

**KINGSBURG CITY COUNCIL
REGULAR MEETING MINUTES
WEDNESDAY AUGUST 19, 2020**

VIA TELECONFERENCE PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY GOVERNOR GAVIN NEWSOM. THE COUNCIL CHAMBER WAS CLOSED TO THE PUBLIC. PUBLIC HAD THE OPTION TO CALL 1 (559) 207-3003 PASSCODE 5821 TO PROVIDE COMMENTS ON AGENDA ITEMS. WRITTEN COMMENTS WERE CONTINUED TO BE SUBMITTED BY MAIL OR EMAIL TO APALSGAARD@CITYOFKINGSBURG-CA.GOV. THE CUT OFF FOR WRITTEN COMMENTS WAS 8/18/2020 at 4:30pm. THEY WERE NOT READ OUT LOUD.

Invocation was given by Council Member North.

6:00 P.M. REGULAR SESSION MEETING:

Call to Order and Roll Call – Mayor Michelle Roman called the Regular Meeting of the Kingsburg City Council to order at 6:05 P. M.

Council Members Present by Teleconference – Jewel Hurtado, Vince Palomar, Sherman Dix, Laura North, and Mayor Michelle Roman.

Staff Present- City Manager Alexander Henderson and City Clerk Abigail Palsgaard.

Staff Present by Teleconference: City Engineer Dave Peters, City Attorney Michael Noland, and Economic Developer Consultant Jolene Polyack.

Public Comments: None

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

Consent Calendar: A motion was made by Council Member Hurtado, seconded by Council Member North, to approve the items appearing on the Consent Calendar. The motion carried by unanimous roll call vote.

- 4.1 Approval of City Council Minutes:** Approve the minutes from the August 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 July 30, 2020 through August 12, 2020 as prepared by Accounts Payable Clerk Grace Reyna.
- 4.3 Adopt Resolution 2020-047-** Authorizing the destruction of City Records approved by the City Attorney. Staff Report prepared by City Clerk Abigail Palsgaard.
- 4.4 Accept the 10th Avenue Bike & Pedestrian Trail project completed by MAC General Engineering and authorize the City Engineer to file the Notice of Completion.** - Staff Report by City Engineer Dave Peters.

REGULAR CALENDAR

Adopt Resolution 2020-045 Appointing Laura North to the office of Kingsburg City Council Member, District 2 of this City, who was to be elected on Tuesday, November 3, 2020.- Staff Report prepared by City Clerk Abigail Palsgaard

City Clerk Abigail Palsgaard presented that there is only one candidate for District 2. Election law gives the Council the authority to cancel the election and appoint the candidate just as they would have been elected on November 3, 2020.

Council Member Palomar extended congratulations to Council Member Laura North and thanked her for stepping up. A motion was made by Council Member Dix, seconded by Council Member Hurtado, to adopt Resolution No. 2020-045. The motion carried by unanimous roll call vote.

Adopt Resolution 2020-046 Appointing Brandon A. Pursell, Jr. to the office of Kingsburg City Council Member, District 3 of this City, who was to be elected on Tuesday, November 3, 2020.- Staff Report prepared by City Clerk Abigail Palsgaard.

City Clerk Abigail Palsgaard presented that there is only one candidate for District 3. Election law gives the Council the authority to cancel the election and appoint the candidate just as they would have been elected on November 3, 2020.

Council Member Palomar extended congratulations to Brandon A. Pursell, Jr. and thanked Council Member Sherman Dix for all he has done while serving on the City Council.

A motion was made by Council Member North, seconded by Council Member Palomar, to adopt Resolution 2020-046. The motion carried by unanimous roll call vote.

**PUBLIC HEARING TO CONSIDER VACATION OF KAMM AVENUE BETWEEN BETHEL AVENUE AND GOLDEN STATE BOULEVARD BY THE KINGSBURG CITY COUNCIL
(Continued from 7/15/2020)**

Re-Open Public Hearing 6:19 P. M.

City Engineer Dave Peters stated that he wanted to clarify that this is an easement vacation, the City does not own the property. He stated that staff has added 3 alternatives for the property owners. Council Member Dix asked about the potential for commercial property changes in the future and if 20 feet is reasonable for access. Mr. Peters said that the 20 feet is the right-of-way. There is significantly more access.

City Council Discussion – 6:21 P. M. Council Member North asked about emergency vehicles. Mr. Peters stated that they should be able to access on Bethel and Kamm. He said that there are no utilities currently in the right-of-away. Council Member North asked if they have the Fire Code 20' driveway. Mr. Peters said that they have a 350-foot frontage. They have been utilizing an old, dilapidated road that we are not maintaining. Council Member Dix asked about the 4th suggested option. Mr. Peters stated that once the City vacates the vacation, it is up to the property owners to come to an agreement. Council Member Palomar asked what happens if the property owners do not agree? Mr. Peters stated that Council could vacate the City easement. City Attorney Michael Noland said that he agrees. We can vacate but we cannot move property lines. There is a significant liability if the easement is not vacated. Council Member North asked if the RV Park saw the 4th option.

Open Public Comment – 6:36 P. M.

Amy Corigat, property owner, stated that she has reviewed all the options. If the other property owner is only looking to absorb 13 feet, she doesn't feel it is equitable. She said she is in support of options 1 & 3.

Laurie Hixon, the other property owner, said that she does not use Bethel because it is dangerous. Golden State has a high drop off. It would cost them money to improve their driveway.

Amy Corigat said that option 2 is not an option for them. She would like to keep the property shapes with a straight line. If there was future development, having an irregular line would not be beneficial.

Council asked if the Hixson's were only ok with Options 2 & 4. They answered yes.

Discussion then went to Option 3. Laurie Hixon is open to option 3 and Amy Corigat is open to option 3. Laurie Hixon then said they are not open to option 3 as drawn. Council gave staff direction to work with the two property owners and bring it back.

Close Public Comment – 6:58 P. M.

A motion was made by Council Member North, seconded by Council Member Palomar to continue the Public Hearing to September 16, 2020. The motion carried by unanimous roll vote.

Economic Development Projects Update- Staff Report prepared by City Manager Alexander Henderson

Presentation by Jolene Polyack, Economic Development Consultant – Ms. Polyack talked about the Kingsburg Business Park being developed; T-Mobile is moving along; Swedish Mill may have a tenant; K Corporate Center has a new sign and has expanded; GUSS is expanding; Sierra & Simpson property Adventist Health and Grocery Outlet. She went over downtown corridor updates; COVID 19 business adjustments; and residential development and building permit activity.

Council Discussion – Council Member Hurtado thanked Ms. Polyack for her tireless work. She said that she didn't know about all of the projects. Council Member Palomar asked if we have a cap on how many residential permits per year. City Manager Alexander Henderson said, yes, with the Growth Management Ordinance, 80 single family homes per year. If there were more than one developer asking for allocations, they would be scored and come in front of the Planning Commission and City Council. Council Member North gave an update from the Planning Commission. Seventy-two allocations are being requested at a public hearing on September 7, 2020.

Informational, No Action Needed.

Coronavirus Disease 2019 (COVID-19) Update- Staff Report by City Manager Alexander Henderson.

City Manager Alexander Henderson stated that City Hall has received 5 complaints through City Hall for businesses not complying. Staff has visited the businesses and responded to the complainants. One business received a letter of non-compliance. As of today, Kingsburg has 345 total cases, 224 cleared, 121 open/active with 6 deaths. Council Member Hurtado asked about the language in the letter for non-compliance. Mr. Henderson stated that at the August 5th meeting Council gave direction for a tiered response: First physical inspection contacting owner/manager and discussing the complaint that we received. We take educational material, so they are aware of the current orders. If they continue noncompliance, we follow up with a letter. If they don't comply, they may have the State Task Force come. If there is a letter, we usually reach out to Fresno County who then reaches out to see if they understand the public health orders. Council Member Palomar asked if most complaints are about mask wearing? Mr. Henderson said, yes, some are employees not wearing masks and some are people in a store or outside. We educated the complainant that some people cannot wear masks. Council Member Palomar said that he wants businesses to open but, he also wants Kingsburg citizens to feel safe. Council Member North asked if the number of deaths that went up is from the Kingsburg Care Center. Mr. Henderson said the delay can be from how they process the deaths, or if it is from the scenario you described.

City Manager Alexander Henderson brought up the CARES Act. We are set to receive \$159,000. We have a tight window to figure out what is legal and what can be reported. Staff is looking for general direction. We can bring it back once we have more information. Money must be spent by 12/30/2020.

Mr. Henderson reviewed options: Business Recovery & Resiliency - Could be grants for local businesses, purchasing personal protective equipment, help assist in outdoor dining, salons, other improvements, marketing, and tourists. Also, the City can grant for relief business water and trash bills. Another option is City COVID-19 response to offset City costs including building and sanitation expenses, employee time, and paid leave. Also support for local programs, food delivery for seniors, funding for afterschool programs to assist with essential worker childcare.

Council Discussion: Council Member Dix asked if staff wants Council to prioritize the way we spend the funds. He asked if \$80,000 is enough to reimburse by 12/2020. City Manager Alexander Henderson stated that first responders will be dealing with this for many months after 12/2020. Council Member Dix said that business recovery looks like it is easiest to fulfill along with PPE with staff. Mayor Roman said that she agrees. She would like to do something under the business recovery and on top of that PPE's for businesses. Council Member Dix said that he would like to see the money go to businesses that are not allowed to operate or that are not able to fully operate. Council Member North said that she would like to look into community-wide internet to help assist children learning from home. Council Member Hurtado said that maybe we could have a community center where people can access the internet.

There was discussion about what the schools are trying to do. Council asked if staff could look into getting hot spots. Council Member Hurtado said that she would like to put some money towards the senior meals and funding for afterschool recreation. Council Member Palomar asked about the deadline. City Manager Alexander Henderson said that it is a small time zone, he doesn't want to be bureaucratic. Council Member Palomar asked if we could donate to KCAPS. Mr. Henderson said that he will look into it.

Mayor Roman and Council Member Dix said they want to put more money towards the businesses. Council agreed. Council Member North said that she would like to fund section #4 to be able to get local testing in Kingsburg. Council Member Hurtado said that she thinks the top 3 are important and partnering with local resources for more testing. Mayor Roman asked if we could receive more funding from Tri-County Health Care District for testing.

Council and staff discussed the funding for the seniors. CDBG grant dollars can only be used on them. It should sustain the program for the rest of the year. Council Member North asked to clarify that Fresno County will not allow afterschool programs. Mr. Henderson said yes, and we use the schools for the

program. We are stuck in a difficult spot right now. Council discussed the way the money can be spent and if it is flexible. Council gave direction to staff to use the tiered plan and come back on September 2nd if there is more information.

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

The report was highlighted by Police Sergeant Kevin Pendley.

Council Reports and Staff Communications

Community Services Commission – Council Member North reported that it has not met.

Public Safety Committee – Council Member Palomar reported that it will meet August 24th.

Chamber of Commerce – Council Member Hurtado reported that they met for a general update.

Economic Development Committee – Council Member Dix reported that it has not met but we got the update tonight.

Finance Committee – Council Member Dix reported that it is set to meet next Thursday.

Planning Commission – Council Member North reported that it met on the 13th. The public hearing was postponed till September.

South Kings Groundwater Sustainability Agency Joint Powers Authority (SKGSA) -Council Member Dix reported that it met and discussed storage projects.

City Manager's Report - None

Other Business that may come properly before the City Council

Council Member Hurtado said that she asked for a meeting with County Supervisors to find out how the CARES ACT money is being spent County-wide. The County is working with community-based organizations for outreach and education for low income and farm workers. They asked about vouchers for childcare for essential workers. Council Members were able to speak to State Senator Anna Caballero about our concerns. They discussed the County- Wide HUB business grant.

Future Agenda Items

Mayor Roman stated that the League of California Cities Conference is October 7-9, 2020 and will be virtual.

Mayor Roman Adjourned Kingsburg City Council Regular Meeting into Closed Session at 8:30 P. M. to discuss the following item(s):

CONFERENCE WITH LABOR NEGOTIATORS

California Government Code Section 54957.6

City Designated Representative: Alexander Henderson

Employee Organization: Kingsburg Professional Firefighters Association (KPFA)

Mayor Roman Adjourned out of Closed Session into Regular Kingsburg City Council Meeting and report out of Closed Session - 8:45 P. M.

Mayor Roman stated that there was no report out.

Mayor Roman Adjourned Regular Kingsburg City Council Meeting – 8:45 P. M.

Submitted by: