

**KINGSBURG CITY COUNCIL
REGULAR MEETING
FEBRUARY 21, 2018**

6 P.M. REGULAR SESSION MEETING:

Invocation was given by Coleman Diffenderfer, Pastor of The Well of Kingsburg, followed by the Pledge of Allegiance led by Mayor Michelle Roman.

Call to Order and Roll Call: At 6:01 P. M. Mayor Roman called the meeting to order.

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

Staff present: City Clerk Abigail Palsgaard, City Attorney Michael Noland, Finance Director Alma Colado, and Police Chief Neil Dadian

Public Comments:

Nathaniel Gong, Boy Scout Troup 392, was congratulated on receiving a Merit Badge for Citizenship in the Community.

Halley Sembrinzi made Council aware of a program entitled Silent Sacrifice airing on PBS tomorrow night, at 7:00 P. M.

Approve Agenda: A motion was made by Council Member Blayney to approve the Agenda with the Closed Session removed. The motion was seconded by Council Member Smith and carried by unanimous voice vote.

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

- 4.1 Approval of City Council Minutes:** Approve the minutes from the February 5, 2018 Special City Council Meeting and the February 7, 2018 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 1, 2018 through February 14, 2018 as prepared by Accounts Payable Clerk Grace Reyna
- 4.3 Kingsburg Chamber of Commerce Annual Dinner Awards:**
 - * Gold Seal Award – Adopt Resolution No. 2018-011
 - * Junior Gold Seal Award – Adopt Resolution No. 2018-012
- 4.4 Adopt Resolution No. 2018-015-** Adopt Resolution No. 2018-015 approving the amendment to the Master Fee Schedule updating the fees for the Crandell Swim Complex and the SB1186 Mandated Fee for Business Licenses.
- 4.5 Planning Commissioner Appointment-** Accept Mayor Roman’s appointment of Dr. John (Jack) Shantz to the Kingsburg Planning Commission for a term that is set to expire in November 2018.

REGULAR CALENDAR

PUBLIC HEARING- Memorandum of Understanding with the County of Tulare and a Specific Plan for the Hash Residential Subdivision and Development Project - Staff Report
Prepared by City Manager Alexander Henderson

Open Public Hearing - At 6:03 P. M. Mayor Roman opened the Public Hearing.

Presentation by City Attorney Michael Noland- Mr. Noland referred to the staff's report concerning the MOU between the City and County of Tulare for the Hash Development. He pointed out that there have been many community meetings and joint work sessions. The last one was January 18, 2018. The MOU deals with development guidelines and other issues. It follows the North Kingsburg Specific Plan (NKSP). It makes provisions for the City of Kingsburg standards and offsite improvements for the development. The County of Tulare did the environmental review. It is a conditional approval so that the County and developer has an understanding before the County holds public hearings. If the County makes changes to the NKSP for environmental review, the MOU is void and not enforceable. It is also conditional on the County responding to the City Manager's letter.

Council Discussion 6:10 P. M.

Mayor Blayney questioned the .75 firefighter and .75 police officer. Mr. Peck confirmed that there were errors but it will be .75 and .75 as requested by the City.

Council Member Dix asked about the traffic study and other issues and making changes that will null invoid the MOU. City Attorney Michael Noland said that we were waiting on their response and it will be included in the MOU before it goes to County. Council Member Dix asked if we could attach the NKSP as exhibit. The City Attorney said yes.

Mayor Roman discussed why this project has not been annexed- The City Attorney said that it is in the County of Tulare and we cannot annex across county lines.

Council Member Dix brought up the alleys not being codified in the NKSP and asked how we incorporate that into the MOU.

Council Blayney stated that there a concern at the last workshop was the access to the cul-de-sac through a walkway to Madsen.

Council Member North asked about the additional baseball field that was talked about at the last workshop.

Open Public Comment - At 6:19 P. M. Mayor Roman opened for public comment.

Steven Peck, Peck Planning and Development representing HASH stated that the importance of the MOU was to come up with a specific plan via the County of Tulare ordinance. Tulare county is going to adopt City standards. It is going to provide funding with tax sharing with Tulare County and the CFD to provide funding for public safety and administration. Tulare County is waiting to hear what the City wants out of this agreement. There is no pedestrian connection on the top two

cul-de-sacs but there are three clear connections to Madsen Avenue. He said that County staff will address all of your comments.

Steve Bolm, resident on Mariposa Street, stated that his property is half Fresno County and Tulare County with easement for garbage services. This development increases the burden of his property. He is also worried about the habitat of birds of prey being destroyed. He spoke about parcels being in both counties and spoke about school. Council Member North said the schools are short on kids and desperately need more.

John Saubert, a citizen of Kingsburg in Tulare County, said that there would be 190 homes with no representation with City Council. He is worried about new people moving in there. He would like the Council to say no.

Brook Guestin, Kingsburg Fire Department part time reserve, said that he would like to know if the .75 firefighter would be full time or part time? Council Member Blayney said that this development would give us more money to hire more public safety personnel. Council Member Dix explained that this is made to compensate the City for taking responsibility to service the area.

Council Member North explained what the CFD would cover; public safety, road maintenance, and other costs for the district.

Council Member Dix explained that the City would respond to their concerns, even though they cannot vote for Kingsburg Council Members.

Briana Guestin who lives on 22nd Avenue said that she is concerned with traffic coming through. She would like speed bumps or stop signs. Council Member Blayney said that we have to do an environmental document that includes traffic and noise concerns.

Joel Elberg said that he is concerned about impact to his neighborhood in regard to traffic.

The City Attorney said that the hours of the traffic study are 7:30 A. M. and 4:30 P. M.

Laurie Saubert, citizen, also expressed traffic concern for the area. She said it is dangerous in the morning and the afternoon.

Paul Kruper, citizen, spoke about the linking of the roads to Kingsburg and the traffic concern with Lincoln school.

Judy Huewer, whose daughter lives on Lindquist, expressed concern for kids walking around and the added traffic. She wants to know if the City will widen Lindquist or propose "no parking" because the roads are narrow. She would also like to see bus stops and asked about the CFD fees.

Steve Bolm said that the MOU is inadequate. He said if you vote on this, it is invalid. He asked that the discussion be tabled.

Mr. Peck said that he appreciates the comments. Specifically, in regards to Mariposa Street, east of it is private property and an alleyway in that area will not be used because it will be a baseball field.

Council Member Dix asked about traffic calming. Mr. Peck discussed bulb-outs to slow down traffic. The traffic study said that traffic will go to Kern.

Close Public Comment – At 7:21 P. M. Mayor Roman closed the Public Comment period.

Continued Council Discussion

Council Member Dix brought up a question on the fee breakdown. The City Attorney explained that there are allocations under the CFD. All of the money goes to the City. Council Member Dix asked if we could clarify this in the MOU. He asked about VLF's. The City Attorney said that the City Manager's comments will be added with Council's to the MOU.

Mayor Roman asked if we should bring it back as a complete MOU or accept this as a draft?

Council Member Blayney asked if we would add to the motion that these issues would have to be addressed. The City Attorney said that we can do that.

Council Member Smith asked if there is a good reason to approve it tonight compared to two weeks from now?

Mr. Peck said that the County is in the process of making their final EIR. Some of the cleanup items will be handled in the Specific plan. He said that he would like to button up this discussion with what the City would like. The next steps will be public hearings with Tulare County.

The City Attorney advised that if Council brings it back, it doesn't have to have a public hearing portion.

Council Member Blayney asked about the traffic study. The City Attorney said that items are included in a letter in the packet. He said that Consulting Planner Greg Collins reviewed the documents also.

The City Attorney said that items discussed will be addressed in the MOU and the most recent map will be attached along with any other items. We can add specific items.

Council Member Dix said that maybe we need some mitigating solutions to traffic.

Close Public Hearing - At 7:37 P. M. Mayor Michelle Roman closed the public hearing.

A motion was made by Council Member Blayney to conditionally approve the proposed Memorandum of Understanding and Joint Planning and Development Agreement by and between the City of Kingsburg and the County of Tulare Regarding the Development of the Hash Subdivision and Development Project and the Establishment of a Specific Plan for the Project Area, with no material changes to the Specific Plans or draft EIR and subject to all the issues in the February 2 communication being addressed; one story units on the west and south perimeter, attach north Kingsburg Specific Plan, set forth with the motion to approve. The motion was seconded by Council Member Dix and carried by unanimous voice vote.

City Attorney Michael Noland advised Council that if the issues are not met, the MOU is void. The purpose is to try to ensure that the development, from a land use stand point, will be consistent with

all the items that currently exist with Kingsburg, and that the funds will be properly allocated to service the development

Crime Statistics Report for the Month of January 2018 and General Police Department Update – Crime Statistics Report prepared by Kingsburg Police Department Records Supervisor Corina Padilla.

Chief Dadian recapped statistics from last year compared to 2015 and 2016. He spoke about training in crisis intervention and growing the social media presence in a responsible manner. He spoke about criminal threats to schools and said that we will be taking these very seriously and charge accordingly.

Council Member Blayney complimented Chief Dadian on taking this seriously. Until we change our perspective on violence in video games, people are not going to take it seriously. Mayor Roman also thanked the Chief for what he is doing.

No action necessary.

Reduction of Crime and Keeping California Safe Act of 2018 Resolution

Police Chief Dadian explained this initiative that will be sponsored by California Police Chiefs.

Following brief Council comment, a motion was made by Council Member Blayney, seconded by Council Member Dix, to adopt Resolution 2018-013, a Resolution of the City Council of the City of Kingsburg Supporting the Reduction Crime and Keeping California Safe Act of 2018. The motion carried by unanimous voice vote.

Intent to Transition from At-Large to District Based Election – Staff Report Prepared by City Clerk Abigail Palsgaard.

City Attorney Michael Noland stated that recently the City has received a threat of litigation that our at large violates the CVRA. The cost of fighting litigation is in the millions. We are covered under a Safe Harbor allowed by the Election Code. The timeline is set forth in the resolution. District elections will be in November 2018. It will not force a sitting Council Member to run again if they are not up for election.

Council briefly discussed the districting and who's seats will be up for election in November 2018. It is based upon the census blocks and that will make up the districts.

Council Member Dix said that it is an attorney in Malibu suing us, not a Kingsburg resident, to change to districts and from at large.

A motion was made by Council Member Blayney, seconded by Council Member North, to Adopt Resolution 2018-014, a Resolution of the City Council of the City of Kingsburg, Declaring it's Intent to Transition from At-Large to District-Based Council Member Elections, Outlining Specific Steps to be Undertaken to Facilitate the Transition and Estimating a Time Frame for Action Pursuant to California Elections Code Section 10010. The motion carried by unanimous voice vote.

Proposed State-Wide Initiative Ballot Impact Discussion – Staff Report Prepared by City Manager Alexander Henderson

City Attorney Michael Noland explained that this proposed state wide ballot initiative will force all sales tax measures to be elected with 2/3rds compared to 50+ 1.

Concern was expressed by Council regarding how this change to 2/3rds vote may affect the City's proposed General Sales Tax Ballot Measure.

Staff was directed to rewrite the Public Safety Tax Measure with a 2/3 vote and to have a special meeting to go over the analysis.

ORDINANCE NO. 2018-001 Regarding a General Sales Tax

A motion was made by Council Member Blayney, seconded by Council Member North, to continue the waiving of the second reading and adopt Ordinance No. 2018-001 adding Section 3.14 of Title 3 of the Kingsburg Municipal Code Enacting a Transactions and Use Tax To Be Administered By the California Department of Tax and Fee Administration Upon Adoption By The Voters with the following recital constituting reading of the title of the Ordinance:

“AN ORDINANCE OF THE CITY OF KINGSBURG, CALIFORNIA
ENACTING A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY
THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION UPON
ADOPTION BY THE VOTERS AND ADDING CHAPTER 3.14, TO TITLE 3 OF THE
KINGSBURG MUNICIPAL CODE”

to the next meeting. The motion carried by unanimous voice vote.

Ghuman Consent and Election to Annex Real Property to an Existing Community – Staff Report prepared by City Clerk Abigail Palsgaard.

City Clerk Abigail Palsgaard presented the Ghuman properties for annexation in to the City of Kingsburg's Community Facilities District No. 2017-01. The APNs to be annexed are 393-270-03, 393-270-13, 393-270-14, and 393-270-15. Mr. Ghuman has signed the Consent and Election to Annex Real property to an Existing Community Facilities District and he has paid the annexation fees. With the adoption of this resolution, the information will be sent to Fresno County.

A motion was made by Council Member Blayney, seconded by Council Member Dix, to adopt Resolution 2018-016 certifying and adding the above properties to CFD No. 2017-01. The motion carried by unanimous voice vote.

The Kingsburg City Council Regular Meeting was adjourned at 8:47pm into the Meeting of The Board of Directors of The Successor Agency of The Redevelopment Agency of The City of Kingsburg.

The Board of Directors Meeting of The Successor Agency of The Redevelopment Agency of The City of Kingsburg was adjourned at 8:53pm into the Regular Kingsburg City Council Meeting

Council Reports and Staff Communications

Community Services Commission- Mayor Roman reported they will meet on Monday. The Youth Council met and discussed starting an Instagram and twitter account. They also assisted in picking out movies for this summer.

Public Safety Committee- Council Member Dix reported they met and discussed the community watch sign and areas to install them. Public Works has a map of locations for the signs to be installed.

Chamber of Commerce- Council Member North reported at the last meeting the discussion was on the upcoming chamber dinner and the upcoming car show. Council Member North discussed the proposed sales tax with the members.

Economic Development- Mayor Roman reported they have not met.

Finance Committee- Council Member Blayney reported that they will meet on March 1st and the committee will discuss CalPERs costs.

Planning Commission- Council Member Blayney reported that they met on 2/8/2018 and approved splitting two lots.

South Kings Groundwater Sustainability Agency Joint Powers Authority- Council Member Blayney reported they met on 2/12/2018 and authorized beginning studies to Provost and Pritchard.

City Manager's Report- City Attorney reported that the Crinklaw Nelson annexation was approved by LAFCo today.

Other Business that may come properly before the City Council- The Council will hold a public workshop regarding Strategic Planning on 2/24/2018.

The Closed Session was canceled.

Adjourn Regular Kingsburg City Council Meeting – Mayor Roman adjourned the Regular Kingsburg City Council Meeting at 9:03 P. M.

Submitted by:

Abigail Palsgaard, City Clerk