

**MINUTES OF THE FOWLER CITY COUNCIL  
AND FOWLER PUBLIC FINANCE AUTHORITY  
JOINT MEETING  
MAY 16, 2017**

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

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

City Staff Present: Interim City Manager/Executive Director Davis, Interim Police Chief Bessinger, Finance Director/Treasurer McDonald, City Attorney Wolfe, Fire Chief Lopez, City Engineer Peters, City Planner Marple

The Flag Salute and Pledge of Allegiance were led by Interim Police Chief Bessinger, followed by an invocation given by Minister Bryan Mays.

**PUBLIC PRESENTATIONS**

George Bacon, Fowler resident, commented on S.K.F.'s proposed rate increase, noting that laws regarding rate increases state that the rates must be based on the current cost of the service. He asked that the S.K.F. Board carefully consider that when a decision is made on a rate increase.

Andy Gonzales, Fowler business owner, asked about the design plans for the new fire station and if there would be an opportunity for the public to give their input. It was conveyed that design plans will eventually be brought forward to the Council at a future public meeting.

**APPROVE REQUEST FOR YOUTH SPORTS FUNDING: REDCAT FOOTBALL BOOSTERS**

Mike Butts, representing the Redcat Football Boosters, and Football Coach Raul Diaz, requested youth sports funding for their group to attend a leadership camp. They will be sending 45 youth participants to attend the camp, which will teach them to become leaders and better citizens. They have also received private donations to help pay for attending the camp.

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

## **PRESENTATION OF THE 2015-2016 FISCAL YEAR AUDITS; BORCHARDT, CORONA & FAETH**

Auditor Gus Corona presented the audits for the City and Fowler Public Financing Authority (PFA). The PFA audit, which reflects the City's debt service, had a fund balance of \$468,665 at the end of the period. Long-term debt decreased by \$275,000.

The City of Fowler audit showed a balance of 1.7 million in the General Fund as of June 30, 2016. The large increase from the prior year was due to the City approving the forgiveness of debt between funds that had been on the books for several years. The actual General Fund operations for the fiscal year showed an excess of revenues over expenditures totaling \$85,910. The Water Fund had a net loss of \$175,000. There was a reduction of income from the prior year in charges for services, likely due to water conservation efforts. Mr. Corona also noted some findings and recommendations for better accounting procedures, including adherence to a purchase order system.

### **PUBLIC HEARING:**

#### **FIRST READING OF ORDINANCE NO. 2017-01: AMENDING THE FOWLER MUNICIPAL CODE PERTAINING TO RESIDENTIAL ACCESSORY DWELLING UNITS**

City Planner Marple explained that the California legislature introduced new laws to address affordable housing issues, related to accessory dwelling units (ADU's). ADU's are secondary housing units located on a single family or multi-family residential lot. The law also calls for the creation of Junior Accessory Dwelling Units (JADU's) in single family residential zones, which are 500 square feet or less in size and are entirely contained within an existing single family home. Ms. Marple said that Ordinance No. 2017-01 would update the Fowler Municipal Code to comply with the new laws. The changes include increasing the maximum size of an ADU from 1,000 to 1,200 square feet, and a reduction in parking standards for new ADU's under certain qualifications. The Planning Commission conducted a recent public hearing on the matter, and recommended that the City Council approve Ordinance No. 2017-01.

The Mayor opened the duly noticed public hearing on the ordinance at 8:20 p.m.

Fowler resident Melissa Squeo asked about impacts to the proposed R. J. Hill subdivision project. City Planner Marple explained that the provisions allow for a second unit on any residence in a single family zone district subject to lot size requirements. The code also requires that the property owner live in one of the units.

With no other comments, the public hearing was closed at 8:24 p.m.

Councilmember Hammer made a motion to waive the first reading and approve Ordinance No. 2017-01, "An Ordinance of the City Council of the City of Fowler Amending, Title 9, Chapter 5, Article 21, Sections 203 and 211 Through 215 of the Fowler Municipal Code Pertaining to Residential Accessory Dwelling Units in Single-Family and Multi-family Zones," seconded by Councilmember Rodriguez. The motion carried by a unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Kazarian, Rodriguez, Noes: None. Abstain/absent: None.

## **COMMUNICATIONS**

Interim City Manager/City Clerk Davis announced that the Fruit Trail Opening Ceremony is scheduled for Tuesday, May 23, 2017, at Simonian Farms on Clovis and Jensen Avenues. The League of California Cities CitiPAC Golf Tournament will be held Friday, June 2, 2017 at Ridge Creek Golf Course in Dinuba. The next League SSJVD general membership meeting will be held on Thursday, June 15, 2017, in Visalia.

## **STAFF REPORTS**

### **CITY MANAGER'S REPORT**

Interim City Manager/City Clerk Davis said that the City received a letter from Waste Management about a CPI rate increase, which will take effect on July 1, 2017. The increase is from \$27.24 per month to \$27.83 per month for standard service.

The City will not be able to offer the summer swim program this year because of the timing of the refurbishing of the high school swimming pool. Staff will be posting information on Malaga's swim lessons and swim program.

### **CITY ENGINEER'S REPORT**

#### **◆ Adoption of Resolution No. 2367 - Joint Powers Agreement (JPA) with the Cities of Selma, Kingsburg, Sanger and Parlier to Form a Groundwater Sustainability Agency (GSA)**

City Engineer Peters summarized recent meetings and discussions between the five cities regarding joining a JPA and forming their own GSA, as they had not been successful in negotiations with Consolidated Irrigation District (CID) to join its GSA. After the Councils from each city approve a JPA agreement, selected board members will meet to approve formation of a GSA. The initial cost to Fowler is approximately \$70,000 for filing for the GSA and developing a Groundwater Sustainability Plan (GSP). He noted that the Selma City Council approved this action at their meeting the previous evening, and it will be voted on by Parlier, Kingsburg and Sanger later this week. The first JPA meeting will be hosted by Fowler on May 25, 2017. Mayor Pro-Tem Parra nominated Karnig Kazarian, with Leonard Hammer as the alternate, to serve on the

board of directors representing the City of Fowler.

Phil Desatoff, General Manager of CID, commented that CID recognizes the cities right to form their own GSA, but wanted them to have a clear understanding of the implications. He stated that the Cooperative Agreements with the cities would go away, and asked how they would provide sustainable water resources at that point. Mayor Pro-Tem Parra stated that the main concern for the cities was that they would not be given a vote, and that the City Engineer will be actively working on a groundwater sustainability plan for the cities. Councilmember Kazarian clarified that the Cooperative Agreement would not go away for ten years, and then would be subject to renegotiation.

Councilmember Kazarian made a motion to adopt Resolution No. 2367, "A Resolution of the City Council of the City of Fowler Approving a Joint Powers Agreement with the Cities of Selma, Kingsburg, Sanger, and Parlier for the Purposes of Forming a Groundwater Sustainability Agency Within the Cities Spheres of Influence," with Councilmember Kazarian as the designated board member and Councilmember Hammer to serve as the alternate on the JPA Board of Directors. The motion was seconded by Councilmember Hammer and carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Kazarian, Rodriquez. Noes: None. Abstain/absent: None.

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

Public Works Supervisor Lopez reported that the ADA sidewalk improvement project will be starting soon. The department is working on weed abatement on Golden State Boulevard, and removing hazardous dead trees along various sidewalks. It was asked if the City could look into bringing back the concrete replacement program, where sidewalks that are buckled by trees are repaired in a partnership between property owners and City staff.

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

Finance Director McDonald presented the HDL quarterly sales tax report and a financial summary from July 2016 through March 2017. General fund revenues are at 75.2 percent and expenses are at 74.1 percent of budget.

#### **POLICE DEPARTMENT REPORT**

Interim Police Chief Bessinger distributed a crime statistics report for April 2017. A firearms audit was done. They are working on a plan to address code enforcement issues.

#### **FIRE DEPARTMENT REPORT**

Chief Lopez reported on emergency calls, training sessions and events attended for April

2017.

## **CITY ATTORNEY'S REPORT**

City Attorney Wolfe reported on recent court cases affecting cities. In one case, the City of Los Angeles was found potentially liable for failure to provide reasonable accommodations for police recruits at the academy, even though the recruits could not perform their duties and would ultimately not become police officers.

## **CONSENT CALENDAR**

The Consent Calendar consisted of: A) Ratification of Warrants - May 16, 2017; B) Approve Minutes of the City Council Meeting - May 2, 2017, and Special Meeting - May 9, 2017. Mayor Pro-Tem Parra asked that the Minutes of the May 2, 2017 meeting of item B be separated as he was not in attendance. Councilmember Kazarian made a motion to approve the May 2, 2017 Minutes of Item B, seconded by Councilmember Rodriquez. The motion carried by unanimous voice vote: Ayes: Cardenas, Hammer, Kazarian, Rodriquez. Noes: None. Abstain: Parra. Absent: None.

Councilmember Hammer made a motion to approve the (remaining) Consent Calendar items, seconded by Councilmember Kazarian. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Kazarian, Rodriquez, Noes: None. Abstain/absent: None.

## **COMMITTEE REPORTS**

Mayor Cardenas reported on a Consolidated Mosquito Abatement meeting he attended.

Mayor Pro-Tem Parra reported on taking a Valley Children's Hospital 101 Tour.

Councilmember Hammer reported on the Recreation Commission meeting he attended where they discussed Fowler's Fabulous 4<sup>th</sup> of July event. The dates for the Fowler's Farmers Market will be July 16 through October 25, 2017.

Councilmember Kazarian commented that the Annual Mayor's Prayer Breakfast he attended was a great event.

## **CLOSED SESSION**

The meeting adjourned to a closed session at 9:06 p.m. to discuss, pursuant to Government Code Section 54957: Public Employee Appointment/Employment - Title: Chief of Police. The meeting reconvened to open session at 9:53 p.m. with no reportable action taken.

## **ADJOURNMENT**

Having no further business, Councilmember Kazarian made a motion, seconded by Councilmember Hammer, to adjourn. The motion carried and the meeting adjourned at 9:54 p. m.