

**MINUTES OF THE FOWLER CITY COUNCIL MEETING  
MARCH 4, 2014**

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, Police Chief Brand, Public Works Director Weisser, City Attorney Wolfe, City Engineer Peters, Planning Consultant O'Neal

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

**COMMUNICATIONS**

City Manager Elias mentioned a newsletter received from Fresno COG. City Clerk Davis reminded the Council of the deadline to file their annual FPPC Form 700 Statement of Economic Interests.

**STAFF REPORTS:**

**ADOPTION OF ORDINANCE NO 2014-01 CONCERNING WATER CONSERVATION**

As discussed at the prior meeting, Ordinance No. 2014-01 provides further regulations for water conservation in the City, and calls for an odd/even residential address watering schedule on alternate days from March through November. During the months of December through February, watering is allowed only on Saturdays or Sundays on an odd/even address schedule.

Mayor Pro-Tem Parra made a motion to waive the second reading and approve Ordinance No. 2014-01, "An Ordinance Amending Article 11 of Chapter 4 of Title 6 of the Fowler Municipal Code Concerning Water Services." The motion was seconded by Councilmember Simonian and carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis, & Simonian. Noes: None. Absent: None.

**DISCUSSION: DOWNTOWN PARKING REQUIREMENTS**

Planning Consultant O'Neal spoke to the Council about updating downtown parking requirements to relieve the limited parking problem. Currently, most downtown businesses fronting Merced Street are not subject to parking requirements, and for businesses on surrounding streets the requirement is reduced by 50 percent from the normal 3 spaces per 1,000 square feet of building space. The City's zoning ordinance could be amended to require businesses to pay an in-lieu parking fee, which would fund

the purchase of land and related improvements for parking facilities. Another option would be, for those businesses that have available undeveloped property that can be used, to require that they develop parking when a change of occupancy occurs. A business could also share available parking with another business by having an agreement in place. Amendments to the parking requirements would require future hearings before the Planning Commission and Council.

The Council discussed alternatives, including installation of parking meters. The consensus was to further explore the options and discuss at future meetings.

## **PROVIDE STAFF DIRECTION - GOLDEN STATE CORRIDOR PROJECT**

As discussed at a recent special meeting, City Engineer Peters said that Fresno COG is asking for the Council's priorities regarding the Golden State Corridor Project for their upcoming request for engineering proposals. Staff recommends that the improvements be prioritized in the following order: pavement rehabilitation; drainage improvements; capacity and safety improvements; bike or pedestrian paths; streetscape improvements; landscaping; and enhancements such as gateway signage. The Council's consensus was to go along with staff's recommendations, and hold a future meeting with Quad Knopf Engineering representatives present to finalize priorities and discuss access control policies and other details.

## **ADOPTION OF RESOLUTION NO. 2293 - ADA TRANSITION PLAN**

City Engineer Peters stated that cities are required to have an ADA Transition Plan, which is a document that evaluates public facilities and right-of-way for deficiencies related to the Americans with Disabilities Act. Governmental or grant funding for projects is also contingent on having such plan in place. The Plan shows areas of the City that have already been improved with sidewalk ramps and other accessibility measures, along with areas that will be improved as funding becomes available.

Councilmember Simonian made a motion, seconded by Councilmember Hammer, to adopt Resolution No. 2293, "A Resolution of the City Council of the City of Fowler Approving the 2014 City of Fowler ADA Transition Plan." The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis, & Simonian. Noes: None. Absent: None.

## **CITY MANAGER'S REPORT**

### **— Update on Negotiations with Consolidated Irrigation District (CID) Regarding Groundwater Impact Fees**

City Manager Elias said that after staff met several times with CID representatives to work out an agreement for implementing groundwater impact fees, CID's Board of Directors ultimately did not approve the City's requests, with the exception of allowing the City to be the steward of collected funds. He reminded the Council that CID has brought lawsuits upon cities that do not have an agreement in place, on the basis of

CEQA impacts created by new development. Jason Peterson, contractor for the planned Three Crown Industrial Park in Fowler, stated that there are companies waiting to build within their project but they can't move forward until the CID issue is resolved. City Manager Elias noted that the City Attorney is working to amend some of the agreement's recitals, and it will be brought forward to the next agenda.

## **PUBLIC WORKS DIRECTOR'S REPORT**

### **Discussion: Proposed Grading and Site Improvement Ordinance**

City Engineer Peters explained that the City permits grading plans for private developments using policies contained within the California Building Code (CBC). Since the CBC is a generalized code, it lacks the specific requirements that will ensure that projects meet the expectations and standards that are placed on them at the approval phase. A Grading and Site Improvement Ordinance has been drafted that establishes policies and procedures to maintain standards of development within the City and an appropriate fee to reimburse the City for associated costs. After a discussion, the consensus was to bring the ordinance to a future meeting for consideration and approval.

### **Amendment to the City's Improvement Standards - Synthetic Turf for Landscaping**

The is City receiving requests to allow the use of synthetic turf instead of grass lawns for residential and commercial properties. City Engineer Peters drafted standards for the synthetic turf, noting that the technology has improved over the years and it now has an equal or better appearance than grass. Another advantage is that it requires little or no water consumption.

Mayor Pro-Tem Parra made a motion, seconded by Councilmember Hammer, to approve an amendment to the City's Improvement Standards to include provisions for the use of synthetic turf for residential and commercial landscaping. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis, & Simonian. Noes: None. Absent: None.

## **FINANCE DIRECTOR'S REPORT**

No report was given.

## **POLICE DEPARTMENT REPORT**

Chief Brand attended a Cal Chief's conference, where a main topic of discussion was Medical Marijuana and law enforcement issues.

## **FIRE DEPARTMENT REPORT**

No report was given.

## **CITY ATTORNEY'S REPORT**

City Attorney Wolfe said that many cities are now dealing with “bikini” coffee shop businesses, and due to the attire worn by the baristas, they may be subject to adult-oriented business requirements.

## **CONSENT CALENDAR**

The Consent Calendar consisted of: A) Ratification of Warrants - March 4, 2014; and B) Approve Minutes of the Fowler City Council Special Meeting and Regular Meeting - February 18, 2014. Councilmember Hammer made a motion, seconded by Mayor Pro-Tem Parra, to approve the Consent Calendar. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis, & Simonian. Noes: None. Absent: None.

## **COMMITTEE REPORTS**

Mayor Pro-Tem Parra reported on a League water task force meeting, where water storage and recycling were decided on as the priorities.

Councilmember Monis said that the Friends of the Fowler Library group met with representatives of the Fresno County Library to learn about their proposed WOW mobile library project.

## **ADJOURNMENT**

Having no further business, Mayor Pro-Tem Parra made a motion, seconded by Councilmember Hammer, to adjourn. The motion carried and the meeting adjourned at 9:10 p. m.