

**JOINT MEETING OF THE KINGSBURG CITY COUNCIL, BOARD OF DIRECTORS OF THE CITY OF KINGSBURG PUBLIC FINANCING AUTHORITY AND BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY OF THE KINGSBURG REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
June 15, 2022**

Invocation was given by Pastor Pete Querin, New Life Church, followed by the Pledge of Allegiance led by Mayor Laura North

6 P.M. REGULAR SESSION MEETING:

Call to Order and Roll Call: Mayor Laura North called the Joint Meeting of The Kingsburg City Council, Board of Directors of The City of Kingsburg Public Financing Authority And Board of Directors of The Successor Agency of The Kingsburg Redevelopment Agency at 6:04 p.m.

Council Members present: Council Member Jewel Hurtado, Council Member Vince Palomar, Council Member Brandon Pursell Jr, Council Member Michelle Roman, Mayor Laura North.

City Staff present: City Manager Alex Henderson, City Attorney Michael Noland, Finance Director Alma Colado, Community Development Director Holly Owen, Police Chief Neil Dadian, Public Works Director Daniel Galvez and City Clerk Abigail Palsgaard.

Approve Agenda: A motion was made by Council Member Palomar, seconded by Council Member Roman, to approve the agenda, as published. The motion carried by unanimous voice vote of those Council Members present.

Presentations: None.

Public Comments:

Michael Brewer, resident, spoke about pride month and the previous public comment. Residents are not abomination whether their race, creed or sexuality.

Approve Joint Meeting Agenda:

A motion was made by Council Member Brandon Pursell Jr., seconded by Council Member Vince Palomar, to approve the items appearing on the Joint Meeting Agenda. The motion carried by unanimous voice vote.

Joint Meeting Consent Calendar: A motion was made by Council Member Palomar, seconded by Council Member Roman, to approve the items appearing on the Consent Calendar. The motion carried by unanimous voice vote.

(To be approved only by City Council)

- 5.1 Approval of City Council Minutes:** Approve the minutes from the May 31, 2022, Regular City Council Meeting as prepared by City Clerk Abigail Palsgaard.
Sponsor: City Clerk's Office
- 5.2 Check Register:** Ratify/approve payment of bills listed on the check register for the period May 9, 2022 through June 6, 2022 as prepared by Accounts Payable Clerk Marsha Alves.
Sponsor: Finance Department

- 5.3 Approve the City of Kingsburg COVID-19 Prevention Plan.-** Staff Report prepared by Administrative Services Director Christina Windover.
Sponsor: Administrative Services Department
- 5.4 Adopt Resolution 2022-040 adopting the Fresno County SB 743 Implementation Regional Guidelines for VMT evaluations within the City of Kingsburg with a 13% threshold over existing VMT as the significance criteria for determining transportation impacts.-** Staff Report prepared by City Engineer Dave Peters
Sponsor: Engineering
- 5.5 Accept the infrastructure improvements to Tract 6306 and authorize the City Engineer to file the Notice of Completion.-** Staff Report prepared by City Engineer Dave Peters
Sponsor: Engineering
- 5.6 SB 1 Resolution FY 2022/23- Review the proposed project list and approve Resolution 2022-039 as presented. -** Staff Report prepared by City Engineer Dave Peters
Sponsor: Engineering
- 5.7 Authorize City Manager to execute Amendment No. 1 of Agreement CDBG CV19392 and transmit the document to the County of Fresno for consideration by the Board of Supervisors.-** Staff Report prepared by City Clerk Abigail Palsgaard
Sponsor: City Clerk's Office

(To be approved only by Board of Directors of the Successor Agency of the Kingsburg Redevelopment Agency)

- 5.8 Approval of Kingsburg Redevelopment Successor Agency Minutes -** Approve the minutes from the regular meeting held on June 16, 2021 as prepared by City Clerk Abigail Palsgaard.
Sponsor: City Clerk's Office

(To be approved only by Board of Directors of the Kingsburg Public Financing Authority)

- 5.9 Approval of Kingsburg Financing Authority Minutes -** Approve the minutes from the regular meeting held on June 16, 2021 as prepared by City Clerk Abigail Palsgaard.
Sponsor: City Clerk's Office

Regular Calendar

PUBLIC HEARING-Competitive Housing Allocations for Residential Development for 2022- Staff Report Prepared by Community Development Director Holly Owen
(Action only by the City Council)
Sponsor: Community Development Department

Open Public Hearing: Mayor North opened the public hearing at 6:12 p.m.

Community Development Director Holly Owen said we are here tonight to consider awarding housing allocations in 2022. In November 2004 growth management system was voted in by the people of Kingsburg allowing 115 allocations per year. On May 12th the Planning Commission held a public

hearing and adopted resolution 2022 – 01 recommending housing allocations for two proposed projects (63 Lot Single Family Development (West Star Construction, applicant) and 51 Lot Single Family development (Bonadelle Homes, Inc., applicant)). Both projects are in the North Kingsburg Specific Plan area and the land that each project will be constructed will need to be annexed into the City of Kingsburg through the Fresno Lafco process.

Council Discussion: 6:15 p.m.

Mayor North said to the public, it may seem that the city is building a lot, but the Growth Management System is in effect. Some residents have concerns of being in a serious drought and adding more housing.

Community Development Director Owen said each project is put through environmental assessments and impacts to ensure we have enough water to sustain current and new housing developments. Council could decide for next year to not issue any allocations and can go through the process.

Open Public Comment: 6:23 p.m.

Jennifer Delinger, resident, asked if water pressure was a consideration in the environmental document process and how do we calculate when we will need another school.

City Engineer Peters said The Water Board requires water calculations for every subdivision and showing that ground supply can sustain them. The water pressure would have to do with the Public Works Department in adjusting some of the pumps.

Mayor North responded that we have empty classrooms in majority of our school. New affordable housing brings us more kids and welcome more students, more teachers, and more funding. Currently there is no issue needing another school.

Close Public Comment: 6:26 p.m.

Continued Council Discussion: 6:26 p.m.

Close Public Hearing: 6:26 p.m.

A motion was made by Council Member Pursell, Jr., seconded by Council Member Hurtado, to adopt Resolution 2022–034 awarding 114 housing units as the 2022 housing unit allocation. The motion carried by unanimous voice vote.

PUBLIC HEARING - Fiscal Year 2022/2023 Budget Review-Consider 2022/2023 Fiscal Year Recommended Executive Budget

Sponsor: City Manager's Office

Open Public Hearing: 6:28 p.m.

City Manager Henderson presented the City Manager's proposed FY2022/2023 Operating and Capital Improvement Budget. The FY23 All-Funds budget is ~\$31.64M, an 19% increase over FY22. This increase can be attributed to the return of normal programming after two years of imposed or self-imposed reductions in forecasting COVID-19 impacts. We are projecting that our 7/1/23 All-Funds fund balance will be 9.55% higher when compared to the anticipated 7/1/22 fund balance. The budget also includes nearly \$10M for fifty-seven (57) capital improvement projects, including \$3.2M for the installation of a

fiber optic broadband network city-wide.

Council Discussion: 6:31 p.m.

Council Member Hurtado said there is a lot of hard work, you make it very user friendly. She appreciates to see the positive growth for the city. The format makes the budget accessible to our community. Mayor North said it is not a boring document, and you told a story of our town. She noted some changes to the names of festivals to be updated and that she would like to discuss spending parks and recreation funding for the Sports Complex and start capital fundraising. Council Member Palomar said he would like to add a shade structure for Heritage Park. Council discussed the benefit of the sports complex and fiber optics.

Council Member Pursell Jr. said it's pretty and it looks great, it is also a sound document. Years of planning has gotten us to this point. Thank you.

Open Public Comment: 6:37 p.m.

Michael Brewer, resident, asked about parks and recreation funding towards the dog park and where is that going.

Mayor North said the City received a grant from the State of California 1.2 million dollars for the dog park in it's existing location off the freeway. Community Services Commission is helping to plan the project with City Council.

Close Public Comment: 6:39 p.m.

Continued Council Discussion: 6:39 p.m.

Close Public Hearing: 6:39 p.m.

A motion was made by Council Member Pursell Jr., seconded by Council Member Roman, to adopt Resolution 2022-035 approving the City of Kingsburg 2022/2023 Fiscal Year Budget; including the Kingsburg Public Finance Authority and Kingsburg Redevelopment Successor Agency budgets. The motion carried by unanimous voice vote.

PUBLIC HEARING-Landscaping and Lighting Assessment District No. 93-01- Consider Approval of Engineer's Report and Levy and Collection of Assessments within such District for Fiscal Year 2022/2023- Staff Report Prepared by Finance Director Alma Colado (Action only by the City Council)

Sponsor: Finance Department

Open Public Hearing: Mayor North opened the public hearing at 6:41 p.m.

Finance Director Alma Colado said The Landscape and Lighting Act of 1972 authorizes cities to impose assessments on benefitted properties to finance construction of street landscaping, street lighting, traffic signals, parks, street trees, sidewalk repair, and recreational improvements as well as maintenance and servicing of any of these improvements within public places within the boundaries of the District. The expenses incurred included servicing turf, ground cover, shrubs, trees, irrigation lighting systems, entry monuments, walls, drainage systems, park facilities, and associated appurtenances located in public places within the boundaries of the District. The total levy is \$107,803.13 for FY 2022/23, which is a \$2,973.53 increase from the current fiscal year.

Council Discussion: 6:43 p.m.

Open Public Comment: 6:43 p.m.

Close Public Comment: 6:43p.m.

Continued Council Discussion: 6:43 p.m.

Close Public Hearing: 6:43 p.m.

Possible Action: A motion was made by Council Member Pursell, Jr., seconded by Council Member Palomar, adopt Resolution 2022-036 ordering the levy and collection of assessments within the City's Landscaping and Lighting Assessments Districts. The motion carried by unanimous voice vote.

Community Facilities District 2017-01 FY 2022-2023 Levy- Staff Report prepared by City Manager Alexander Henderson
(Action only by the City Council)
Sponsor: City Manager's Office

Valerie Merklin, Senior Associate at DTA, presented City Council adopted Resolution No. 2017-023, entitled "Resolution of Formation of Kingsburg Community Facilities District (CFD) No. 2017-01. The public services that will be financed by the CFD levy include, without limitation, police services, fire and ambulance and emergency response services, parks and open space maintenance, lighting and landscape maintenance, alley maintenance and repair, administrative fees of the City and reimbursement of costs related to the formation of CFD 2017-01 advanced by the City.

City Manager Henderson said all new developments since 2017 are annexed in to the CFD, it is an updated version of landscaping and lighting. Pays for services that are impacted by new development. It is dependent when they pull the actual permit.

Council discussed what it funds and that it is important new developments contribute. They discussed that the homes actually built in Tulare County can never be annexed in the City limits. The Fresno County Summerlyn tax zone is higher so that they mirror the Tulare County Summerlyn tax zone.

A motion was made by Council Member Pursell, Jr., seconded by Council Member Hurtado, to adopt Resolution 2022-037 a Resolution of the City Council of the City of Kingsburg, Acting in its Capacity as the Legislative Body of Community Facilities District No. 2017-1 (Public Services District) Authorizing the Levy of a Special Tax for Fiscal Year 2022-2023. The motion carried by unanimous voice vote.

Gann Limit Adoption for 2022-2023 Fiscal Year Budget Figures-Staff Report Prepared by Finance Director Alma Colado
(Action only by the City Council)
Sponsor: Finance Department

Finance Director Alma Colado said each year the City Council must approve a resolution to adopt Gann Limit for the City for the new fiscal year budget figures using the County or City Growth percentage for

calculations. The 2022-23 Gann Limit based on budget figures are \$19,575,348 and appropriations subject to limitations are \$4,723,165 under the limit for the 2022-23 fiscal year budget \$14,852,183. The City growth percentage is -.22% and the County percentage is .19%. The larger percentage gives us a higher limit.

A motion was made by Council Member Palomar, seconded by Council Member Hurtado, to adopt Resolution 2022-038 approving the Gann Limit calculation for 2022-23 Fiscal Year using the Fresno County Growth percentage. The motion carried by unanimous voice vote.

Ordinance No. 2022-02, An Urgency Ordinance Of The City Council Of The City Of Kingsburg Temporarily Placing A Moratorium On The Issuance Of Land Use Entitlements And Permits Which Allow Professional Or Commercial Offices To Locate Within The Central Commercial District, Along Draper Street From Lincoln Street To California Street- Staff Report by Community Development Director Holly Owen (Action only by the City Council)

Sponsor: Community Development Department

Community Development Director Holly Owen discussed that a large number of retail spaces in the downtown area along Draper Street which have been converted to commercial/business back-office space (as opposed to customer serving retail space). The recent sharp upturn in back-office uses have caused a noticeable shortage of on-street customer parking for existing customer serving retail businesses along Draper Street. The Urgency Ordinance is to place a moratorium on the issuance of land use entitlements and permits which allow professional or commercial offices to locate within the Central Commercial District, along Draper Street from Lincoln Street to California Street.

Public Comment:

Sherman Dix, resident and a building owner on Draper. Has an issue with the ordinance- most concerned it is an urgency – it should be a threat of health and safety. He is for encouraging as much retail to Draper including incentives. Opposed to the city limiting of the zoning. Quality foot traffic will assist retail. Expenses of converting older buildings in to restaurants is high. Asked why there hasn't been collaboration with building owners. There is a recession on the horizon and this is the wrong process with good intentions. Discussed office vs retail. Mayor North asked what incentives would help bring in retail? Mr. Dix said incentives for tenants for particular types of businesses, like the City's façade grants.

Jeanette Akers, resident, who presented this idea of moratorium? Mayor North said business owners have approached Council. Council Member Roman said planners that came in to town recommended it as did the Economic Development Commission. Ms. Akers asked what is the purpose of this ordinance if it came from people from out of town? Mayor North said business owners have approached Council, buildings come up and they are leased as office space. Ms. Akers said we need more events and venues.

Steve Safarjian, business owner, has been a Draper Street business for over 32 years as an office. He is also a building owner on Draper. The Economic Development Committee has been working on this for decades- a healthy downtown is a mix. Office space is in demand. The best interest is to stop and research. We can take a 45 day period to look at it to see if there is a solution.

Jolene Polyack, Economic Development Consultant and resident, this has been a directive since she has started. It is only 3 blocks on Draper. The reason is an east coast developer was going to locate 50 brokers on Draper. 45 day moratorium will allow for us to discuss the future of downtown.

Council Member Pursell Jr. asked about the retail and restaurants. Why are they not beating out the office spaces? Consultant Polyack said it is easier to rent for office space.

Leslie Carpenter, resident and a business owner and BID Board Member, said we formed the BID to promote retail and our city. I do understand property owners. Would love to have them come sit down and have a conversation. I do support this pause for one reason so we can gather all the tools and make the best decisions.

June Hess, resident and business owner, this town is now a destination town. We are unique and we need to keep our uniqueness.

Jennifer Delinger, resident, business owner, landlord of one block on Draper. Tries to rent to retail, she works hard for her money and would not like Council to tell her who to rent to. Doesn't want to be told by any part of government what she can do with her property. She is for incentives for retail. Mayor North asked about business spaces upstairs.

Michelle Buckner, resident and business owner, concerned that the city would tell business owners what they can or cannot do. We are just getting back our income and may be going into a recession. It will cost more with the cost of building out. When she first got here Council was asking businesses to come on to Draper and didn't say what kind. Now there are trying to say what kind of business.

Michael Brewer, resident, valid points on both sides, Kingsburg is unique. Having retail would be important but understand the landlord's side. Sees why a 45 day moratorium is a good idea to pause and collaborate.

Council Member Pursell, Jr is opposed to the Urgency Ordinance. Mayor North said the government overreach she opposes, but supports doing something as a collaboration. Council Member Roman said there are some businesses that are for it. Building owners have been against it, but she understands that something needs to be done. We don't want our downtown area to be office space. We want people to eat and shop down here. We are good at working together to find a solution.

Council Member Hurtado asked if there is an existing tenant space, can you rent it to another office space. City Manager Henderson said yes, this is to stop the retail spaces from going to office. Council Member Hurtado said we have spoken about parking- is there some type of urgency with parking if we don't pass this? Can we do something about parking? Council Member Pursell, Jr. said we don't have timed parking. Council Member Roman said we don't want our police officers downtown writing tickets, we want them out fighting crime. She is torn on a decision.

Council Member Palomar said I don't buy items on amazon; he goes to stores. Has also seen a lot of office space. If we adopt it, business owners will need to sit down with city staff. No easy answer. Council Member Hurtado said we understand that it is rights being taken away, this is a small commitment to see if it will work. Mayor North said she understands that if we pass this, the building owners that are losing retail leases will have the potential to not have renters for 45 days. Covid isn't gone, we know a downturn is coming. We were begging for businesses to come down. Not sure if the 45 day is the right thing. She would like to have a public hearing in and invite the building owners. She is not comfortable with the 45 days and then pushing it 1 year and then 1 year, It is pushing

the can down the line.

Council Member Pursell, Jr. would love to see downtown to be balanced but he is not willing to do this on the back of the building owners. It is a reduction of the property owner's rights. Will do anything with in our rights to protect our brand. Doesn't think this applies to the definition of what an urgency ordinance is. To infringe on the rights for a want is a slippery slope. It is a hard no but wants to continue with this conversation. Let's move forward with the conversation of parking.

Council Member Hurtado asked when it comes to the specifically of the 'urgency' of this, how does this qualify?

City Attorney Noland said the issue that we have with the regards of the ordinance. Health and safety- in a broader aspect, looking at this area as a whole of the welfare of the city. How this section of Draper will be populated as whole, broader aspect of welfare. Basis upon which to adopt it on the definition. Mayor North asked a loss of sales tax to support public safety? City Attorney Noland said that is one of them. Mayor North said which hasn't happened yet.

Council Member Pursell Jr. said financial welfare where we just approved the budget that is healthy. Is all for going through the proper process for re-zoning. Doesn't want to shortcut the process.

City Manager Henderson said for clarification it is not just the city's dollars that we are talking about, it is also the general welfare of the businesses. Staff will take the responsibility for bringing this to tonight. Even if you pass this, we won't figure this out in 45 days. After holding a public hearing, you can extend it, and it doesn't have to pushed forward for a whole year. The question for council is this conversation with the moratorium, or without it. We will have to make zoning changes over time and we are working with COG.

Council Member Roman said if you have a current office space, this would not change it. She is not against find incentives for adding retail. We'll will have this discussion sooner than later

Council Member Hurtado agrees with not telling building owners what to do, especially after coming off a pandemic. How long will it take without this?

City Manager Henderson said so many options, 6-9 months. Hard to pin point how long it will take.

Council Member Hurtado said it is going to take a long time no matter what. If we put a hold, it is just for a possible 50 person in the office.

Council Member Pursell, Jr. said there is a due process, and the building owners are due their due process to go through the proper zoning process. Mayor North said when the zoning process starts, we will do public hearings, correct? City Attorney Noland said yes.

Council Member Palomar said if we do adopt it, this process this will potentially 6-9 months. What happens after 45 days? City Manager Henderson said if the ordinance is passed, we would plan a public hearing, and then could extend it.

Mayor North asked if we don't pass it today, can we start this conversation in July? City Manager Henderson said yes, and we would still have a public hearing.

Council Member Hurtado wants to talk about parking and incentives.

Mayor North said she is not in favor of 45 days, but is for a public hearing in July.

Council Member Pursell, Jr. motioned, seconded by Council Member Palomar, to not adopt Urgency Ordinance No. 2022-02. The motion carried by unanimous voice vote.

Council directed staff to bring it back in July to look at the zoning and incentives and include property owners. Council asked for the public to send in their solutions and for parking.

Crime Statistics Report for the Month of May 2022 and General Police Department Update-
Crime Statistics Report prepared by Kingsburg Police Department Records Supervisor Corina Padilla.
Sponsor: Police Department

Police Chief Neil Dadian gave an update in catalytic converter thefts, they are up. In regards to the robbery at Arco in March, detectives are working on it. Bank robbery update- the suspect has been captured and cash has been returned. Update on the attempted homicide last month, a son stabbed his mother. Graffiti update. Update on hiring and training. Spoke about billing for forest fires. Preparing for upcoming billing for support for state responses. Officer Nissi Robledo spearheaded the Special Olympic torch run with donations. Tip of the hat for the KPOA.

Council Member Palomar thanked Chief for sending the email to his officers on the expectation on active shooters, to engage until the threat is down. Mayor Laura North thanked the police department for sending the officers to the schools for the last week of school.

Council Reports and Staff Communications

Community Services Commission: Mayor Laura North said they have not met.

Public Safety Committee: Council Member Vince Palomar said they have not met

Chamber of Commerce: Mayor Laura North said they spoke about the emergency ordinance, talked about Fresno Street Eats. Well attended event, didn't have enough vendors and it pushed push patrons down Draper, so those businesses were busy also.

Economic Development: Council Member Michelle Roman said they have not met.

Finance Committee: Council Member Brandon Pursell Jr. said they have not met.

Planning Commission: Mayor Laura North said they have not met

South Kings Groundwater Sustainability Agency Joint Powers Authority (SKGSA): Mayor Laura North said they have not met

Downtown Business Improvement District: Council Member Jewel Hurtado said they met this week to discuss photos from the Swedish festival, they are going to reach out to community members for photos.

Council of Governments: Council Member Michelle Roman said they meets next week

Council Member Reports: Council Member Michelle Roman said they there is a regional program for jobs, and other investments. We could get more funds for our area. Thank you for the voters for Measure Z passing. Mayor Laura North said Tuesday at 8:45am kick off the state meet at the Gun Club.

City Manager's Report- City Manager Henderson reminded Council of the cancelation of the 7/6/2022
City Council Meeting

Future Agenda Items- None.

Submitted by:

Abigail Palsgaard, City Clerk