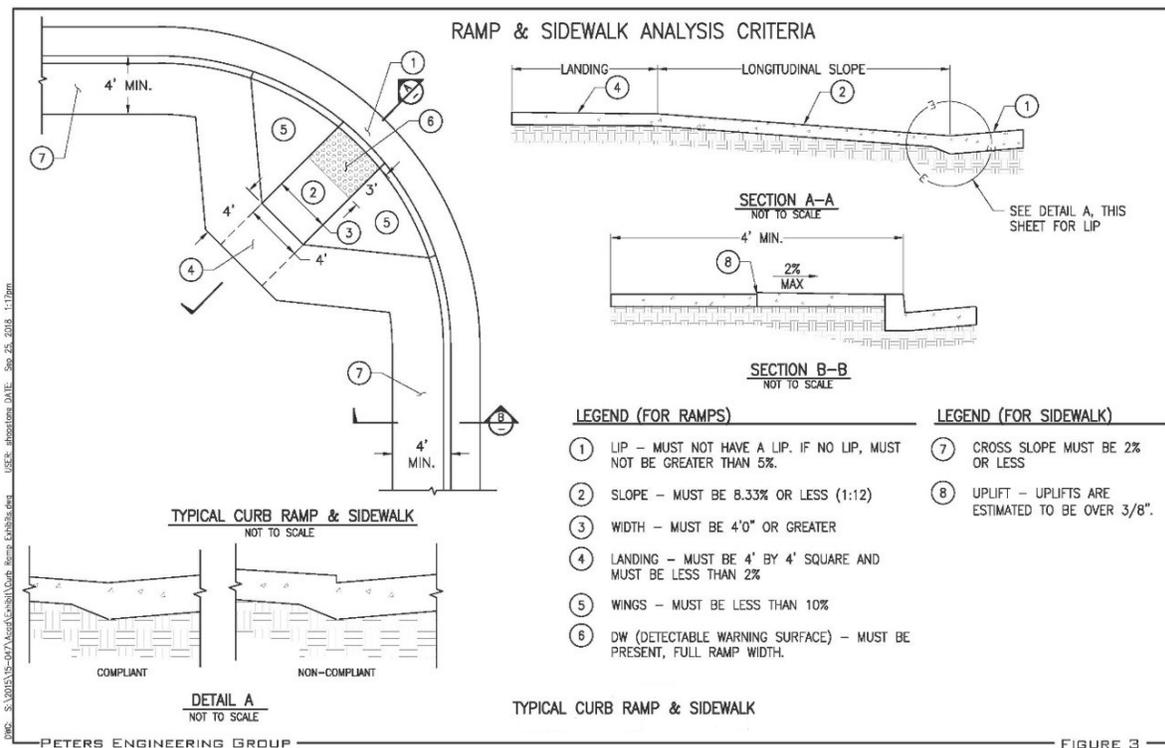


FIGURE III - ADA FIELD SURVEY GUIDE

Field Inspection Criteria During New Construction

For private projects needing an encroachment permit for work within City right of way, design and construction standards should conform to the current City of Kingsburg Standard Plans for ramp and sidewalk location construction. City Staff should only approve construction of facilities that conform to these standards.

Post Construction Survey Methodology

For all projects, including public works and privately funded work within the City right of way, City staff should use the following methodology for review and approval of ramp and sidewalk location construction:

- Review and approval of ramp and sidewalk location design in conformance with City of Kingsburg Standard Plans
- Prior to placement of concrete, check form boards for compliance with plans.
- After ramp construction, check the 6 criteria areas as identified in Figure II, including lip occurrence and slope, ramp slope, wing slope, ramp width, landing dimensions and slope, and placement of detectable warning.
- After sidewalk location construction, check that the cross slope is less than 1.5%, check that the longitudinal slope is less than 5%, and check that the sidewalk is at least 4' in width.
- A 2' Smart level or similar device should be used to check slope.
- An imperial tape measure should be used to measure dimensions.

If the constructed ramp fails to meet any of the requirements detailed in the City Standard Plans, then the ramp or sidewalk location must be removed and reconstructed until it meets the standard requirements.

IX. COMPLAINT AND GRIEVANCE PROCEDURE

To the maximum extent practicable, staff will endeavor to resolve complaints at the lowest level. Where phone calls, direct contact or web access complaints are brought forward, they will be dealt with quickly and fairly. In addition, staff will log the calls to keep an ongoing record of complaints that can be used in helping to set future projects and priorities.

Where staff is not able to resolve a complaint, a grievance procedure has been developed that provides for anyone with a disability to file a complaint or grievance. They can file the complaint if they believe they have been the subject of disability related discrimination on the basis of denial of access where sidewalk locations cross curbs.

Any person with a disability, who believes that they have been the subject of disability-related discrimination on the basis of denial of access where sidewalk locations cross curbs, would fill out the grievance form (Appendix C) with all the information requested. The grievance form would be filed with the Public Works ADA Coordinator within 60 working days of the alleged disability-related discrimination. A response would be returned to the complainant.

Should the complainant not be satisfied with the determination of the ADA coordinator, they could appeal to the City Public Works Director.

X. TRANSITION PLAN PROGRAM IMPLEMENTATION

The City is thoroughly committed in making all sidewalk location and curb ramp areas accessible to all pedestrians including those with disabilities. The City will work within existing budgets and resource constraints and to complete as much of the Plan as possible within limits.

During the implementation of the Plan the City will continue to make necessary repairs to curb ramps and sidewalk locations. This has been a standard practice of the Department of Public Works, and is generally done on a request/complaint basis. Generally, these requests come from citizens with disabilities who wish to get to shopping areas, medical facilities, bus stops, transportation, and other facilities or areas to accommodate their activities of daily living. The Plan will develop and implement a repair/complaint procedure that formalizes the current process. When requests come into the Department of Public Works ADA Coordinator, they will be logged into a Curb Ramp Request database and will be entered by date and time received. They will also develop and implement a similar formal grievance procedure.

Public Works will make available to applicants, participants, residents, and other interested parties, information contained in the Transition Plan. Public Works will also provide opportunities for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the Transition Plan by submitting comments and making specific recommendations.

Responsible Individual

The Department of Public Works ADA Coordinator responsible for the development and implementation of the City's Transition Plan with respect to curb ramps and sidewalk locations can be reached via phone at (559) 897-5821.

XI. APPENDICES

Appendix A – Staff Survey

Appendix B – ADA Grievance / Complaint Intake Form

Appendix C – Grievance/Complaint Procedure

APPENDIX "A"

City of Kingsburg Staff Survey Form Americans with Disabilities Act (ADA) Program

The City of Kingsburg is in the process of developing the City's ADA Self Evaluation and Transition Plan. The following is a program survey, which is requesting to be completed by Department of Public Works staff members.

Please take a moment to complete the Program Survey Form and return it to **William Washburn** by **August 15, 2019**. Thank you for assistance in completing this survey form.

Access Element	Don't Know	No or Disagree	No Opinion	Yes or Agree	Suggested Improvements/Comment
A. General Requirements					
1. Has the City designated an employee to coordinate efforts to comply with and carry out responsibilities under ADA?					
2. Do you know who the City's designated ADA Coordinator is? If yes, please provide name.					
3. Is the name and address of the ADA Coordinator posted and noticed in your work place?					
4. Do you know the City's complaint procedures and process for submitting an ADA Grievance?					
5. Has the City taken steps to ensure that all employees and consumers been instructed and notified regarding their rights under ADA?					
6. Has the City provided information to the public, in an accessible format, explaining its policy to provide accessible policies, programs, services or activities and practices?					

Access Element	Don't Know	No or Disagree	No Opinion	Yes or Agree	Suggested Improvements/Comment
B. Policy Requirements					
7. Do your department's policies ensure that persons with disabilities are provided access to programs, services and activities?					
8. Do your department's publications, service announcements and advertisements make known that they are available in alternative formats (e.g. large print, audio, Braille, captioned)?					
C. Communication Requirements					
9. Has your department reviewed its policies to ensure that it is accommodating persons with disabilities?					
10. Are facilities to accommodate persons with disabilities properly signed and noticed?					
E. Facility Checklist					
11. Are ADA facilities properly considered in the design or redesign of City facilities for which you have involvement?					
12. Are grievance procedures or complaint procedures noticed and posted at your site? If yes, where?					
13. Are individuals with disabilities included in or have an opportunity to participate in all programs, activities and services provided by your department?					
14. Are individuals with disabilities accommodated in your workplace?					

Access Element	Don't Know	No or Disagree	No Opinion	Yes or Agree	Suggested Improvements/Comment
15. Have you made accommodations for individuals with disabilities (employees, members of the public, etc)?					
16. Have you been provided training or information regarding the requirements of the Americans with Disabilities Act? If yes, describe:					
17. Would you like additional training regarding the Americans with Disabilities Act? If yes, describe:					
18. Have you received any awards or special recognitions regarding programs or services for individuals with disabilities? If yes, describe:					
19. Do you have access to current City policies, procedures, or practices?					
20. Are there any issues or information with regard to persons with disabilities or accessibility that require attention?					

OPTIONAL

Name, Title of Person Completing Survey:

Phone Number: _____

E-mail: _____

APPENDIX "B"

CITY OF KINGSBURG

Department of Public Works
1200 Kern Street
Kingsburg, CA 93631
(559) 897-5821

Americans with Disabilities Act (ADA) and California Building Code Title 24 Grievance/Complaint Intake Form

(Please print or type information)

Complainant Name: _____ Email _____

Date: __/__/__ Address: _____

Telephone No.: Home (____)____-____ Work (____)____-____ Cell (____)____-____
Fax (____)____-____ TTY (____)____-____

Specific Location of Alleged Violation: _____

Complaint Description: _____

(For official use only)

Date/Time received: __/__/__ __:__ am/pm

Received by: _____
Name Department Phone #

Received via: Mail E-mail Phone Fax In-person Other

Complainant is County Employee: Yes No

Property Owner: _____

Address: _____

Phone: Home (____)____-____ Message/Other (____)____-____

Date/Time inspected: __/__/__ __:__ am/pm Inspected by: _____

Notice Provided to Owner: Yes No Date: __/__/__

Intake/Referral (7 business days): Complainant Notification: __/__/__

Outside of Fresno County jurisdiction: Yes No

Referred to: _____ Date __/__/__

Comments: _____

Review Process (15 business days): Yes No Date: __/__/__

Department Contact: _____

Determination Response (30 business days): Date: __/__/__

Response made by: _____ ADA/CL Notified: __/__/__

Comments: _____

ALL FORMS, CORRESPONDENCE AND DOCUMENTATION ARE TO BE RETAINED FOR 5 YEARS.



CITY OF KINGSBURG
AMERICANS WITH DISABILITIES
ACT and CALIFORNIA BUILDING
CODE TITLE 24
GRIEVANCE/COMPLAINT PROCEDURE

GRIEVANCE/COMPLAINT DEFINITION

This Grievance/Complaint Procedure was established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability regarding access to City of Kingsburg facilities, services, programs, etc.

The City of Kingsburg Human Resources Department governs employment-related complaints of discrimination, including on the basis of disability. They can be reached at (559) 897-5821.

GRIEVANCE/COMPLAINT ("Complaint") PROCESS

Disability discrimination complaints may be submitted verbally or in writing. Complaints shall contain the complainant's name and contact information. Complaint should also contain the date, location, and description of the problem or violation.

The Complaint should be submitted by the Complainant or his/her designee(s) as soon as possible, but no later than 60 calendar days after the discovery of the alleged violation.

Submit Complaints to:

Mary Colby

1401 Draper Street

Kingsburg, CA 93631

Phone: (559) 897-6550

Email: mecolby@cityofkingsburg-ca.gov

INTAKE/REFERRAL PROCESS

Complaints will be taken on a City of Kingsburg Grievance/Complaint Intake Form. The complainant will be notified of receipt of the Complaint. In the event a Complaint is submitted verbally to a member of the Public Works Department, no additional notice of receipt will be required.

Within seven (7) business days of receipt of the Complaint, the ADAAC will determine if the Complaint is within the City's jurisdiction and will notify the complainant of the following:

- Within the City's jurisdiction - the Complaint will be referred to the appropriate section or department.
- Outside the City's jurisdiction - the complaint will be advised that the matter is outside of the City's jurisdiction and the Complaint will be forwarded to the appropriate entity (e.g. City of Visalia, County of Kingsburg) or the complainant will be provided contact information for that entity.

REVIEW PROCESS

Within 15 business days of the referral, the complainant will be contacted by the department assigned the referral to discuss possible resolution and/or to request additional information if needed.

DETERMINATION

Within 30 business days following the Review, the assigned department representative will provide a response to the complainant. The response will serve to provide the complainant the determination made in regard to Complaint, including the anticipated timeline of expected resolution, if applicable.

Every reasonable attempt will be made by the City of Kingsburg to remedy the Complaint in a timely manner in accordance with all lawful codes, ordinances, regulations and City policies.

RETENTION OF DOCUMENTATION:

All forms, correspondence and documentation are to be retained for three (3) years.

ORDINANCE NO. 2020-002

**AN ORDINANCE OF THE CITY OF KINGSBURG
AMENDING SECTION 15.40.010 OF CHAPTER 15.40 OF
TITLE 15 OF THE KINGSBURG MUNICIPAL CODE**

The City Council of the City of Kingsburg does hereby ordain as follows:

Section 1. Section 15.40.010 of Chapter 15.04 of Title 15 of the Kingsburg Municipal Code is amended in its entirety as follows:

15.40.010 International Fire Code and California Fire Code adopted.

“The International Fire Code and Standards, 2018 Edition, and the California Fire Code with appendices, 2019 Edition, are hereby adopted by reference as if set forth in full in this Section 15.40.010. Copies of the International Fire Code, with Standards, 2018 Edition, and the California Fire Code with appendices, 2019 Edition are on file with the City.”

Section 2. This ordinance shall take effect thirty (30) days after its passage and shall be published in the Kingsburg Recorder within fifteen (15) days after its passage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Kingsburg duly called and held on the 18th day of March, 2020, by the following vote:

AYES:	Council Member	_____

NOES: Council Member _____

ABSTAIN: Council Member _____

ABSENT: Council Member _____

APPROVED _____
Mayor

ATTEST: _____
City Clerk

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STATE OF CALIFORNIA)
COUNTY OF FRESNO)ss
CITY OF KINGSBURG)

I, **ABIGAIL PALSGAARD**, City Clerk of the City of Kingsburg, do hereby certify the foregoing ordinance was duly introduced at a regular meeting of the City Council of the City of Kingsburg on the 4th day of March, 2020, and it was duly passed and adopted at a regular meeting of said City Council of the City of Kingsburg on the 18th day of March, 2020.

Dated: March ____, 2020

Abigail Palsgaard, City Clerk

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Meeting Date: 03/04/2020
Agenda Item: 4.5

CITY COUNCIL MEETING STAFF REPORT

REPORT TO: Mayor Roman & City Council
REPORT FROM: Abigail Palsgaard, City Clerk **REVIEWED BY:** AH
AGENDA ITEM: Claim Rejection- Adria Santos on behalf of Serena Bordens
ACTION REQUESTED: Ordinance Resolution Motion Receive/File

EXECUTIVE SUMMARY

Adria Santos on behalf of Serena Bordens filed the attached claim was in the office of the City Clerk on February 27, 2020. The claim was referred to Acclamation Insurance Management Services (AIMS) for investigation. AIMS is the adjuster for Risk Management Authority (RMA) in liability issues. Suzanne E. Johnson, AIMS Claims Specialist, reviewed the claim and has recommended that the claim be taken to the City Council for rejection. After action by the City Council a notice will be sent to Serena Bordens informing her of the Council action.

RECOMMENDED ACTION BY CITY COUNCIL

1. Reject Claim filed by Adria Santos on behalf of Serena Bordens for her claim filed on February 27. 2020.

POLICY ALTERNATIVE(S)

1. None.

REASON FOR RECOMMENDATION/KEY METRIC

Ensure Financial Stability.

ATTACHED INFORMATION

1. Claim filed by Adria Santos on behalf of Serena Bordens

CLAIM AGAINST LOCAL GOVERNMENT ENTITY
(Government Code Section 910.2 et seq.)

Public Entity Name and Address: City of Kingsburg, California, care of the City Clerk
1401 Draper Street, Kingsburg, CA 93631

Claimant Name: Adria Santos for her minor daughter Serena Bordens SSN# [REDACTED] (mom) Date of Birth [REDACTED] (Serena)
Address [REDACTED] Fowler, CA 93625

Phone Number (559) [REDACTED]

Name, address and phone number of person to receive notices concerning this claim. Kevin G. Little, LAW OFFICE OF KEVIN G. LITTLE, Post Office Box 8656, Fresno, CA 93747, (559) 342-5800

Date and time when damage or injury occurred. August 28, 2019, time unknown

Location of occurrence. Kingsburg HS, specific campus location unknown, and surrounding area of the City of Kingsburg

Circumstances of occurrence. Serena Bordens was subjected to a vicious beating by fellow students, due in significant part to the inadequate protective services provided at Kingsburg HS. Kingsburg HS staff also failed to timely notify the claimant's family, and that resulted in the delay in her receipt of necessary comfort and medical care.

Description of loss, damage or injury. Serena Bordens suffered significant physical injuries that required hospitalization and facial reconstruction, which kept her out of school for three months and which forced her to relocate and transfer to Fowler HS.

Name(s) of Public Employee(s) causing injury, damage or loss, if known. Don Shoemaker, Superintendent; Unknown Employees and agents of KJUHS or KHS; Roger Carender, Head of Maintenance Facilities & Operations; Dr. Ryan Phelan Principal; Thom Sembritzki, Assistant Principal; Heather Wilson Assistant Principal; Unknown Agents of Employees of the City of Kingsburg

Amount* claimed at present including estimated amount of any prospective loss. This would be a superior court unlimited jurisdiction case, so no amount needs to be specified as per Gov't Code § 911(f).

Names and addresses of witnesses, doctors and/or hospitals. Adria Santos, Serena Bordens, Anthony Santos (grandfather), all can be contacted through the Law Office of Kevin G. Little; Community Regional Medical Center and providers at that facility

Claim must be signed and dated by claimant or person acting on claimant's behalf.

DATED: 2-27-20 SIGNED: 
Claimant or Representative

~WARNING~

Section 72 of the Penal Code provides:

“Every person who, with intent to defraud, presents for allowance or for payment to any state board or officer, or to any county, town, city, district, ward or village board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, or account, voucher, or writing, is guilty of a felony”

This document is a public record and pursuant to the California Public Record Act must be made available for inspection and copying upon the request of any person, including, but not limited to a representative of the news media. (See Government Code §§ 6250 et seq.)

* The specific amount must be stated if the claim involves \$10,000 or less. If the claim involves an amount exceeding \$10,000, the Claimant must state whether the case would be a limited or unlimited civil case. (See Government Code § 911(f).)



Meeting Date: 03/04/2020
Agenda Item: 5.2

CITY COUNCIL MEETING STAFF REPORT

REPORT TO: Mayor Roman & City Council
REPORT FROM: David Peters, City Engineer **REVIEWED BY:** AP
AGENDA ITEM: Warlow Rest Stop Extraterritorial Water Service Connection
ACTION REQUESTED: ___Ordinance ___Resolution ___Motion Receive/File

EXECUTIVE SUMMARY

Caltrans is developing a project to upgrade the water system at the Warlow Rest Stop on Highway 99 south of Kingsburg. Currently the facility is served by a water well and small distribution system. Caltrans desires to connect to the City of Kingsburg’s water system and extend it approximately two miles to the rest stop site. Water from the City’s distribution system will be used for domestic and potentially fire protection uses.

In order for the City to provide this service, an extraterritorial water service agreement must be approved by the Council, as well as Fresno and Tulare County LAFCO’s. A connection as remote as the rest stop would likely require a special service rate. which has not yet been determined.

RECOMMENDED ACTION BY CITY COUNCIL

1. Staff requests Council direction regarding potentially providing this requested service.

POLICY ALTERNATIVE(S)

Deny the request for an extraterritorial water service connection.

REASON FOR RECOMMENDATION/KEY METRIC

Promote Sustainable Growth.

FINANCIAL INFORMATION

FISCAL IMPACT:

1. Is There A Fiscal Impact?	<u>Yes</u>
2. Is it Currently Budgeted?	<u>No</u>
3. If Budgeted, Which Line?	<u>N/A</u>

FINANCIAL SUMMARY

None

PRIOR ACTION/REVIEW

None

BACKGROUND INFORMATION

Please see Executive Summary.



ANNUAL REPORT 2019
DANIEL C. PERKINS
FIRE CHIEF



FIRE DEPARTMENT TOPICS

- **DEPARTMENT STATISTICS**
 - **RESERVE PROGRAM**
 - **FIRE PREVENTION**
 - **HYDRANTS**
 - **TRAINING**
 - **STATION 2 / SECOND AMBULANCE**
-



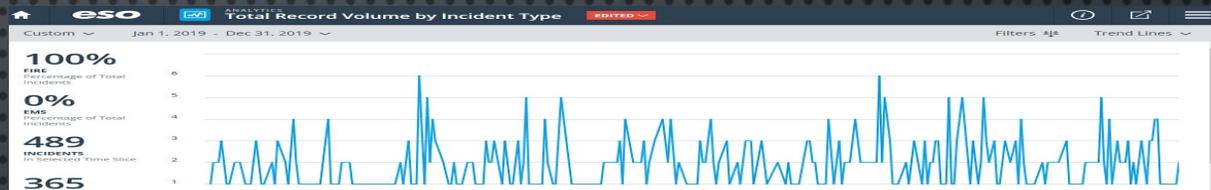
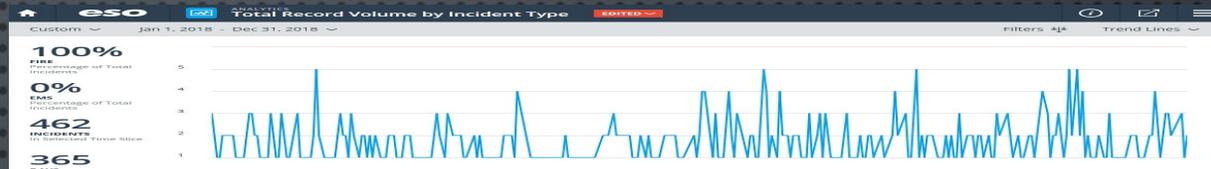
DEPARTMENT STATISTICS

- FIRE**

2018: 462 Incidents

2019: 489 Incidents

4.8% INCREASE



- EMS**

2018: 1830 Incidents

2019: *1892 Incidents

3.4% INCREASE





DEPARTMENT STATISTICS

- **OUTREACH**





RESERVE PROGRAM

- **BEGAN YEAR WITH MANY INACTIVE**
- **RETAINED 6 RESERVES FROM OLD**
- **HIRED 11 NEW RESERVES**
- **ROSTER OF 16**
- **5 OF WHICH HAVE DIFFERING DUTIES**





FIRE PREVENTION

- **1129 MAILERS IN BILLS WITH BUSINESS LICENSES**
- **ONLY 8% TOTAL WERE RETURNED**
- **LESS THAN 2% RETURNED CORRECTLY**
- **1/1/20 BSFE (BSAFE) BEGINS**
- **2/1/20 BSAFE INSPECTIONS BY KFD PERSONNEL BEGIN- ODD ADDRESSES ONLY**

BSAFE INSPECTION CHECKLIST

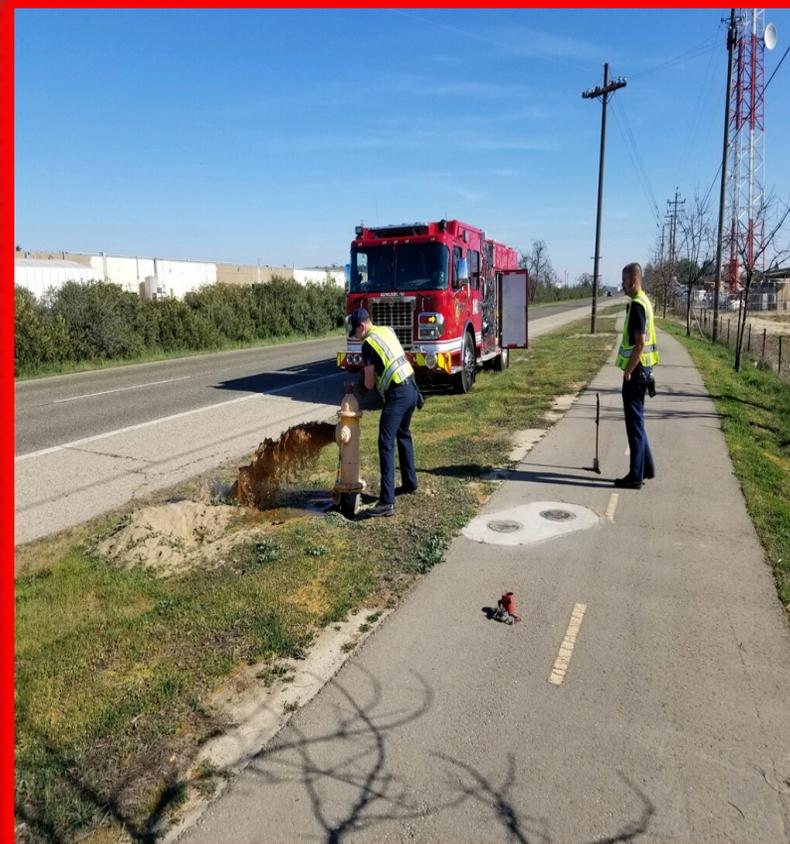
The following checklist is designed to help you recognize hazards during your Building Safety And Fire Education inspection. As you survey your business use this form to identify and correct hazards. Once you have completed the BSAFE form mail it in to the Kingsburg Fire Department. A biennial inspection of your business will be performed by the Kingsburg Fire Department (Odd address numbers in odd years, even address numbers in even years). This inspection pertains to your suite or space only and does not include any area in common with other tenants or with the building owner. If any item that is the landlord's contract responsibility is not in compliance, it must be corrected before submitting the completed inspection.

ADDRESS		YES	NO	N/A
1	Address/Suite numbers for the building are clearly visible from the street, on a contrasting background.			
GENERAL HOUSEKEEPING		YES	NO	N/A
2	Every building or portion of a building shall be maintained in a neat orderly manner, free from any condition that would create a fire or life hazard or a condition which would add to or contribute to the rapid spread of fire.			
3	Keep all storage at least 1 ½ feet below fire sprinkler heads. 2 feet in non-sprinklered businesses.			
4	Are all sides of the building, driveway or alleyway around the building kept clear of weeds and or debris?			
5	Are large capacity trash containers kept at least five feet from the building and in the closed position?			
6	All breaches, missing ceiling tile/holes in the walls or ceiling that could allow fire into the hidden spaces have been repaired or replaced?			
EXITING (EGRESS)		YES	NO	N/A
7	Exit doors are visible and easily opened without the use of a key or special knowledge			
8	Exit signs are above designated exits.			
9	Aisle widths to the exits are clear of obstructions and are at least 3 feet wide.			
10	If exit signs are installed in your business are they maintained illuminated or self-luminous?			
11	Does the back-up battery work? (Push the test button) The exit sign should illuminate under battery power.			
FIRE EXTINGUISHERS		YES	NO	N/A
12	Fire extinguishers shall be serviced and tagged by a State Fire Marshal approved company. Fire extinguishers shall be serviced once a year and after each use. The date is punched into the tag at the date of service.			
13	Fire extinguishers shall be mounted so the top of the extinguishers is between 3 ½ and 5 feet from the floor measured from the top of the extinguisher			
14	Fire extinguishers shall not exceed 75 feet of travel distance and easily visible			
ELECTRICAL		YES	NO	N/A
15	Provide clearance in front of the electrical panels at all times (Do NOT store items near panels)			
16	Extension cords shall not be used in lieu of permanent wiring			
17	Are all circuit breakers/fuses clearly labeled and in the on position?			
18	Provide cover plates for all switch and electrical outlets			
19	Combustible materials shall not be stored in boiler, water heaters, mechanical or electrical equipment rooms			
20	If multiple items need to be plugged in, is a power strip utilized with a built-in circuit breaker and is the power tap plugged directly into a permanently installed receptacle?			
21	Are all wires and power strips protected from physical damage, kept out of walkways, doorways, and are not run thru holes in walls or ceilings?			



FIRE HYDRANTS

- **650 + HYDRANTS**
- **NOT MAINTAINED IN OVER 5 YEARS**
- **WORKING WITH VOLUNTEER GROUPS AND KFD STAFF TO PAINT, FLOW, PERFORM MAINTENANCE**
- **CRITICAL TO INFRASTRUCTURE**





TRAINING

- **INCREASE IN OPERATIONAL READINESS**
- **300 % INCREASE IN TRAINING HOURS IN FY19**
- **2 -YEAR TRAINING PLAN IN EFFECT**
- **ISA AGREEMENT INCREASE IN FUNDING**
- **CAL JAC AGREEMENT**





STATION 2 / SECOND AMBULANCE

- **STATION #2**
- **2019- 104 CALLS**
- **155 CALLS - 9/11/19 TO DATE**

