

**Kingsburg City Council  
Regular Meeting Minutes  
September 19, 2018**

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

Invocation was given by Mayor Pro Tem Bruce Blayney of the Kingsburg Refinery Church, followed by the Pledge of Allegiance led by Mayor Michelle Roman.

**Call to Order and Roll Call:** At 6:02 P. M. Mayor Roman called the regular meeting of the Kingsburg City Council to order.

**Council Members present:** Sherman Dix, Bruce Blayney, and Mayor Michelle Roman.

**Council Members absent:** Laura North and Staci Smith.

**Staff present:** City Manager Alexander Henderson, City Attorney Michael Noland, City Finance Director Alma Colado, Chief of Police Neil Dadian, and City Clerk Abigail Palsgaard.

**Public Comments:**

Oscar Garcia, Fresno County Tax Collector/Auditor, introduced himself.

Melanie Sembrinski, Assistant Superintendent of the Kingsburg Elementary Charter School District, spoke about all students in the District being given the book “Charlie and the Chocolate Factory” next month. The goal is to get kids to love reading and build the culture of literacy. She said that we are asking the community to get involved, explaining various ways planned to accomplish this.

Vince Palomar introduced himself stating that he is running for City Council in District 5. He was born and raised in Kingsburg; married for 34 years; and has kids and grandkids in school here. He said that it would be an honor to serve the citizens of Kingsburg.

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

- 1. Approval of City Council Minutes:** Approve the minutes from the September 5, 2018 Regular City Council Meeting as prepared by City Clerk Abigail Palsgaard.

**Regular Calendar**

**Mosquito Abatement Presentation-** Oral presentation by Steve Mulligan

Steve Mulligan, representing the Consolidated Mosquito Abatement District, explained that it is a California Special District funded by Fresno and Kings County property taxes. Its mission is to prevent mosquito-borne diseases such as West Nile virus. He spoke about the life cycle, their ways of combating mosquitos, and testing mosquitos. He stated that a new mosquito came in 2013 which just needs a little bit of water and is a day-biter. He said that it will take the public to protect themselves and to prevent getting bitten by eliminating their breeding sources.

Informational- No Action Necessary

**Abatement Hearing Pursuant to Kingsburg Municipal Code Section 17.94.070 To Determine Whether the Building Located at 1691 Draper Street, Kingsburg, California Constitutes a Public Nuisance and Abatement of The Public Nuisance**

Mayor Roman opened the Abatement Hearing at 6:31 P.M.

City Attorney Michael Noland explained that last year the Council created a chapter in the Municipal Code providing procedures to abate substandard buildings. This is the first such hearing. The owners of the building requested a continuance of the hearing. The property owners and their attorney were advised of the hearing a month ago. Staff believes they have had adequate time to plan.

City Attorney Michael Noland stated that we have been sending the property owner letters for more than a year. It started with fleas going into the adjoining building. The property owners allowed City Building Official Mike Koch to go into the building. He advised the owners of problems and the need for a seismic capacity report. Other than repairing the trusses, nothing has been done.

Building Official Mike Koch showed pictures of the exterior plywood, debris, and un-reinforced masonry that has cracks. He said that he has great concern for the health and safety of the citizens. The building is substandard and not habitable. If not abated, we would have to tear it down. Demolition of just the building would be \$65,000 to \$90,000. Staff is asking Council to adopt the resolution declaring the building substandard and ordering the demolition.

In ensuing discussion of possible other options, Building Official Mike Koch stated that retrofitting the building would cost millions of dollars. The City Attorney explained why eminent domain is not an option. He said that the City Manager has tried to work with the property owners with no response. He said that we need to move forward to resolve the issue.

Open Public Comment 6:50pm  
None.

Close Public Comment 6:51pm

A motion was made by Council Member Blayney to Adopt Resolution 2018-058 Finding the Building Located at 1491 Draper Street, Kingsburg, California is a Public Nuisance and Substandard Building. The motion was seconded by Council Member Dix and carried by unanimous voice vote of those Council Members present. The City Manager was asked to try to work with the property owners for 30 days, and then move forward with the demolition.

**PUBLIC HEARING—DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KINGSBURG AND THE HOUSING AUTHORITY OF FRESNO COUNTY FOR UP TO A 60 UNIT MULTI-FAMILY SENIORS DEVELOPMENT LOCATED AT THE SOUTHWEST CORNER OF SIERRA STREET AND MADSEN AVENUE IN KINGSBURG, CALIFORNIA. APN:396-020-017-** Staff Report prepared by City Attorney Michael Noland

Mayor Roman opened the Public Hearing 6:57 P. M.

City Attorney Michael Noland stated that before you is a Development Agreement between the City and the County of Fresno for senior low-cost apartments up to 60 Units. We discussed this on

August 30, 2018. What we are seeking is the approval of the Development Agreement. Approval takes place through an ordinance since it is a legislative action. We are asking for approval of the Notice of Exemption, the Development Agreement, and Waive the first reading of the Ordinance.

Council Discussion.

Council Member Dix asked about time frame. If it goes a year without development, how can the City get the property back.

Michael Duarte, Fresno County Housing Authority, stated that the property wouldn't be transferred till all of the financing is in place and they have 2 years.

Council Member Blayney stated that this agreement did come through Planning Commission and it was approved

Open Public Comment - 7:01 P. M. None

Close Public Comment - 7:01 P. M.

Continued Council Discussion

City Manager Alexander Henderson said that Draft Development Agreement does say the site plan will come back to Council.

Close Public Hearing-7:02 P. M.

A motion was made by Council Member Blayney to approve the Environmental Notice of Exemption. The motion was seconded by Council Member Dix and carried by unanimous voice vote.

A motion was made by Council Member Blayney to waive first reading and introduce Ordinance No. 2018-004, An Ordinance of the City of Kingsburg Approving Development Agreement and Associated Documents with the Housing Authority of Fresno County and pass to a second reading with the following recital constituting reading the title of the Ordinance:

“AN ORDINANCE OF THE CITY OF KINGSBURG APPROVING  
DEVELOPMENT AGREEMENT AND ASSOCIATED DOCUMENTS  
WITH THE HOUSING AUTHORITY OF FRESNO COUNTY”

The motion was seconded by Council Member Dix and carried by unanimous voice vote of those Council Members present.

#### **PUBLIC HEARING – Community Development Block Grant Funds (CDBG) –**

**Motion to Continue** – A motion was made by Council Member Blayney, seconded by Council Member Dix, to continue this Public Hearing to the October 3, 2018 Regular City Council Meeting. The motion carried by unanimous voice vote of those Council Members present.

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

Kingsburg Police Chief Neil Dadian said that Part 1 crimes are down. He spoke about the Sun Maid labor strike and grants for school resource officers with state tobacco money. They have one vacancy for employment through the State. Officer Brent Kroeger was promoted to Sergeant. He spoke about Measure E Funds and the need to have 3 officers on patrol at all times. It is a safety issue. He said that they will have another detective as soon as possible.

#### **Council Reports and Staff Communications**

- 1. Community Services Commission-** Mayor Roman reported that they will meet on September 26<sup>th</sup>.
- 2. Public Safety Committee –** Council Member Dix reported that they are looking for public support for areas of public safety improvement.
- 3. Chamber of Commerce –** City Manager Alexander Henderson reported that the Harvest Moon Event is this Saturday. Ladies night out is November 11<sup>th</sup>, and the Chamber is working on a text message communication.
- 4. Economic Development-** Mr. Henderson reported that they met on September 7<sup>th</sup>. They talked about a lot of happenings in the down town; the Merchant Group preparing for the holiday season and the abatement issues.
- 5. Finance Committee-** Council Member Blayney reported that they haven't met.
- 6. Planning Commission –** Council Member Blayney reported that they met on September 13<sup>th</sup> and the Development Agreement was discussed.
- 7. South Kings Groundwater Sustainability Agency Joint Powers Authority-** Council Member Blayney reported that they have not met.
- 8. City Manager's Report-** Mr. Henderson reported that Marsha Alves is a new Utility Clerk, and Kristin Hernandez is in the new Payroll position. Abigail Palsgaard is working on her City Clerk Certification. Christina Windover will be graduating from two year leadership training. The Fire Department got the new ambulance and just got a 100-foot ladder truck from Fresno Fire for \$1.

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

- 1.** Correspondence from a 21<sup>st</sup> Avenue Resident – Mr. Henderson referred to a “thank you” note for the work on the 21<sup>st</sup> Avenue.
- 2.** Council Member Blayney said that he saw former Kingsburg Mayor Chet Reilly and he sends his regards. He is very positive about what is going on in Kingsburg.
- 3.** Mayor Roman reported on the League of California Cities Conference that she and Council Member Smith attended.

**Adjourn Kingsburg City Council Regular Meeting into Closed Session 7:33pm**

**9.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR**  
**Property Tulare County: A portion of APN: 028-130-003**  
Agency Negotiator: Alexander Henderson  
Under Negotiation: Donation and/or purchase

**9.2 CONFERENCE WITH REAL PROPERTY NEGOTIATOR**  
**Property Fresno County: APNs: 394-390-05 and 394-390-06**  
Agency Negotiator: Alexander Henderson  
Under Negotiation: Sale, lease, easement or license of property

9.2 Was not discussed due to Council Member Dix recusing himself due to a conflict of interest and there then being a lack of quorum.

**Adjourn out of Closed Session into Regular Kingsburg City Council Meeting and report out of Closed Session.**

**Report Out – None**

**At 8:06 P. M. the Regular Kingsburg City Council Meeting was adjourned.**

Submitted by:

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Abigail Palsgaard, City Clerk