

**Kingsburg City Council  
Regular Meeting Minutes  
March 20, 2019**

**6 P.M. REGULAR SESSION MEETING:**

Invocation was given by Pastor Charlie of The Kingsburg First Baptist Church, followed by the Pledge of Allegiance led by Mayor Michelle Roman.

**Call to Order and Roll Call** – At 6:02 P. M. Mayor Michelle Roman called the Regular Meeting of the Kingsburg City Council to order.

**Council Members present** – Jewel Hurtado, Vince Palomar, Laura North, and Mayor Michelle Roman. Council Member Dix arrived at 6:30 P.M.

**Staff present** – City Manager Alexander Henderson, City Attorney Michael Noland, City Clerk Abigail Palsgaard, Police Chief Neil Dadian, Community Services Director Adam Castaneda, and Interim Fire Chief Tim Sendelbach.

**Public Comments**

Jerry Hairabedian, resident, stated that he wanted to thank Mayor Roman on her speech at the Veteran’s festival. He also spoke about the Police Department not having the resources to patrol the skate park and that he hopes the sales tax is for public safety.

Armando Talles, resident, said that he wants to propose to Council programs for health and wellness for youth. Services are limited in rural communities. Fresno County Latino Democrats will be hosting an event to raise awareness of Latina veterans. He is not sure how they will be recognized but would like to partner with the City of Kingsburg.

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

**Consent Calendar:** A motion was made by Council Member North, seconded by Council Member Hurtado, to approve the items appearing on the Consent Calendar. The motion carried by unanimous voice vote of those Council Members present.

- 4.1 Approval of City Council Minutes:** Approve the minutes from the March 6, 2019 Regular City Council Meeting as prepared by City Clerk Abigail Palsgaard.
- 4.2 Adopt Resolutions 2019- 017; 2019-018; 2019-019; 2019-020; 2019-021;**  
**Approving the Budget Amendments as presented and recommended by the Finance Committee-** Staff Report Prepared by Finance Director Alma Colado.
- 4.3 Public Safety Committee Appointment-** Accept Mayor Roman’s appointment of Jerry Lay to the Public Safety Committee to a term that is set to expire March 2023.
- 4.4 Appointment of the Chairperson and Vice Chairperson of the Public Safety Tax Citizens Oversight Committee -** Accept Mayor Roman’s appointment of Staci Smith as

the Chairperson and John Matic as the Vice Chairperson of the Public Safety Tax Citizens Oversight Committee.

- 4.5 Approve the Internal Social Media Policy-** Staff Report prepared by Director of Administrative Services Christina Windover.

### **Regular Calendar**

**Crime Statistics Report for the Month of February 2019 and General Police Department Update-** Crime Statistics Report prepared by Kingsburg Police Department Records Supervisor Corina Padilla.

Police Chief Neil Dadian spoke about the upcoming reporting, numbers will go up but not crime itself. There is nothing to note in particular for this period. He spoke about staff time doing reports and said that he is expecting more in future years to follow the trend of transparency. He spoke about on-going investigations, training, and public record requests.

Mayor Roman asked Chief Dadian if he will put something out there so that residents understand the new reporting system. He said that we will not have a full year of the new report until 2020 and will roll it out then.

**Mobile Food Trucks Discussion-** Staff Report prepared by City Attorney Michael Noland

City Manager Alexander Henderson gave background of the prior discussion on February 20th. We took comments from the public and Council to bring a comprehensive revised ordinance. He reviewed the updated language.

Council Member Palomar said that liability insurance in the amount of \$1,000,000 seems like a lot. City Attorney Michael Noland said that it is a common amount for food preparation and consumption.

Council Member North asked about page 5 (F) having it limited to one truck for private property catered events. She said that she doesn't think it is reasonable. Some people have more than one and are having them on private property and are paying the vendor directly. The City Attorney said that we can revise it to say that if it is not private property, then it would have to get an encroachment permit. Council Member Palomar agreed, saying that he has been to parties that have had multiple trucks.

Mr. Henderson said that we can get rid of Section F since Section A covers what Council is discussing.

Craig Carpenter, resident and business owner, said he wants there to be a limit in case someone takes advantage. Mayor Roman asked staff if that is something that we can do. Mr. Henderson said that we can limit number.

Armando Telles, resident, said that for the hope of growth, it might be limited to mobile food trucks having ties to businesses in Kingsburg. Council Member Dix said that we want to support the businesses that have invested in Kingsburg. Council Member Hurtado said that we don't want to take away from downtown businesses.

A motion was made by Council Member North to waive the first reading and introduce Ordinance No. 2019-003, with the elimination of subsection F on page 5, an Ordinance of The City of Kingsburg Adding Chapter 5.38 to Title 5 of The Kingsburg Municipal Code Regulating Food Vending Vehicles, and pass to a second reading with the following recital constituting reading the title of the Ordinance:

“AN ORDINANCE OF THE CITY OF KINGSBURG ADDING CHAPTER 5.38  
TO TITLE 5 OF THE KINGSBURG MUNICIPAL CODE REGULATING FOOD  
VENDING VEHICLES”

The motion was seconded by Council Member Dix and carried by unanimous voice vote.

**Special Event Application Discussion-** Staff Report prepared by Community Services Director Adam Castaneda

Community Services Director Adam Castaneda gave a brief background on the Special Event Application. Staff has met with Council Member North and the Chamber Board is okay with the changes, with one request of not being specifically listed along with non-profits, since they are a nonprofit.

Mayor Roman asked about selling in public alleys and walkways. She said that she thought we could not do that legally. City Attorney Michael Noland said that we cannot use public space in the exclusion of the public. We can provide the opportunity for temporary closure for the event. If a business is adjacent to the alley, then this provides the opportunity to do it. A business without being adjacent would not be able to use it.

Mayor Roman said that she doesn't think that alleys adjacent to businesses should be utilized at all. The City Attorney said that there is a connection between the food trucks and this discussion. If we were going to allow food trucks to access the alley/public right-of-way with a brick and mortar, we will need to clarify.

Council Member North stated that the Chamber is there to serve the businesses and help them. They are going to look into their own guidelines and partnerships. Michelle Davidian said that the Chamber of Commerce wants to honor their members first and support them. They will look at it as a case by case matter. She said that, from a business point of view, she would like to use a parking lot behind her business to have an event. Council Member North said that it would be a positive to bring in businesses, and maybe homebased businesses. She said that her concern is bringing businesses from out of town and competing against local businesses.

Leslie Carpenter, Berman Flowers, said that she hopes to get a Downtown Association going. She doesn't feel threatened by outside vendors but is concerned they will not pay sale taxes to Kingsburg. She said that she wants a fair playing field and to be cohesive. Council Member Dix said that he understands that paying taxes is an honor system. He said that use of the alley would be beneficial to the brewery, but it could cause issues in other ways. He asked if Leslie would feel it too restrictive to have to go through the Chamber. She said no. Council Member Dix asked if it would benefit to have it go through a nonprofit. Mr. Henderson said unless you don't differentiate for food vendors from other vendors. The City Attorney said that paragraph 2 for public right-of-away, would have to be amended. Mr. Henderson said that we could say they would only be issued in accordance with the Food Vending Ordinance. The City Attorney said that we would want to specially reference the Mobile Food Vending Ordinance.

Council Member North stated that she thinks they should also have consent from the adjacent businesses. Council Member Hurtado agreed. Mayor Roman said that she thinks we should have approval from all businesses impacted in the alley. Staff was directed to modify #2 to specially reference the Mobile Food Vendor ordinance. The City Attorney suggested that we bring the Special Events Permit back on April 3<sup>rd</sup>. Council Agreed.

**Council Reports and Staff Communications**

**Community Services Commission-** Council Member Hurtado reported that they haven't met, and will meet next week.

**Public Safety Committee** – Council Member Palomar reported that they will meet in April.

**Chamber of Commerce** – Council Member North reported that they talked about Special Event Permits.

**Economic Development** – City Manager Alex Henderson reported that they discussed the Stone Plaza Project.

**Finance Committee-** City Manager Alex Henderson reported that they have not met. Will next week.

**Planning Commission-** City Manager Alex Henderson reported that they will possibly meet in April.

**City Manager's Report**

None.

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

None.

**Future Agenda Items**

None.

**The Regular Kingsburg City Council Meeting was adjourned into Closed Session at 7:31 P. M. to discuss the following item(s):**

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

**California Government Code Section 54956.8**

Property: 1483 Avenue 396, Kingsburg, California

APN: 028-130-004

Agency Negotiator: Alexander J. Henderson Under Negotiation: Terms of transfer of title to real property

**The Closed Session was adjourned at 8:02 P. M. into the Regular Kingsburg City Council Meeting.**

City Attorney Michael Noland stated there was nothing to report.

**The Regular Kingsburg City Council Meeting was adjourned at 8:02 P. M.**

**Submitted by:**