

**KINGSBURG CITY COUNCIL
REGULAR MEETING MINUTES
September 6, 2023**

1401 Draper Street, Kingsburg, CA 93631 (559) 897-5821 www.cityofkingsburg-ca.gov

Invocation was given by Pastor Ricky Chambers, Kingsburg Community Church, followed by the Pledge of Allegiance led by Mayor Vince Palomar.

6 P.M. REGULAR SESSION MEETING:

Call to Order and Roll Call: Mayor Palomar called the regular meeting of the Kingsburg City Council to order at 6:02pm.

Council Members Present: David M. Silva, Laura North, Staci Smith, Brandon Pursell, Jr., Mayor Vince Palomar.

Council Member Absent: None.

Approve Agenda: A motion was made by Council Member Smith, seconded by Council Member Silva, to approve the items appearing on the Consent Calendar. The motion carried by an unanimous voice vote.

Presentations:

*Swearing in of Anthony Fengthong, Firefighter/EMT
Sponsor: Fire Department*

Public Comments:

Ryker Dunn, resident and 8th grade student at Rafer Johnson Jr High, requested the crosswalks in front of Rafer Johnson Jr. High be fixed to include ramps as he is unable to cross the street without them.

Heather Dunn, resident and Ryker Dunn's mom, also asked to make the crosswalk in front of Rafer Johnson Jr. High to be accessible for her family and future students.

David Butler, Kingsburg resident, had a complaint against the Kingsburg Police Department. Butler believes they have committed perjury against him.

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

5.1 Approval of City Council Minutes: Approve the minutes from the August 10, 2023, and August 11, 2023, Workshop Meeting and August 16, 2023, Regular Council Meeting as prepared by City Clerk Abigail Palsgaard.

Sponsor: City Clerk's Office

5.2 Check Register: Ratify and approve payment of bills listed on the check register for the period August 9, 2023, through August 28, 2023, as prepared by Accounts Payable Clerk Marsha Alves.

Sponsor: Finance Department

- 5.3 Adopt Resolution 2023-035- A resolution stating the designation of applicant’s agent for non-state agencies for FEMA/Cal OES funding for reimbursement of expended funds – Staff Report by Fire Chief Daniel Perkins.**
Sponsor: Fire Department
- 5.4 Adopt Resolution No. 2023-034 to submit the Local Transportation Purposes Certifications and Claim Forms to FCTA for the City of Kingsburg to collect its share of Measure “C” for fiscal year 2023-2023 and authorize the Finance Director to sign the Local Transportation Pass Through Revenue Certifications and Claim Forms. - Staff Report prepared Finance Director Alma Colado**
Sponsor: Finance Department
- 5.5 Adopt Resolution 2023-036 Committing to The Timely Use Of Federal And State Funding For The Congestion Mitigation and Air Quality Program (CMAQ). - Staff Report prepared by City Engineer Dave Peters**
Sponsor: City Engineer’s Office
- 5.6 Adopt Resolution 2023-037 Committing to The Timely Use Of Federal And State Funding For The Surface Transportation Block Grant (STBG). - Staff Report prepared by City Engineer Dave Peters**
Sponsor: City Engineer’s Office
- 5.7 Adopt Resolution 2023-038 Committing To The Timely Use Of Federal And State Funding For The Carbon Reduction Program (CRP). - Staff Report prepared by City Engineer Dave Peters**
Sponsor: City Engineer’s Office
- 5.8 Authorize the City Manager to execute, on behalf of the city, CDBG Agreement 22391 with the County of Fresno for the Mariposa Street Reconstruction project between 6th Avenue Drive and 10th Avenue. - Staff Report prepared by City Engineer Dave Peters**
Sponsor: City Engineer’s Office
- 5.9 Accept the Downtown Parking Lots Improvements project and authorize the City Engineer to file the Notice of Completion. - Staff Report prepared by City Engineer Dave Peters**
Sponsor: City Engineer’s Office
- 5.10 Approve the Requested Closure of Smith Street between Ellis Street and Draper Street for the Kingsburg Community Church Event Costume Carnival - Staff Report prepared by Community Services Director Adam Castaneda.**
Sponsor: Community Services Department
- 5.11 Approve the Requested Closure of Ellis Street between Smith Street and Lincoln Street for the Kingsburg Community Church Event Family Christmas - Staff Report prepared by Community Services Director Adam Castaneda.**
Sponsor: Community Services Department
- 5.12 Accept and File the City Investments Returns for Quarter 1 & 2, 2023.- Staff Report prepared by Finance Director Alma Colado.**
Sponsor: Finance Department

Regular Calendar

California State Senator Melissa Hurtado Update

Sponsor: State Senator Hurtado

Joshua Golden, Field Representative for State Senator Melissa Hurtado presented three different bills and requested council support. First, Senate Bill 231 would require the Department of Water Resources (DWR) to adopt key recommendations made by the independent California State Auditor to determine how water is delivered to different areas in California. Second, Senate Bill 265 would direct the California Office of Emergency Services (Cal-OES) and the California Cybersecurity Integration Center (Cal-CSIC) to put aside money and develop outreach that would improve cybersecurity preparedness in California. Lastly, Senate Bill 577 allows the State Fire Marshal to accept additional funding sources for the California Fire Service Training and Education Program.

Council Member Silva asked what support entails, financial, letter, etc. Mr. Golden clarified it would be letters of support.

Council Member North asked about water storage. Mr. Golden explained these are not a part of these bills, but Senator Hurtado recognizes it is important. While support from other Senators is low, Senator Hurtado is continually working on.

Mr. Golden provided his contact information to help connect Council Members to Senator Hurtado and to provide additional clarification the bills.

Council requested time to review the bills before they commit to letters of support.

City Solar Array Projects Financing Update - Report by Public Works Director Daniel Galvez

Public Works Director Daniel Galvez explained that the project is moving forward, designs have remained relatively unchanged but funding options to pay for the project have changed. The project financing initially proposed to Council utilized an Energy Conservation Assistant Act Loan (ECAA) at 1%, this could still be an option, but it would push back receiving potential funding until June or December of 2024.

Director Galvez introduced representative from SitelogIQ, Jessica Ritter, to talk about the old and new proposal. There were also representatives from the Oppenheimer group, Nicki Tallman and Michael Garcia, to further discuss the possible financing options for the project. Preliminary numbers have been checked to make sure the program is still viable.

Staff worked with SiteloIQ and the Oppenheimer Group to discuss the possibility of utilizing a Tax-Exempt Municipal Lease to fund the project. Pursuing this funding source does come at a cost as the interest is higher than the 1 % originally proposed utilizing an ECCA Loan. Even with the increased cost this project still provides financial savings. PGE is requesting an increase in rates later this month and if approved would bring the increased total in rates for 2023 to 31.8%.

SiteloIQ has recognized the additional financial burden on the project and has included some cost-cutting measures to move the project forward. Their staff is available to discuss the cash flow, cost cutting, and project timelines. To help offset the additional cost, SitelogIQ will remove \$50,000 from construction costs and will provide five years of O&M at no cost, a total of \$150,000 in savings.

Council Member Silva asked what the return on the investment is. Mr. Galvez said it takes it from 13.5 years to 13.7 years, but we will pay more in interest.

Nicki Tallman, Oppenheimer, introduced herself and her history with the City. Michael Garcia, Oppenheimer, gave a report on the market update, volatility due to inflation and the federal reserve. He spoke about different financing options. Equipment Lease financing would be the most beneficial for the City. They reviewed the estimated financing schedule.

Council Member Pursell, Jr. asked if the rates go down, can we renegotiate the rate? Ms. Tallman said it is not recommended, because if the rates go up, it is in good faith that the banks won't raise the rates.

Mayor Palomar discussed the term of the loan.

Council Member Silva asked if the financing decision is locked to SitelogIQ. Ms. Tallman said the bank will want to know who is going to build the project to fund it. He appreciates that SitelogIQ has lowered the cost, but what would stop us from looking for a lower cost company. Ms. Ritter said we came here with our best and final offer.

Council Member North asked since the Nem 2.0 application has been approved, what is the time limit for completing the project? Mr. Galvez said everything will need to be built and connected by April 2026.

Council Member Pursell, Jr. updated Council on what was discussed at the Finance Committee meetings. They were upset when they first heard about the rate issue. The Committee researched the possibility of hiring another company. He believes SitelogIQ did what they could. He does feel their proposal was untruthful, whether they meant it or not. These were weighing issues. The Finance Committee looked in to the equipment lease, which would have less staff work, will be general fund backed and the asset will be the equipment and not property.

Council Member Silva asked if the final design is complete for well 16. Mr. Galvez shared photos of the proposed design.

Council Member North still has an issue with doing the due diligence with being in a rush with Nem 2.0 and financing.

City Manager Henderson said the CUP made their decisions and gave us 4 months to apply for the Nem 2.0. Now we are facing what the Federal Government might do with interest rates. 20 basis points is a \$150,000 added on, there are unknowns with the financial viability as time goes on and interest rate potentially continue to climb. We think it makes sense financially in the long run to move forward.

Council Member North asked what the school pays for their solar. Ms. Ritter said schools have different funding options than local governments.

Mayor Palomar said in the long run this is a good project. It will just cost more.

Council Member Pursell, Jr. motioned, seconded by Council Member Smith to authorize the Oppenheimer Group to solicit term sheets. The motion passed with a 3 to 2 vote, Council Members Silva and North voting no.

Park Naming Proposals for Weststar Phase 1 & Phase 3 - Staff Report by Community Services Director

Adam Castaneda

Sponsor: Community Services Department

Community Services Director Adam Castaneda gave an update on the park naming process. He reviewed the park and facility naming policy that was established in August of 2021.

On July 6, 2023, city staff published an online survey seeking community input on a potential name for the newest park in Kingsburg. Located north of Solig Avenue and east of 18th Avenue, the park is part of phase three of the Weststar housing development. In addition, another park without a name is located within Weststar's housing development phase one, located south of Kamm Avenue and east of 18th Avenue.

After reviewing the online responses, the list was the top ten names that followed the park naming policy, the city was able to narrow the list down to ten for each park. The list includes Kingsburg family names, these suggestions were based off their previous ownership of the land.

There have not been any outside donations or contributions for these parks.

Public Comments included opinions on which names were preferable. Nelson Park seems to be the favorite name among Kingsburg Residents. Other popular names include: Valkommen and Viking Park.

Council discussed the Nelson family and the 1st mayor of Kingsburg named Nelson.

Council Member Silva motioned, seconded by Council Member North, to name the 18th/Kamm park Nelson Park and the Solig/18th park Viking Pak. The motion passed by an unanimous voice vote.

Laurel Street Dog Park Update - Staff Report by Community Services Director Adam Castaneda

Sponsor: Community Services Department

Community Services Director Adam Castaneda said as of the date of this report, the project's final landscape design has been reviewed by the Community Services Commission and is ready for council review and approval. On August 23, 2023, the Community Services Commission held its monthly meeting and publicly discussed the proposed landscape rendering for the dog park. Engineer Peters and the Planning Commission moved to accept the submitted landscape design and present it to the council as their recommendation to move forward.

Engineer Dave Peters and Director Castaneda clarified design, potential upkeep, and the proper plants will be included in the design.

Informational- No Action Needed

Fiscal Year 2022-2023 Revenues Collection Update - Staff Report by City Manager Alexander Henderson

Sponsor: City Manager's Office

City Manager Alexander Henderson reviewed the update. As part of our regular reporting, staff is providing current and historical information related to the major general fund revenues received, including Bradley Burns Sales Tax, 1% District Tax – Measure E Public Safety, Property Tax Collection, Motor Vehicle Fees, Transient Occupancy Taxes (TOT), Licenses, Permits, and Fees.

The information presented includes updated revenues received as of September 1, 2023, for Fiscal Year 2022- 2023. Due to the way revenues are received, we often receive funds after the end of the fiscal year and may receive minor amounts through “true-up” processes. Staff will provide some background information and will be available to answer questions.

Informational- No Action Needed

Council Reports and Staff Communications

Community Services Commission - Discussed the dog park.

Public Safety Committee - Have not met.

Chamber of Commerce – Will meet next week.

Economic Development – Have not met.

Finance Committee - Met August 14, 2023, and August 28, 2023 to discuss the solar array and the sports park complex financing. A lengthy discussion, looking at financing 45-65 million, doesn't seem like a financially viable project at this time.

Planning Commission- Nothing to report.

South Kings Groundwater Sustainability Agency Joint Powers Authority (SKGSA)- Nothing to report.

Downtown Business Improvement District - Met yesterday, September 5, 2023, nothing to report.

Council of Governments- Meeting was cancelled.

Council Member Reports - None.

City Manager's Report – Next City Council meeting is canceled for league conference.

Future Agenda Items: None.

Adjourn Regular Kingsburg City Council Meeting. At 7:53 P. M. Mayor Palomar adjourned the meeting.

Submitted by:

Abigail Palsgaard, City Clerk