

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
NOVEMBER 19, 2013**

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

Councilmembers Present: Cardenas, Parra, Monis, & Simonian

Councilmembers Absent: Hammer

City Staff Present: City Manager Elias, City Clerk Davis, Finance Director Wong, Public Works Director Weisser, City Attorney Cross, Fire Chief Lopez, City Engineer Peters, Planning Consultant O'Neal

The Flag Salute and Pledge of Allegiance were followed by an invocation given by Pastor Martin Aguilar. Roll call was taken. There were no public presentations.

PRESENTATION OF THE AUDITS - FISCAL YEAR 2012-2013

Gus Corona, of Borchardt, Corona & Faeth, presented the Fiscal Year 2012-13 audits. He gave a brief explanation of the Public Financing Authority's debt service activity, with \$385,000 of bond principal being retired during the period. The audit showed that the City had a total of \$27 million in assets and \$4 million in liabilities for all funds at the end of the fiscal year. The fund balance in the General Fund was \$534,375 at June 30, 2013. The audit included recommendations for accounting operations.

PUBLIC HEARING TO CONSIDER REDUCING THE AREA SUBJECT TO THE FORM BASED CODE (FBC):

— **FIRST READING OF ORDINANCE NO. 2013-02**

Planning Consultant O' Neal said that the Council initiated an amendment to the Fowler Zoning Ordinance to remove the FBC from areas between Golden State Boulevard (GSB) and Highway 99. The FBC was adopted with the General Plan update a few years ago, and was intended to foster a vibrant town center, with mixed use upper story offices and residences. Mr. O'Neal said that because the FBC requires that buildings be placed near the street, it may not be appropriate for highway commercial and light industrial areas with uses such as car dealerships, motels, and shopping centers. Mr. O'Neal showed a map of the area to be removed from the FBC, which includes parcels along Merced, Tuolumne, West Fresno, and 10th Streets, between GSB and Highway 99. The areas removed will be rezoned to the C-2 (Community Commercial) or C-H (Highway Commercial) districts consistent with the Fowler General Plan. The Planning Commission held a public hearing on the matter, and recommended that the Zoning Ordinance amendment be approved by the Council.

Mayor Cardenas opened the duly noticed public hearing on the matter at 7:37 p. m. Property owners Luz Moreno, Martin Aguilar, and Russ Baxter spoke in support of the proposed change. With no further comments, the hearing was closed at 7:43 p. m.

Councilmember Simonian made a motion, seconded by Councilmember Monis, to waive the first reading and approve Ordinance No. 2013-02, "An Ordinance Before the City Council of the City of Fowler, County of Fresno, State of California, Approving Zoning Ordinance Text Amendment No. 13-02 (City of Fowler)." The motion carried on a 4-0-1 vote: Ayes: Cardenas, Parra, Monis, and Simonian. Noes: None. Absent: Hammer.

COMMUNICATIONS

City Manager Elias mentioned the upcoming Christmas Tree Lighting event on December 7, 2013 and Children's Shopping Day event the following Saturday. He asked that both regular meetings in December be canceled and to schedule a special meeting on December 10th instead. The consensus was to cancel the meetings and hold the special meeting.

STAFF REPORTS:

CITY MANAGER'S REPORT

- **Update on Negotiations with Consolidated Irrigation District (CID) Concerning Proposed Groundwater Impact Fees**

City Engineer Peters gave an update on a recent meeting with CID representatives to discuss their proposed agreement for imposing groundwater impact fees. City staff proposed that instead of the City paying into CID's required long-term payment fund to accumulate \$1 million for groundwater recharge projects, that the City would develop and build its own projects. The City would then control the funds collected from ratepayers to pay for projects that directly benefit Fowler. It was also discussed that CID's standard agreement does not give credit for any water recharge that the City would perform.

Mr. Peters stated that CID is not opposed to the City building its own recharge facilities, but they will not change their requirement that the City pay into their project fund. CID acknowledged that there are some adjustments that need to be made, and staff will continue to meet with them to negotiate a viable agreement.

PUBLIC WORKS DIRECTOR'S REPORT

Public Works Director Weisser said that staff is preparing to set up Christmas decorations around town, and relocating various water meters along Merced Street.

FINANCE DIRECTOR'S REPORT

No report was given.

POLICE DEPARTMENT REPORT

Chief Brand gave a statistical report for September and October 2013. There has been a sharp increase in auto theft incidents from the prior year.

FIRE DEPARTMENT REPORT

Chief Lopez gave an emergency call report for the month of October 2013, and a report of recent out-of-town responses.

CITY ATTORNEY'S REPORT

No report was given.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - November 19, 2013; B) Approve Minutes of the Fowler City Council Meeting - November 5, 2013; and C) Approve Memorandum of Understanding Between City of Fowler and Fowler Unified School District for Contribution Towards Recreational Facilities. Mayor Pro-Tem Parra made a motion, seconded by Councilmember Monis, to approve the Consent Calendar. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Monis and Simonian. Noes: None. Absent: Hammer.

COMMITTEE REPORTS

Mayor Cardenas reported on a Consolidated Mosquito Abatement District meeting where they discussed Yellow Fever Mosquito activity.

Mayor Pro-Tem Parra reported on a local event that was attended by the U.S. Secretary of Agriculture, and on a League S.S.J.V. Division Executive Board meeting.

Councilmember Monis reported on upcoming Christmas events at the Fowler Library.

ADJOURNMENT

Having no further business, Councilmember Simonian made a motion, seconded by Mayor Pro-Tem Parra, to adjourn. The motion carried, and the meeting adjourned at 8:40 p. m.