

AGENDA
BOARD OF DIRECTORS OF THE
SUCCESSOR AGENCY OF THE REDEVELOPMENT
AGENCY OF THE CITY OF KINGSBURG
MEETING
FEBRUARY 21, 2018
6:00 P.M.
KINGSBURG CITY COUNCIL CHAMBER
1401 DRAPER STREET

No amount of compensation or stipend will be received by any member of the Successor Agency of the Redevelopment Agency of the City of Kingsburg as a result of convening the meeting of the Successor Agency of the Redevelopment Agency of the City of Kingsburg

1. **Call to order and roll call** – Board of Directors of the Successor Agency of the Redevelopment Agency of the City of Kingsburg.
2. **Public Comments** - Any person may directly address the Successor Agency of the Redevelopment Agency of the City of Kingsburg at this time on any item on the agenda, or on any item that is within the subject matter jurisdiction of the Successor Agency of Redevelopment Agency of the City of Kingsburg. A maximum of five minutes is allowed for each speaker.
3. **Approve Agenda** – Action by the Successor Agency of the Redevelopment Agency of the City of Kingsburg of to approve the agenda or to make modifications.
4. **Minutes** - Approve minutes of the Successor Agency of the Redevelopment Agency of the City of Kingsburg Meeting of June 21, 2017 as prepared by Executive Secretary Abigail Palsgaard.
5. **Regular Calendar**
 - 5.1. **Transfer of Real Property to The City of Kingsburg**
Possible Action(s)
 - a. Presentation by City Attorney Michael Noland
 - b. Board Discussion
 - c. Adopt Resolution 2018-01 Approving the transfer of real property from the Successor Agency of the Redevelopment Agency of the City of Kingsburg to the City of Kingsburg.
6. **Adjournment** - Adjourn the meeting of the Board of Directors of the Successor Agency of the Redevelopment Agency of the City of Kingsburg into the Regular Kingsburg City Council Meeting.

**BOARD OF DIRECTORS OF THE KINGSBURG REDEVELOPMENT SUCCESSOR AGENCY
REGULAR MEETING MINUTES**

JUNE 21, 2017

5:30 P.M. CLOSED SESSION

At 5:30 P. M. Mayor Michelle Roman called the Kingsburg City Council to order.

Council Members present: Laura North, Staci Smith, Sherman Dix, Bruce Blayney, and Mayor Michelle Roman.

Staff present: City Manager Alexander Henderson, City Attorney Michael Noland, and Planning Secretary Mary Colby

The City Council went immediately into closed session to discuss the following item:

**PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
California Government Code Section 54957(b)(1)**

Invocation was given by Pastor Douglas Schoelles of the Kingsburg Concordia Lutheran Church, followed by the Pledge of Allegiance led by Mayor Michelle Roman.

Call to order and roll call: At 6:03 P.M. Mayor Michelle Roman called the Kingsburg City Council (concurrently sitting as the Board of Directors of the Kingsburg Public Finance Authority, and the Board of Directors of the Kingsburg Redevelopment Successor Agency) to order.

Council Members, Board of Directors of the Kingsburg Public Finance Authority, and Board of Directors of the Kingsburg Redevelopment Successor Agency present: Laura North, Staci Smith, Sherman Dix, Bruce Blayney, and Mayor/Chairperson Michelle Roman.

Public Comments – There were no citizens present who wished to comment at this time

Approve Agenda – Action by the City Council and Boards of Directors to approve the agenda or to make modifications. Motion was made by Bruce Blayney, seconded by Laura North to approve the Agenda, as published. The motion carried by unanimous voice vote.

Consent Calendar – (To be approved only by City Council) A motion was made by Council Member Blayney, seconded by Council Member Smith, to approve the items appearing on the Consent Calendar. The motion carried by unanimous voice vote.

- 1. Approval of City Council Minutes** – Approve the minutes from the regular meeting held on June 7, 2017 as prepared by City Clerk Abigail Palsgaard.
- 2. Ordinance 2017-004-** Waive the second reading and adopt Ordinance No. 2017-004 of The City of Kingsburg pre-zoning 88 acres of land from Fresno County AE-20 Zone District to Kingsburg R-1-7 and RA Zone Districts with the following recital constituting reading of the title of the Ordinance:

“AN ORDINANCE OF THE CITY OF KINGSBURG AMENDING TITLE 17 - ZONING, OF THE KINGSBURG MUNICIPAL CODE, PRE-ZONING REAL PROPERTY FROM FRESNO COUNTY AE-20 (EXCLUSIVE AGRICULTURE, 20-ACRE MINIMUM) TO KINGSBURG R-1-7 (SINGLE-FAMILY RESIDENTIAL, ONE UNIT PER 7,000 SQUARE FEET) AND RA (RURAL AGRICULTURE)”

3. **Ordinance 2017-005-** Waive the second reading and adopt Ordinance No. 2017-005 of The City of Kingsburg pre-zoning of 19.98 acres from Fresno County AE-20 Zone District to Kingsburg R-1-7 Zone District with the following recital constituting reading of the title of the Ordinance:

“AN ORDINANCE OF THE CITY OF KINGSBURG AMENDING TITLE 17 - ZONING, OF THE KINGSBURG MUNICIPAL CODE, PRE-ZONING REAL PROPERTY FROM FRESNO COUNTY'S AE-20 ZONE DISTRICT (EXCLUSIVE AGRICULTURE, 20-ACRE MINIMUM) TO KINGSBURG R-1-7 ZONE DISTRICT (SINGLE-FAMILY RESIDENTIAL, ONE UNIT PER 7,000 SQUARE FEET)”

(To be approved only by Kingsburg Redevelopment Successor Agency)

4. **Approval of Kingsburg Redevelopment Successor Agency Minutes** – Approve the minutes from the regular meeting held on June 15, 2016 as prepared by Planning Secretary Mary Colby.

(To be approved only by Kingsburg Joint Powers Authority)

5. **Approval of Kingsburg Joint Powers Authority Minutes** – Approve the minutes from the regular meeting held on June 15, 2016 as prepared by Planning Secretary Mary Colby.

Pulled Consent Calendar Items: None

REGULAR CALENDAR

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 2017/2018- Staff Report Prepared by Interim Finance Director Patty Hartman
(Action only by the City Council)

Open Public Hearing - 6:05 P. M.

Presentation by City Manager Alex Henderson - Mr. Henderson explained that annually the City must hold a public hearing and adopt a resolution to collect assessments placed on property tax bills. These funds cover items in public spaces and are used to offset public works salaries or private contract salaries.

Council Discussion - None

Open Public Comment – 6:08 P. M. - None

Close Public Comment - 6:08 P. M.

Continued Council Discussion – None

Close Public Hearing 6:09 P. M.

Adopt Resolution No. 2017-034 Approving the Engineer’s Report for Assessment District No. 93-01 and the Levy and Collection of Assessments within such District for Fiscal Year 2017/2018 and Confirming Diagrams and Assessments Pursuant to the Provisions of Part 2 of Division 15 of the California Streets and Highways Code and as Provided by Article XIII D of the California Constitution.

A motion was made by Council Member Blayney, seconded by Council Member Dix, to adopt Resolution No. 2017-034 as presented. The motion carried by unanimous voice vote.

PUBLIC HEARING - Fiscal Year 2017/2018 Budget Review – Consider 2017/2018 Fiscal Year Recommended Executive Budget – City of Kingsburg/Kingsburg Public Finance Authority/Kingsburg Redevelopment Successor Agency

Open Public Hearing – 6:09 P. M.

Presentation - City Manager/Executive Director Alexander Henderson explained that all of the items are the same as presented earlier except for one item added to the Water Fund. Recommendation is to approve the budget as presented.

Council/Board Member Discussion – None

Open Public Comment – 6:10 P. M. None

Close Public Comment 6:10 P. M.

Continued Council Discussion – Mayor/Chairman Michelle Roman thanked staff for the work done.

Close Public Hearing 6:11 P. M.

Adopt Resolution No. 2017-033 Approving the City of Kingsburg 2017/2018 Fiscal Year Budget; including the Kingsburg Public Finance Authority and Kingsburg Redevelopment Successor Agency budgets.

A motion was made by Sherman Dix, seconded by Laura North, to adopt Resolution No. 2017-033 as presented. The motion carried by unanimous voice vote.

PUBLIC HEARING –Development Impact Fee Report- Information on the amount of development impact fees collected and expended, and the interest earned on unexpected funds from July 1, 2015 through June 30, 2016. (Action only by the City Council)

Open Public Hearing – 6:12 P. M.

Presentation by City Manager Alexander Henderson - Recommendation to accept report as presented.

Council Discussion – None

Open Public Comment – 6:13 P. M. – None

Close Public Comment - 6:13 P. M.

Continued Council Discussion – None

Close Public Hearing - 6:14 P. M.

A motion was made by Council Member North, seconded by Council Member Smith, to accept the Development Impact Fee Report as presented. The motion carried by unanimous voice vote.

Gann Limit Adoption for 2017-2018 Fiscal Year Budget Figures – Prepared by Interim Finance Director Patty Hartman **(Action only by the City Council)**

City Manager Alex Henderson explained that this is a housekeeping item in association with the budget just passed related to City 2017/2018 FY Gann appropriation limits.

A motion was made by Council Member Smith, seconded by Council Member Blayney, to adopt Resolution 2017-032 as presented. The motion carried by unanimous voice vote.

Crime Statistics report for the Month of May 2017 – Prepared by Kingsburg Police Department Records Supervisor Corina Padilla. **(Action only by the City Council)**

Kingsburg Chief of Police Neil Dadian stated that there is nothing unusual to report. He briefly mentioned the graph that depicts changes and commented on some of the things that are happening at the Department.

Informational- No Action Necessary

Upper Floor Rehabilitation Loan Program – Prepared by City Manager Alexander Henderson **(Action only by the City Council)**

City Manager Alexander Henderson stated that this is the second discussion on this item. He has incorporated recommendations from Council and is bringing it back to consider. He commented that this is a proposed public/private partnership program to help subsidize conversion of upper floors into apartments.

The scope of work and disbursement of funds was briefly discussed.

A motion was made by Council Member Dix to adopt the Upper Floor Residential Rehabilitation Grant Program with specification of money disbursement as the last money of the construction budget. The motion was seconded by Council Member Blayney, and carried by unanimous voice vote.

Council Reports and Staff Communications

Community Services Commission – Meeting on June 26

Public Safety Committee – Meeting in July

Chamber of Commerce – Council Member North reported that the Swedish Festival was a success and profitable. Business owners were concerned about location of food vendors. Band concerts start tomorrow night. Fireworks will be at the High School Bowl on July 3rd. Agreed to sign contract with a man from Fresno that runs Farmers Markets at no charge. He has vendors that will attend. There is a need for tourist items to be sold at the Chamber office. Next meeting is July 12th.

Economic Development Committee – Meets on Friday

Finance Committee – Has not met since May

Planning Commission – Did not meet this month. Joint workshop last night to discuss potential development. Most of the project is outside of the City.

City Manager's Report – Draper Street sidewalk work to be concluded tomorrow. Working in concert with Chamber on making free public Wi-Fi available outside on Draper Street between Lincoln and Marion and Downtown Park. Downtown Kingsburg is connection. Permanent signage will be going up. Reminder that the July 5th meeting is cancelled. Next meeting is July 19th.

**Other Business as May Properly Come Before the City Council
(Action only by the City Council)**

- a. **Designation of Voting Delegates and Alternates for League of California Cities Annual Conference.** Mayor Roman is voting delegate; Council Members Dix and Smith are alternates.
- b. **League of California Cities** – Council Member Blayney attended in Visalia. Next dinner meeting will be in Fresno. A notice will be sent out.

The Joint Meeting of The Kingsburg City Council, Board of Directors of The City of Kingsburg Public Financing Authority, and the Board of Directors of The Kingsburg Redevelopment Successor Agency, was adjourned at 7:04 P. M.

Directly following Adjournment of the Joint Meeting, the Kingsburg City Council went into Closed Session to discuss the following item:

1. **Conference with Legal Counsel—Existing Litigation**
California Government Code Section 54956.9 (a)
Name of Case: City of Kingsburg v. Dow Chemical Company, et al., San Francisco County Superior Court, Case No. CGC-13-534431

The Kingsburg City Council Closed Session was adjourned at 8:07 P. M. with no report out.

Submitted by:

Abigail Palsgaard, Executive Secretary



Meeting Date: 02/21/2018
Agenda Item: 5.1

**BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY
OF THE REDEVELOPMENT AGENCY OF THE CITY OF KINGSBURG**

REPORT TO: Director Roman & Board Members

REPORT FROM: Michael J. Noland, City Attorney **REVIEWED BY:** AP

AGENDA ITEM: Transfer of Redevelopment Agency Real Property to the City of Kingsburg

ACTION REQUESTED: Ordinance Resolution Motion Receive/File

EXECUTIVE SUMMARY

As part of the 2011-2012 State Budget Bill, the California Legislature enacted and the Governor signed companion bills AB 1X 26 and AB 1X 27 requiring that each Redevelopment Agency be dissolved unless the city which created the redevelopment agency adopted an ordinance committing to make certain payments as set forth in the legislation. AB 1X 27 provided that a city may participate in an “**Alternative Voluntary Redevelopment Program**” in order to enable the redevelopment agency within that city to remain in existence and carry out the provisions of the California Community Redevelopment Law. On December 29, 2011, the California Supreme Court issued its opinion in the case *California Redevelopment Association, et al. v. Ana Matosantos, etc., et al.*, Case No. S196861, and upheld the validity of Assembly Bill 1x26 (“**AB 1x26**”) and invalidated Assembly Bill 1x27.

Pursuant to a provision of AB1x26, codified as California Health and Safety Code § 34173(d)(1), a city automatically became the “**Successor Agency**” to its dissolved redevelopment agency and charged with the responsibility of winding up the affairs of the dissolved redevelopment agency, unless the city council adopted a resolution electing to not serve as the Successor Agency. January 18, 2012, the City Council for the City of Kingsburg adopted Resolution No. 2012-11 and Resolution No. 2012-12 affirmatively electing to serve as the Successor Agency and retain the housing assets and functions of the Kingsburg Redevelopment Agency (“**Agency**”).

In accordance with the applicable provisions of the California Health Code, the Successor Agency prepared and submitted a Long-Range Property Management Plan (“**Management Plan**”) to the California Department of Finance. Thereafter, the California Department approved the Management Plan. The Management Plan identifies three parcels of real property owned by the Agency at the time of dissolution of the Agency: (i) the Kingsburg Police Station; (ii) the Chicken Shack property located on California Street; and (iii) 4.84 acres of vacant land located at the corner of Sierra and Madsen (collectively “**Agency Land**”).

It is now time to transfer the Agency Land to the City of Kingsburg for future development pursuant to the Management Plan. It is requested the Successor Agency adopt the attached Resolution approving the transfer of the Agency Land to the City of Kingsburg and authorizing Alex Henderson, the Executive Director of the Successor Agency, to execute the Grant Deed, a copy of which is attached to the Resolution, on behalf of the Successor Agency.

FINANCIAL INFORMATION

FISCAL IMPACT:

- | | |
|------------------------------|------------|
| 1. Is There A Fiscal Impact? | <u>N/A</u> |
| 2. Is it Currently Budgeted? | <u>N/A</u> |
| 3. If Budgeted, Which Line? | <u>N/A</u> |

ATTACHED INFORMATION

1. Resolution 2018-001

RESOLUTION NO. 2018 - 001

**A RESOLUTION OF THE SUCCESSOR AGENCY OF
THE REDEVELOPMENT AGENCY OF THE CITY OF KINGSBURG
APPROVING THE TRANSFER OF
REAL PROEPRTY TO THE CITY OF KINGSBURG**

WHEREAS, the Successor Agency of the Redevelopment Agency of the City of Kingsburg (“**Successor Agency**”) owns three parcels of real property (collectively “**Agency Land**”) generally described as: (i) the Kingsburg Police Station; (ii) the Chicken Shack property located on California Street; and (iii) 4.84 acres of vacant land located at the corner of Sierra and Madsen and more particularly described on Exhibit “A” to the Grant Deed attached to this Resolution as Exhibit “1” and made a part hereof (“**Successor Agency Grant Deed**”)

WHEREAS, The Successor Agency has determined it is now time to transfer the Agency Land to the City of Kingsburg for future development pursuant to the Successor Agency Long-Range Property Management Plan.

NOW, THEREFORE, THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF KINGSBURG HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Successor Agency finds and determines that the foregoing recitals are true and correct and incorporated herein by this reference.

SECTION 2. The Successor Agency approves the transfer of the real property identified in the Successor Agency Grant Deed to the City of Kingsburg.

SECTION 3. Alexander J. Henderson, the Executive Director of the Successor Agency is authorized and instructed to execute the Successor Agency Grant Deed on behalf of the Successor Agency and record the Successor Agency Grant Deed with the Fresno County Recorder’s Office.

I, Abigail Palsgaard, Secretary to the Successor Agency of the Redevelopment Agency of the City of Kingsburg, certify that the foregoing Resolutions were passed and adopted by the Successor Agency of the Redevelopment Agency of the City of Kingsburg at a meeting thereof held on the 21st day of February 2018, by the following vote:

Ayes: Agency Member(s):
Noes: Agency Member(s):
Absent: Agency Member(s):
Abstain: Agency Member(s):

Abigail Palsgaard, Executive Secretary
Successor Agency of the Redevelopment
Agency of the City of Kingsburg

EXHIBIT "1"
SUCCESSOR AGENCY GRANT DEED

RECORDING REQUESTED BY:

KAHN, SOARES & CONWAY, LLP

WHEN RECORDED MAIL TO:

**Michael J. Noland, Esq.
KAHN, SOARES & CONWAY, LLP
219 N. Douty Street
Hanford, California 93230**

(Exempt from Recording Fees – Govt Code Sec. 27383)
(Exempt from Documentary Transfer Tax – Rev. & Tax. Code Sec. 11922)

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF KINGSBURG (also known as the Successor Agency of the Kingsburg Redevelopment Agency)

hereby GRANTS to the CITY OF KINGSBURG, a Charter City and municipal corporation

the real property in the City of Kingsburg, County of Fresno, State of California, described as follows:

LEGAL DESCRIPTIONS ATTACHED AS EXHIBIT "A" AND MADE A PART HEREOF

APN: 396-121-09; 396-020-17; 396-091-15

Dated: February ___, 2018

**SUCCESSOR AGENCY OF THE REDEVELOPMENT
AGENCY OF THE CITY OF KINGSBURG
(ALSO KNOWN AS THE SUCCESSOR AGENCY OF
THE KINGSBURG REDEVELOPMENT AGENCY)**

**By: _____
ALEXANDER J. HENDERSON, Executive Director**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

On February ____, 2018, before me, _____, Notary Public, personally appeared **ALEXANDER J. HENDERSON**, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT "A" TO GRANT DEED
LEGAL DESCRIPTIONS

PARCEL 1:

All that certain real property, together with all improvements, fixtures and appurtenances thereto, located upon or pertaining to that land currently located at and commonly known as 1300 California Street, Kingsburg, California, and more particularly described as follows:

LOTS 12, 13, 14, 15, 16, 33 AND 34 IN BLOCK "J" OF THE CITY OF KINGSBURG, ACCORDING TO THE AMENDED MAP THEREOF RECORDED IN BOOK 3, PAGE 59 OF PLATS, FRESNO COUNTY RECORDS.

APN: 396-121-09

PARCEL 2:

PARCEL B OF PARCEL MAP NUMBER 31, IN THE CITY OF KINGSBURG, COUNTY OF FRESNO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 44, PAGE 60 OF PARCEL MAPS, FRESNO COUNTY RECORDS.

APN: 396-020-17

PARCEL 3:

LOT 11 OF BLOCK C OF KINGSBURG, ACCORDING TO THE MAP THEREOF RECORDED APRIL 3, 1888, IN BOOK 3 PAGE 59 OF PLATS, FRESNO COUNTY RECORDS.

APN: 396-091-15