

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
OCTOBER 15, 2013**

Mayor Cardenas called the meeting to order at 7:00 p. m.

Councilmembers Present: Cardenas, Parra, Hammer, Monis, & Simonian

City Staff Present: City Manager Elias, City Clerk Davis, Finance Director Wong,
City Attorney Wolfe, Police Chief Brand, Planning Consultant
O'Neal, City Engineer Peters

The Flag Salute and Pledge of Allegiance were followed by an invocation given by Reverend Raul Moreno. Roll call was taken.

PUBLIC PRESENTATIONS

Fowler resident Murray McManus stated that he recently asked for extra police patrol in his neighborhood due to cars speeding through the streets, caused by a detour from a nearby street reconstruction project. It was suggested to place temporary speed bumps along the alternate street routes during future street projects.

PRESENTATION: P. G. & E.

Representatives Jeannette Ishii and Kuyler Crocker, gave a presentation on P. G. & E.'s commitment to renewable resources and their energy efficiency programs offered to residents and businesses. Another featured program is P. G. & E.'s economic development rate discount that will help attract and retain businesses in the region.

COMMUNICATIONS

City Manager Elias mentioned the upcoming annual Lions Club Band Review and an annual Sikh parade.

STAFF REPORTS:

**ADOPTION OF RESOLUTION NO. 2284 - ADMINISTRATIVE APPROVAL
APPLICATION FEE FOR SIDEWALK DISPLAYS**

Planning Consultant O'Neal said that staff has developed a new fee for administrative review to allow businesses to have sidewalk merchandise displays or outdoor dining in the Form Based Code area. The current application fee is \$700, which was determined by a planning fee study adopted in 2010. Since there is a less work-intensive process to review an application for these simpler types of uses, the \$700 fee is not warranted, and staff recommends adopting a fee of \$125 to cover the cost of review. Mr. O'Neal said that he will prepare a list of standard conditions for the uses, including appropriate indemnification requirements.

Mayor Pro-Tem Parra made a motion, seconded by Councilmember Monis, to adopt Resolution No. 2284, "A Resolution Before the City Council of the City of Fowler, County of Fresno, State of California, Approving the Planning Fee For Administrative Approval - Minor." The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis and Simonian. Noes: None. Absent: None.

DISCUSSION: FRESNO COG'S REGIONAL TRANSPORTATION PLAN (RTP) AND SUSTAINABLE COMMUNITIES STRATEGY (SCS) - PLANNING SCENARIOS

Planning Consultant O'Neal said that every four years Fresno COG is required to prepare an RTP, which identifies transportation needs and allocates future funding for related projects. The next RTP update is due in 2014. COG formed a committee to work on the update and on an SCS to achieve greenhouse gas (GHG) reduction, which is a requirement of an RTP. The Committee, made up of representatives from local agencies, environmental groups and others, assisted with developing four related growth and land use scenarios - A, B, C & D - designed to meet the GHG reductions under differing growth assumptions. Mr. O'Neal explained each scenario, noting that staff recommends support of Scenario B, as it incorporates the general plans and planning assumptions for land uses of the local cities and Fresno County. A final decision on the SCS scenarios will be made by the COG Policy Board.

The Council discussed the four proposed SCS scenarios, and the consensus was to support Scenario B.

APPROVE REDUCING BOND LIMITS FOR TRACT 5090

Mayor Pro-Tem Parra and Councilmember Hammer left the Council Chamber and did not participate in the discussion due to a conflict of interest from owning property near the subject property.

City Engineer Peters explained that Woodside Homes is nearing completion of the infrastructure for one of the two phases of the Tract 5090 subdivision. They've asked for a reduction of the bonding limits to reflect what has been completed to date. He prepared an estimate for completion of the remaining improvements which also includes a contingency amount. The recommended revised bonding limits are: Performance Bond - \$1,875,000; Labor & Materials Bond - \$937,500; and Monument Bond - \$7,500.

Councilmember Simonian made a motion, seconded by Councilmember Monis, to approve reducing the bond limits for Tract 5090 and authorize the City Engineer to release the current bonds upon receipt from the Developer of new bonds in the revised amounts. The motion carried by unanimous voice vote: Ayes: Cardenas, Monis, and Simonian. Noes: None. Absent: None. Recused: Parra and Hammer.

CITY MANAGER'S REPORT

- **Update on Fowler Chamber Use Agreement**

City Manager Elias reported that, as directed by Council at the prior meeting, the City issued a letter to the Fowler Chamber of Commerce on October 3, 2013, giving a thirty day notice to execute the office space Use Agreement or vacate their office in the old Fowler Hospital Building. He will keep the Council informed on the status.

PUBLIC WORKS DIRECTOR'S REPORT

No report was given.

FINANCE DIRECTOR'S REPORT

→ Financial Summary: Fiscal Year 2012-13 and First Quarter Fiscal Year 2013-14

Finance Director gave a financial report, beginning with a summary of Fiscal Year 2012-13. Revenues totaled 129 percent, and expenditures totaled 110 percent, of budget. Sales tax revenue received was \$855,000, about \$31,000 less than what was received the prior year. The fund balance in the Utility Users Tax fund at June 30, 2013 was \$1,058,914. The summary for the first quarter of Fiscal Year 2013-14 showed both revenues and expenditures at about 20.4 percent.

POLICE DEPARTMENT REPORT

Chief Brand gave a monthly statistical report and mentioned that a new police reserve officer, who is a retired Fresno County Sheriff's deputy, has been hired. The Police Department is working with a crime analyst who will look at local crime trends to provide suggestions to make police department operations more effective, in response to the State's corrections realignment program.

FIRE DEPARTMENT REPORT

No report was given.

CITY ATTORNEY'S REPORT

City Attorney Wolfe reported on bills recently signed by the Governor concerning conflicts of interest, and a bill that calls for forfeiture of all retirement benefits if an official is convicted of certain crimes related to public office.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - October 15, 2013; B) Approve Minutes of the Fowler City Council Meeting - October 1, 2013; C) Adoption of Resolution No. 2285, "A Resolution of the City Council of the City of Fowler Submitting Claims for Local Transportation Funds Continuing From the 2013-2014 Fiscal Year, Thereby Coinciding with the Fresno Council of Governments Policy Board Approval of

TDA Funds Apportionment and TDA Claims Process”; D) Approve P. G. & E. Products and Services Agreement - (LED street light project); and E) Accept City of Fowler 2013 Street Maintenance Project and authorize the City Engineer to file the Notice of Completion.

Councilmember Simonian made a motion, seconded by Councilmember Monis, to approve the Consent Calendar. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis and Simonian. Noes: None. Absent: None.

COMMITTEE REPORTS

Mayor Pro-Tem Parra reported on attending ceremonies at the Big Fresno Fair, and on a recent League of California Cities S. S. J. V. Division general membership meeting.

Councilmember Simonian commented on the success of the recent Fowler Fall Festival.

ADJOURNMENT

Having no further business, Mayor Pro-Tem Parra made a motion, seconded by Councilmember Monis, to adjourn. The motion carried, and the meeting adjourned at 8:51 p. m.