

**Kingsburg City Council  
Special Meeting Minutes  
May 8, 2020 - 4pm**

**THIS MEETING WAS HELD VIA TELECONFERENCE PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY GOVERNOR GAVIN NEWSOM. THE COUNCIL CHAMBER WAS CLOSED TO THE PUBLIC. THE PUBLIC HAD THE OPTION TO CALL 1 (559) 207-3003 PASSCODE 5821 TO PROVIDE COMMENTS ON AGENDA ITEMS. WRITTEN COMMENTS WERE COLLECTED UNTIL 5/8/2020 at 3pm THEY WERE NOT READ OUT LOUD.**

**Call to order and roll call:** At 4:00pm Mayor Roman called the Special meeting of the Kingsburg City Council to order.

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

**Council Members absent:** None.

**Staff present:** City Manager Alexander Henderson and City Clerk Abigail Palsgaard.

**Staff present via teleconference:** Fire Chief Daniel Perkins, Police Chief Neil Dadian and City Attorney Michael Noland.

**Public Comments:** None.

## **REGULAR CALENDAR**

**Update on State Stay-at-Home Order and State Stage 2 Re-opening/Kingsburg Businesses**  
City Manager Alexander Henderson stated that the State has moved to Stage 2 of the roadmap to recovery. Some non-essential businesses are allowed to open with modifications. He went over how the County will move forward with Phase 2.

Council discussed State funding, assisting businesses with complying with the regulations and concerns about opening up too early and risking an outbreak. They also discussed using City resources to enforce the rules. It was discussed that there are State agencies to enforce the rules and how small businesses are struggling and it is not sustainable for our citizens.

The City Attorney Michael Noland clarified that the City has not issued a shelter in place or made an order as to what is essential and what is not essential This is an issue of enforcement and if the City feels they have an obligation to enforce. It is not appropriate to make a motion to reopen or what businesses can be open because we didn't take action regarding this previously.

Council discussed the letter in support of allowing businesses to open being sent to the Governor and State representatives and asking for guidelines for salons to open.

Chief Dadian stated that it is a difficult time and we recognize that the Governor has authority under an emergency. His policy has been to not take an enforcement action. He has asked businesses to comply. We have had 11 calls for service with concerns with their perceptions violating the stay at home order. 11 calls out 1,000+ calls for service is 1%. He stated that enforcement is not the place of a local law enforcement. We will defer to the individual citizen's right to act. He stated that he wants the community to flourish. He is not here to trample on people's civil liberties, he is here to protect them.

City Manager Alexander Henderson clarified that the City hasn't cited or fined a business. Council asked what type of action they can do to support local businesses. Mr. Henderson said that you can provide direction to staff regarding enforcement and staff will follow.

### **Public Comment**

Summer Vasquez, resident and business owner, said that she appreciates what the City has done and would like to put pressure on the cosmetology board for guidelines.

Council stated that some cities are politically grandstanding. The cities do not have that ability to allow businesses to open and it may give false hope. We are being open and honest, it is up to the businesses if it is worth the risk.

Jenn Guerra, resident and business owner, asked about how to get the information regarding the recovered cases. She also asked about business liability.

City Attorney Michael Noland said that the City and Council doesn't have the authority to say what businesses can open or are essential. It comes from the State. If a business opens, they may have liabilities.

Shannon Coddington, business owner, said that she is asking for the freedom to decide to open, and if the City will enforce with fines.

Shelia Brandon asked for churches to be allowed to be open.

Jacob Rogers, business owner, said he would like to have the right to make the decision to open and he would take the liability.

Jenn Guerra asked if the City would be liable if businesses open.

### **Council Discussion**

Council discussed the CDC Guidelines and how it is important to protect themselves and their businesses. Council does not have the authority to give a guideline to allow businesses to open. If businesses decide to open, we recommend you follow the CDC guidelines. Council wants to ensure when we do enforce, it is fair for all businesses. City Attorney Michael Noland said that the City is not saying to not comply with the Governor's and County's orders. Council is giving direction that the State and County agencies that have the primary enforcement responsibilities. The City reserves the rights to enforce if neither the State or County are electing to enforce. City

Manager Alexander Henderson said that if Council is comfortable with this direction, we will. City will follow the State and County guidelines.

Council gave direction to staff to prioritize enforcement to the State or the County as long as the action is not egregious and to bring back a resolution to transcribe their direction.

### **City Manager's Report**

City Manager Alexander Henderson spoke about the City's returning to service draft plan as it pertains to the City's facilities. Also, Valley Health Team has a flyer advertising their ability to administer COVID-19 testing in Kingsburg.

Council Member Dix asked if we have looked into being able to help businesses get PPE. Mr. Henderson stated that a couple vendors have reached out and we can connect businesses with those vendors.

Council Member Hurtado said that she has been making masks and if any business owners need them, they can reach out to her.

### **Other Business that may come properly before the City Council**

Council Member Palomar said that he would like to discuss churches being able to open during the next Council meeting.

Mayor Roman stated that State Senator Caballero signed a letter supporting rural cities with a portion of the \$15 billion funding, and Assemblymember Arambula said he will sign the letter also.

**Adjourn Regular Kingsburg City Council Meeting.** At 5:54pm Mayor Roman adjourned the meeting.

Submitted by:

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Abigail Palsgaard, City Clerk