

**MINUTES OF THE FOWLER CITY COUNCIL
SPECIAL MEETING
DECEMBER 11, 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, City Planner Marple, Deputy City Clerk Burrola

The Flag Salute and Pledge of Allegiance were followed by a moment of silence.

PUBLIC PRESENTATIONS

Patric Jones, Fowler resident, expressed his concerns regarding the parking at St. Lucy's Church on Sundays. The current parking design causes vehicles to impede into traffic possibly causing a traffic collision.

Andy Gonzales, local business owner, spoke about the possibilities of restoring and repainting the water tower.

ADOPTION OF RESOLUTION NO. 2413: NOVEMBER 6, 2018 GENEAL ELECTION RESULTS

City Manager/City Clerk Davis summarized the results of the November 6, 2018 General Election, noting that there were three candidates for two City Council seats on the ballot. Out of 3,137 registered voters, 1909 ballots were cast, resulting in a 60.91% voter turnout. There was a total vote count of 2,858 in three designated voting precincts for the two seats. David Cardenas and Mark Rodriquez were the two candidates who received the highest votes, and were elected to the Council for the full term of four years. Also the 1% District Sales Tax Measure N was on the ballot and passed. The yes votes final total was 1,028, No votes totaled 825.

Total votes cast in the City of Fowler for two City Council seats:

	<u>David Cardenas</u>	<u>Mark Rodriquez</u>	<u>Patric Jones</u>
Precinct 217	232	162	83
Precinct 218	512	335	216
Precinct 219	588	468	228
TOTAL	<u>1332</u>	<u>965</u>	<u>527</u>

Total votes cast in the City of Fowler – Measure N:

	<u>Yes</u>	<u>No</u>
Precinct 217	182	149
Precinct 218	388	320
Precinct 219	458	356
TOTAL	<u>1028</u>	<u>825</u>

City Manager/City Clerk Davis asked the Council to approve Resolution No. 2413, officially declaring the November 6, 2018 General Municipal Election results, Councilmember Parra made a motion, seconded by Councilmember Hammer to adopt Resolution No. 2413, “A Resolution of the City Council of the City of Fowler Declaring Result of Municipal Election Held on November 6, 2018.” The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Kazarian, Rodriquez. Noes: None. Absent/Abstain: None.

INSTALLATION OF NEWLY ELECTED COUNCILMEMBERS

City Manager/City Clerk Davis administered the Oath of Office to David Cardenas and Mark Rodriquez. Ms. Davis presented a Certificate of Election to each.

REORGANIZATION OF CITY COUNCIL: ELECTION OF MAYOR AND MAYOR PRO-TEM

City Manager/City Clerk Davis took the Mayor’s seat at the dais and began the reorganization of the City Council by calling for nominations for the Office of Mayor. Councilmember Hammer made a motion, seconded by Councilmember Parra, to nominate David Cardenas for the Office of Mayor. The motion carried by unanimous voice vote: Ayes: Hammer, Parra, Kazarian, Rodriquez, Cardenas. Noes: None. Absent/Abstain: None.

Mayor Cardenas called for nominations for the Office of Mayor Pro-Tem. Mayor Cardenas made a motion to nominate Dan Parra for the Office of Mayor Pro-Tem, seconded by Councilmember Parra. The motion failed by the following roll call vote: Ayes: Cardenas, Parra. Noes: Hammer, Kazarian, Rodriquez. Mayor Cardenas called for another nomination for the Office of Mayor Pro-Tem. Councilmember Rodriquez made a motion to nominate Leonard Hammer for Office of Mayor Pro-Tem, seconded by Councilmember Kazarian. The motion carried by the following roll call vote: Ayes: Hammer, Kazarian, Rodriquez. Noes: Cardenas, Parra. Absent/Abstain: None.

Mayor Cardenas called a recess for a brief reception in honor of the newly elected Councilmembers.

COMMUNICATIONS

City Manager Davis mentioned an invitation to the Fowler Unified School District Holiday Luncheon, December 12th at 11:30 a.m. in the Fowler High School Cafeteria.

STAFF REPORTS

CITY ENGINEER'S REPORT

- ◆ **Adoption of Resolution No. 2414, "A Resolution of the City Council of the City of Fowler Approving Final Tract Map No. 5834 and Accepting Street Dedication and Easements"**

City Manager Davis stated that this is related to Tract Map No. 5834; originally the tentative tract map was submitted by R.J. Hill and approved in 2008, now it is owned by K. Hovanian CA Land Holdings, LLC. City Engineer Peters provided a powerpoint presentation and gave background information on Tract 5834 final map. The applicant, K. Hovanian is proposing to develop a 58 lot subdivision in the northeast corner of Sunnyside and South Avenue. The tract proposes 132 homes that will be constructed in two separate phases. Tonight's consideration is for phase one for 58 lots. A few major conditions of approval for the project require the developer to improve South Avenue, construct the west side of Sunnyside Avenue and to eliminate an existing storm drain basin and re-pipe the drainage currently disposed at the basin. The applicant has complied with the conditions of the approved tentative map. The applicant has paid development fees as described in accordance with the City fee resolutions and had submitted the public improvement plans and the final map to the City, both of which have been reviewed and approved by the City Engineer. The Council is required by law to accept the final map unless they can site deficiencies in the final documents. Following acceptance of the map by the City, the City Engineer shall deliver the final map to the Fresno County Recorder's office.

The Mayor opened the discussion for public comments on the matter.

Veronica Salmeron-Sosa, Fowler resident, expressed her concerns on the reconstruction of Sunnyside Avenue. She said Sunnyside is not a very wide street, large vehicles traveling on this road will possibly cause a traffic accident impeding into the oncoming lane.

Councilmember Kazarian made a motion to adopt Resolution No. 2414, "A Resolution of the City Council of the City of Fowler Approving Final Tract Map No. 5834 and Accepting Street Dedication and Easements", seconded by Councilmember Parra. The motion carried by unanimous voice vote: Ayes: Cardenas, Hammer, Kazarian, Parra, Rodriquez. Noes: None. Absent/Abstain: None.

CITY MANAGER'S REPORT

City Manager Davis said Taco Bell is planning their grand opening on Friday, December 21, 2018.

The City will be signing the loan documents for the new fire station, December 18th and the City Engineer will be sending the notice to proceed to the contractor. A ground breaking ceremony will be scheduled near the end of January.

The Adams Avenue reconstruction project has begun. Public works has done some road repairs throughout the City.

A joint meeting with the Planning Commission, related to the General Plan Update, will be scheduled for the second meeting in January.

PUBLIC WORKS REPORT

Public Works Supervisor Lopez said sidewalk repairs were done in certain areas of the City. Five replacement trees were planted at Panzak Park and eighteen additional trees were planted at Donny Wright Park. Supervisor Lopez is looking into getting the neon sign located at Golden State and Merced repaired.

A new employee has been hired for part time maintenance and will start January 1, 2019.

Councilmember Kazarian mentioned an AOWP program that the City may want to look into. The Adult Offender Work Program places defendants who are sentenced to 90 days in jail or less on work assignments with participating community and governmental agencies in lieu of jail confinement.

FINANCE DIRECTOR'S REPORT

Finance Director Uyeda provided background information on the budget adjustment for water well maintenance. There are two water wells that require updated maintenance on mechanical, electronic and data collections due to wear and tear. The City collects "Water Well Maintenance Fees" via the building permit system. In 2017 the City received \$87,000 and in 2018, \$418,000. These funds are not accounted for properly and should be set up as restricted so they can be applied to water well maintenance. Mr. Uyeda recommends using these funds to update the two water wells that require maintenance.

Councilmember Rodriquez made a motion to approve a budget adjustment in the amount of \$75,915 for water well maintenance, seconded by Councilmember Kazarian. The motion carried by unanimous vote: Ayes: Cardenas, Hammer, Kazarian, Parra, Rodriquez. Noes: None. Absent/Abstain: None.

POLICE DEPARTMENT REPORT

Police Chief Alcaraz circulated Part 1 Crime Stats for the month of November.

FIRE DEPARTMENT REPORT

Fire Chief Lopez reported that Justin Bishop was hired as a volunteer fire fighter.

CITY ATTORNEY'S REPORT

No report was given.

CONSENT CALENDAR

The consent calendar consisted of: A) Ratification of Warrants – December 11, 2018; B) Approve Minutes of the City Council Meeting – November 6, 2018; C) Adoption of Resolution No. 2415, “A Resolution Before the City Council of the City of Fowler State of California in the Matter of the Southeast Regional Solid Waste Joint Powers Agreement”; D) Adoption of Resolution No. 2416, “A Resolution of the City Council of the City of Fowler County of Fresno State of California Adopting Rules of Conduct for City Employees”; E) Adoption of Resolution No. 2417, “A Resolution of the City Council of the City of Fowler Approving a Whistleblower Policy”

Councilmember Kazarian commented on Item B regarding minor corrections to the minutes for November 6, 2018. The minutes should reflect a yes vote for Councilmember Kazarian on the second reading of uncodified ordinance No. 2018-03.

Councilmember Rodriquez made a motion to approve the Consent Calendar; seconded by Mayor Pro-Tem Hammer. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Kazarian, Rodriquez. Noes: None. Abstain/Absent: None.

APPOINTMENT OF TRUSTEE – CONSOLIDATED MOSQUITO ABATEMENT DISTRICT BOARD

Councilmember Rodriquez made motion, seconded by Mayor Pro-Tem Hammer, to re-appoint David Cardenas to another four year term as a trustee on the Consolidated Mosquito Abatement District Board. The motion carried by unanimous voice vote: Ayes: Cardenas, Hammer, Kazarian, Parra, Rodriquez. Noes: None. Abstain/Absent: None.

COMMITTEE REPORTS

Councilmember Hammer reported on the Christmas tree lighting event. The Lions Club senior citizens luncheon is scheduled for Friday, December 14, 2018 at 11:30 a.m.

Councilmember Parra had no report but asked about having a future discussion on City Council districts for the City.

CLOSED SESSION

The meeting adjourned to a closed session at 8:25 p.m. to discuss, pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – David Weissser vs. City of Fowler (2 cases)

The meeting reconvened to open session at 8.35 p.m. with no reportable action taken.

AJOURNMENT

Having no further business, Councilmember Kazarian made a motion, seconded by Councilmember Parra to adjourn. The motion carried and the meeting adjourned at 8:35 p.m.