

**MINUTES OF THE FOWLER CITY COUNCIL MEETING  
MARCH 21, 2017**

Mayor Cardenas called the meeting to order at 7:00 p. m. Roll call was taken.

Councilmembers Present: Cardenas, Parra, Hammer, Kazarian, Rodriquez

City Staff Present: Interim City Manager/City Clerk Davis, Police Chief Brand, Public Works Director Weisser, City Attorney Wolfe, Fire Chief Lopez, Finance Director McDonald, City Engineer Peters

The Flag Salute and Pledge of Allegiance were followed by a moment of silence and reflection for the U.S. armed forces abroad, conducted by Councilmember Kazarian.

**PUBLIC PRESENTATIONS**

Fowler business owner Andy Gonzales asked about the status of some fast food restaurants that may be built in the City, and if there would be an acknowledgment of former Mayor Jim Simonian at the upcoming groundbreaking ceremony for the Valley Children's/Adventist Health project. Councilmember Kazarian stated that he spoke with a representative of Valley Children's and expressed the importance of recognizing Jim and Eileen Simonian for their active support of the project.

George Apostolopoulos of Ygrene, spoke of their loan program for homeowners or businesses to finance energy efficiency projects. The cost for the improvement would be placed on the annual property tax assessment on the property, similar to the PACE and HERO financing programs in place in the City.

**CONSIDER APPROVAL OF REQUEST FOR YOUTH SPORTS FUNDING FROM FOWLER/MALAGA YOUTH FOOTBALL**

Patric Jones, representing Fowler/Malaga Youth Football, requested Youth Sports Funding in the amount of \$4,000 that will be used for new jerseys made from recycled materials, and blocking bags. Interim City Manager Davis said that the City's funding policy provides for a maximum annual donation per sports group in the amount \$2,000. Fowler resident George Bacon commented on the group's insurance certificate.

Councilmember Hammer made a motion to approve Youth Sports Funding in the amount of \$2,000 for Fowler/Malaga Youth Football, seconded by Councilmember Rodriquez. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Kazarian, Rodriquez. Noes: None. Abstain/absent: None.

**COMMUNICATIONS**

Interim City Manager Davis mentioned the upcoming S.S.J.V. League division meeting on April 13, 2017, in Hanford; the Recreation Commission's Easter Egg Hunt on April 8, 2017 and Springfest on April 22, 2017; and a reminder of the groundbreaking ceremony for the Valley Children's/Adventist Health project on Friday, March 24, 2017 at 10:00 a.m.

**STAFF REPORTS**

**APPROVE PARTICIPATION IN FRESNO COUNTY'S URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR YEARS 2018-19, 2019-20 AND 2020-21**

Interim City Manager Davis stated that the City has participated in Fresno County's three-year cycle CDBG program for several years. The funding helps pay for projects such as ADA compliant curbs and sidewalks. The City must inform Fresno County on whether the City intends to participate in the program for fiscal years 2018-19, 2019-20 and 2020-21, which requires Council approval.

Mayor Pro-Tem Parra made a motion to approve participation in the Fresno County's Urban CDBG Program for years 2018-2019, 2019-2020, 2020-2021 and authorize the Interim City Manager or Mayor to sign the Joint Powers Agreement. The motion was seconded by Councilmember Kazarian, and carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Kazarian, Rodriguez. Noes: None. Abstain/absent: None.

**UPDATE: FORMATION OF GROUNDWATER SUSTAINABILITY AGENCY (GSA); DIRECTION REGARDING PROPOSED MEMORANDUM OF UNDERSTANDING WITH CONSOLIDATED IRRIGATION DISTRICT (CID) WITH RESPECT TO IMPLEMENTATION OF THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT (SGMA)**

City Attorney Wolfe and City Engineer Peters reported on developments concerning the State's requirement for the formation of a GSA by June 30, 2017. City Attorney Wolfe said that negotiations with CID on their proposed MOU to form the GSA have resulted in some modifications that are acceptable to the five cities involved - Fowler, Selma, Kingsburg, Sanger and Parlier. He gave an overview of the provisions of the MOU. One sticking point is the fact that there are no voting rights granted to the cities by CID. The only participation offered is for a technical advisory committee for the Groundwater Sustainability Plan (GSP). Money from the groundwater funds from each of the cities will be used to fund the GSP, so no new money will need to come from the cities. He noted that an important revision was made to the MOU concerning limitations on groundwater pumping. Limitations will be allowed only if the GSP calls for it, or the State requires it, and such limitations will also be applied to agricultural growers by the same proportion. Mr. Wolfe said that each of the cities has an existing cooperative agreement with CID that will be tied to the MOU.

If the five cities cannot reach an agreement with CID, one option is to form a separate JPA and elect to become a GSA within their boundaries. Another option is for the City to form its own GSA. City Engineer Peters said that Fresno Irrigation District's (FID) general manager has indicated that they are willing to work with the City in an effort to join with the district, since Fowler is approximately 1/2 mile away from FID infrastructure. Mr. Peters said he will speak with representatives of FID to get more information on this option.

Councilmember Kazarian gave information on research he conducted concerning SGMA related to GSA's, stating that he is opposed to the MOU for reasons that included: having no representation by means of voting rights is in opposition to the language of SGMA; examples of several GSA's that have a shared governance structure; representation being linked to financial contributions - if an agency contributes funding, it should have a right to vote. The five cities are paying 90 percent of costs with no voting power.

Fowler resident Melissa Squeo commented that the City should have a vote in the matter. The Council directed City Engineer Peters to report back to them on developments at the next meeting.

## **CITY MANAGER'S REPORT**

Interim City Manager Davis reported that City staff met with COG staff regarding the draft Golden State Corridor Plan, and a public meeting on the plan will be set in the near future. Also, she met with an individual for a possible interim Police Chief appointment while the recruitment for a permanent chief concludes.

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

### **— Consider and Approve Budget Adjustment for Emergency Repairs for Wellsite 8A**

Public Works Director Weisser stated that there are some urgent repairs that need to be made on Wellsite 8A. He has been working on the problem with Valley Pump, who discovered plugged perforations in the well casing that they attempted to hydro-wash without success. A new treatment for the well casings, Rediclean, is recommended, along with other repairs, totaling \$60,514.58. Since there is not enough funding in the current Water Department budget, he requested that a budget adjustment be made to allow use of AB1600 Water Development Funds, and to authorize the repairs to proceed by way of a change order with the current vendor without formal bidding. Normally, absent an emergency, the cost of the repairs would require the bid process. However, this would likely cause delays that could result in health and safety consequences due to the imminent spring weather water demands.

Councilmember Rodriquez made a motion to approve the budget adjustment and authorize work by way of a change order for emergency repairs to Well No. 8A. The motion was seconded by Mayor Pro-Tem Parra and carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Kazarian, Rodriquez. Noes: None. Abstain/absent: None.

### **— Adoption of Resolution No. 2364 - Designating the Sixth Street/Vine Street Intersection as a Four-way Stop**

City Engineer Peters explained that staff performed traffic counts and analyzed accident records for the Sixth and Vine Street intersection, which is currently a two-way stop. It

was determined that there is a need to make the Sixth and Vine Street intersection a four-way stop for safety reasons.

Councilmember Hammer made a motion to adopt Resolution No. 2364, "A Resolution of the City Council of the City of Fowler Designating the Sixth Street/Vine Street Intersection as a Four-way Stop." The motion was seconded by Councilmember Rodriquez, and carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Kazarian, Rodriquez. Noes: None. Abstain/absent: None.

#### **FINANCE DIRECTOR'S REPORT**

No report was given.

#### **POLICE DEPARTMENT REPORT**

No report was given.

#### **FIRE DEPARTMENT REPORT**

No report was given.

#### **CITY ATTORNEY'S REPORT**

No report was given.

#### **CONSENT CALENDAR**

The Consent Calendar consisted of: A) Ratification of Warrants - March 21, 2017; B) Approve Minutes of the City Council Meeting - March 7, 2017; and C) Adoption of Resolution No. 2365, "A Resolution the City Council of the City of Fowler Authorizing the Designation of the AB 939 MOU Committee to Serve in the Capacity and Perform the Functions of the LTF, in Order to Facilitate the Development of AB 939-related Plans and Programs That Are Best Accomplished and Coordinated on a Regional Basis." Mayor Pro-Tem Parra made a motion, seconded by Councilmember Hammer, to approve the Consent Calendar. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Kazarian, Rodriquez. Noes: None. Abstain/absent: None.

#### **COMMITTEE REPORTS**

Councilmember Kazarian attended a Chamber of Commerce mixer for the cities of Selma, Kingsburg, and Fowler, held at S.K.F. Sanitation District. He spoke with chamber representatives and received offers of support on plans to reactivate a Chamber in Fowler.

Councilmember Rodriquez said that he received complaints that there are people driving on the grass at Donny Wright Park, and some individuals are spending the night there. He also received a request for the City to install no parking signs along Fowler Avenue due to commercial trucks being parked there.

## **CLOSED SESSION**

The meeting adjourned to a closed session at 8:31 p. m. pursuant to Government Code Section 54956.9. Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Section 54956.9 - 1 case. The meeting reconvened to open session at 8:48 p. m. with no reportable action taken.

## **ADJOURNMENT**

Having no further business, Councilmember Hammer made a motion, seconded by Councilmember Rodriquez, to adjourn. The motion carried and the meeting adjourned at 8:49 p. m.