

**MINUTES OF THE FOWLER CITY COUNCIL MEETING  
APRIL 17, 2018**

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: City Manager/City Clerk Davis, Public Works Supervisor/Fire Chief Lopez, Finance Director Uyeda, City Attorney Wolfe, Police Chief Alcaraz, City Engineer Peters, Deputy City Clerk Burrola

The Flag Salute and Pledge of Allegiance were followed by the Invocation delivered by Pastor Brian Mays of Fowler.

**PUBLIC PRESENTATIONS**

David Keyes, Clovis resident, introduced himself to City Council; he is a candidate running for Fresno County Auditor Controller.

**SPECIAL RECOGNITION OF POLICE OFFICERS**

Chief Alcaraz recognized Fowler Police Officers, Michael Allison, Fong Yang and Conner Branderhorst for their outstanding service in the line of duty.

**CONSIDER REQUEST TO APPROVE YOUTH SPORTS FUNDING FOR REDCAT FOOTBALL BOOSTERS**

City Manager Davis received a request for Youth Sports funding from the Redcat Football Boosters to send their team to a Leadership camp. Mike Butts, President/Chairman of the Redcat Football Boosters gave details regarding the request for funding to send the team to a Leadership Camp at Hume Lake; last year was a huge success. The goal is to teach these young men to become leaders of the community. Audience member Rick Carsey asked what the total cost was for the camp, and offered to match the City's contribution of \$2,000 to assist the group.

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

**COMMUNICATIONS**

City Manager Davis reminded the Council that Spring Fest is April 28, 2018, also a meeting is scheduled for Thursday, April 18, 2018 at 8:30 a.m. in the Council Chambers with the 8<sup>th</sup> street business owners regarding the Golden State realignment; this will be

followed by a public meeting, April 24, 2018 at 5:30 p.m. The date of the Mayor's Prayer Breakfast has changed from May 4, 2018 to May 11, 2018.

## **STAFF REPORTS**

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

#### **◆ Provide Direction to Staff Regarding the Undergrounding of Utilities: Manning Avenue – Golden State Boulevard**

City Manager Davis stated that a letter was received from Maxco Box Company representative Dirk Poeschel, regarding their proposed new facility to be located near Manning Avenue and Golden State Boulevard (GSB). The letter requests modifications of their Conditions of Approval for development, namely, that Condition No. 61, related to the undergrounding of utilities, be removed, or possibly replaced with a condition that the Developer participate in an Underground Utility District (UUD). The reasons behind requesting the modification include that the undergrounding will not provide a significant aesthetic benefit to the area and the costs are a burden to development of the project.

City Engineer Peters explained the City's policy that undergrounding of utilities is required on development projects, with some very limited exceptions, as it improves safety and aesthetics. On August 29, 2017 the City approved Maxco's project, and one of the conditions was to underground the overhead utilities along the frontage. He showed an aerial overview of the utility lines on the Manning Avenue Corridor between Highway 99 and De Wolfe Avenue. He noted that the proposed Buford travel center project on Manning Avenue near Highway 99 would also be required to place their utilities underground.

Some of the options to consider would include maintaining the City's policies without change; to form a UUD for utilities within the Manning Avenue Corridor; or to eliminate the requirement to underground utilities altogether. If a UUD is formed, all property owners within it, including Maxco, would be required to pay their fair share of the undergrounding costs. The timing for the undergrounding improvements would be dependent on acquiring the necessary funds through P.G. & E.'s Rule 20A program. If the requirement is eliminated entirely, staff would need to study the project approval documents to determine how the project might be impacted. He asked for Council direction on the matter.

A discussion ensued. It was stated that the area East of GSB is more of a rural area in which there is little benefit for the undergrounding process, and that it might be a future condition that when more development occurs, Maxco would participate in a UUD. It was stated that the Buford project West of GSB would be more of a pedestrian area in which a UUD would be beneficial. The consensus was to require undergrounding of utilities on the West side of GSB between GSB and Highway 99, and allow the overhead utilities on the East side of GSB. Staff will review whether that determination has an

impact on the project entitlement document, and bring the information and any related processes forward.

◆ **Adoption of Resolution No. 2397, Projects to be funded by SB 1: The Road Repair Accountability Act.**

City Engineer Peter's explained to the council that each year the City is expected to update and provide a list of proposed projects to receive funding from the Road Maintenance and Rehabilitation Account (RMRA). Previous funding was allocated towards Adams Avenue, this fiscal year staff recommends the SB 1 funds be utilized for slurry seal on Main Street from 10<sup>th</sup> to 8<sup>th</sup> Street and 9<sup>th</sup> Street from Merced to Fresno Street.

Councilmember Kazarian made a motion, seconded by Councilmember Hammer to approve Resolution No. 2397, "A Resolution of the City Council of the City of Fowler for Inclusion in the 2018-19 Budget to Incorporate a List of Projects Funded by SB 1: The Road Repair Accountability Act." The motion carried by a unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Kazarian, Rodriquez. Noes: None. Abstain/Absent: None.

**CITY MANAGER'S REPORT**

City Manager Davis mentioned last week she and Finance Director Uyeda met with Sally Tripp regarding USDA's approval to send the fire station project out to bid and is waiting to hear back from her. Former Planner, Bruce O'Neal contacted City Manager Davis providing information to partner with Tree Fresno for a grant for landscaping and beautification along Highway 99. The application was successfully submitted to Fresno COG.

**PUBLIC WORKS REPORT**

Public Works Supervisor Lopez circulated a color map of all the well-site locations and the monthly water report for March. The annual water report has been submitted to the County Water Board.

Staff is continuing to do pothole patching; there have been some delays due to mechanical equipment problems.

**FINANCE DIRECTOR'S REPORT**

Finance Director Uyeda prepared a 9 month budget summary, there are some concerns regarding the shortfall on sales tax. Small cities within Fresno County have also taken an incline in the fourth quarter sales tax from last year. Expenditures are doing fine; he is continuing further research on the budget.

## **POLICE DEPARTMENT REPORT**

Police Chief Alcaraz circulated Part 1 Crime Stats for the month of March. A new Ford Explorer was recently purchased and will be sent to Cook's Communication for equipment installation. Fowler Unified School District Superintendent received a hoax threat email along with 25 other school districts. As a result, this prompted police departments, chiefs and school officials to meet regarding school violence and ensuring the safety of the children.

## **FIRE DEPARTMENT REPORT**

Fire Chief Lopez circulated a report of emergency calls, training and stand-by events for the month of March 2018.

## **CITY ATTORNEY'S REPORT**

No report was given.

## **CONSENT CALENDAR**

The consent calendar consisted of: A) Ratification of Warrants – April 17, 2018; B) Approve Minutes of the City Council Meeting – April 3, 2018; C) Adoption of Resolution No. 2398, "A Resolution of the City Council of the City of Fowler in the Matter of Federal Transportation Project Selecting and Implementing Timely Use of Funding". Councilmember Kazarian made a motion to approve the Consent Calendar; seconded by Mayor Pro-Tem Parra. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Kazarian, Rodriguez. Noes: None. Abstain/Absent: None.

## **COMMITTEE REPORTS**

Mayor Cardenas announced that he, Mayor Pro-Tem Parra and Councilmember Hammer recognized and presented a Proclamation to Mr. Johnny Grigsby who turned 103 years old on April 9, 2018. Mayor Cardenas attended a meeting at SKF and a board meeting for the Mosquito Abatement District. The new Headquarters' for the Mosquito Abatement District building in Parlier has been completed.

Mayor Pro-Tem Parra attended a Sikh Parade in Selma. He mentioned SB 827, a Bill which eliminates most zoning restrictions within a half mile of rail and major bus stops; this would take away the City's local Ordinance which he is against.

Councilmember Hammer reminded everyone of Spring Fest April 28, 2018.

Councilmember Kazarian attended a Multi GSA meeting. He also met with a solar company regarding possible cost savings for the City. He also attended the Fowler-Malaga Ag Boosters dinner at Simonian Fruit Company, it was a good turnout.

Councilmember Rodriquez attended the Tower District Car Show which is an event that occurs every year.

### **CLOSED SESSION**

The meeting was adjourned to closed session at 8:33 p.m. to discuss Government Code Section 54956.9 – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9 (Deciding Whether to Initiate Litigation) 1 case.

The meeting convened to open session at 9:24 p.m. with no reportable action taken.

### **ADJOURNMENT**

There being no further business, Mayor Pro-Tem Parra made a motion, seconded by Councilmember Kazarian to adjourn. The motion carried and the meeting adjourned at 9:24 p.m.