

**FOWLER CITY COUNCIL MEETING
AGENDA
FEBRUARY 19, 2019
7:00 P.M.
CITY COUNCIL CHAMBER
128 S. 5TH STREET
FOWLER, CA 93625**

In compliance with the Americans with Disabilities Act, if you need special assistance to access the Council Chambers or to otherwise participate at this meeting, including auxiliary aids or services, please contact City Clerk Jeannie Davis at (559) 834-3113 ext. 302. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the Council meeting. The City of Fowler is an equal opportunity provider and employer.

Any writing or document that is a public record and provided to a majority of the City Council regarding an open session item on the agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such writings and documents may be posted on the City's website at www.fowlercivcity.org.

1. Meeting called to order
2. Flag Salute and Pledge of Allegiance
3. Invocation
4. Roll call
5. Public Presentations - (This portion of the meeting reserved for persons desiring to address the Council on any matter not described on this agenda. Presentations are limited to 5 minutes per person and no more than 15 minutes per topic.)
6. Presentations:
 - ◆ Police Chief Alcaraz – Introduction of the Fowler Police Department Explorers

With respect to the approval of resolutions and ordinances, the reading of the title thereto shall be deemed a motion to waive a reading of the complete resolution or ordinance and unless there is a request by a Councilmember that the resolution or ordinance be read in full, further reading of the resolution or ordinance shall be deemed waived by unanimous consent of the Council.

7. Communications

8. Staff Reports

- A) City Manager's Report
- B) Public Works Report
- C) Finance Department Report

♦ Six Month Budget Performance for July through December 2018

- D) Police Department Report
- E) Fire Department Report

9. City Attorney's Report

10. Consent Calendar - *Items on the Consent Calendar are considered routine and shall be approved by one motion of the Council. If a Councilmember requests additional information or wants to comment on an item, **the vote should be held until the questions or comments are made, and then a single vote should be taken.** If a Councilmember **objects** to an item, **then** it should be removed and acted upon as a separate item.*

- A) Ratification of Warrants – February 19, 2019
- B) Approve Minutes of the City Council Special Meeting – January 31, 2019 and the City Council Meeting – February 5, 2019
- C) Authorize the City Manager to execute an agreement with DTA in the amount of \$42,500 for preparation of a Development Impact Fee Update and Nexus Study subject to the review and approval of the City Attorney

11. Committee Reports (No action except where a specific report is on the agenda)

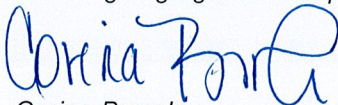
Mayor Cardenas
Mayor Pro-Tem Hammer
Councilmember Kazarian
Councilmember Parra
Councilmember Rodriquez

12. Adjournment

Next Ordinance No. 2019-01

Next Resolution No. 2423

CERTIFICATION: I, Corina Burrola, Deputy City Clerk of the City of Fowler, California, hereby certify that the foregoing agenda was posted for public review on Friday, February 15, 2019.



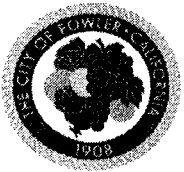
Corina Burrola
Deputy City Clerk



STAFF REPORT

DATE: 2/14/19
TO: Honorable Mayor and City Councilmembers
FROM: Randy Uyeda, Finance Director
SUBJECT: Six Month Budget vs Actual

Attached for your review and comments is the 6 month Budgeted vs Actual Revenues and Expenditures for the General Fund and selected Special Funds.



Financial Summary
FY 2018-2019
Six Months Benchmark = 50%

<u>Revenues</u>	<u>Budget</u>	<u>July - Dec Actual</u>	<u>Remining Balance</u>	<u>Percentage Collected</u>
Total General Fund	\$4,666,290	\$1,495,307	\$3,170,983	32.04%
<u>Department Expenditures</u>	<u>Budget</u>	<u>July - Dec Actual</u>	<u>Remaining Balance</u>	<u>Percentage Used</u>
City Council	\$51,855	\$9,133	\$42,722	17.61%
Administration	\$431,957	\$154,251	\$277,706	35.71%
City Clerk	\$82,252	\$41,752	\$40,500	50.76%
Finance	\$251,647	\$132,321	\$119,326	52.58%
City Attorney	\$150,000	\$35,324	\$114,676	23.55%
General Government	\$283,056	\$170,328	\$112,728	60.17%
Police	\$1,888,415	\$856,106	\$1,032,309	45.33%
Fire	\$119,950	\$30,808	\$89,142	25.68%
Animal Control	\$16,000	\$5,000	\$11,000	31.25%
Street Maintenance	\$656,831	\$158,835	\$497,996	24.18%
Planning	\$176,148	\$72,697	\$103,451	41.27%
Building Dept	\$102,781	\$48,792	\$53,989	47.47%
Park Maint	\$273,450	\$84,312	\$189,138	30.83%
Recreation	\$79,497	\$41,619	\$37,878	52.35%
Senior Center	\$67,942	\$31,178	\$36,764	45.89%
Total G/F Expenditures	\$4,631,781	\$1,872,456	\$2,759,325	40.43%
Water Revenues	\$1,151,700	\$755,903	\$395,797	65.63%
Water Expenditures	\$1,601,496	\$655,839	\$945,657	40.95%
Utility Tax Revenues	\$380,500	\$203,202	\$177,298	53.40%
Utility Tax Expenditures	\$527,772	\$293,537	\$234,235	55.62%
District Tax	\$0	\$0	\$0	0.00%

CITY OF FOWLER
WARRANTS LIST
February 19, 2019

<u>ACCOUNTS PAYABLE CHECKS</u>	<u>CHECK NUMBERS</u>	<u>CHECK DATES</u>	<u>AMOUNT</u>
Regular checks	34775-34838	Feb 1 thru Feb 13	\$ 295,444.27
TOTAL ACCOUNTS PAYABLE CHECKS			\$ 295,444.27
<u>PAYROLL COSTS</u>			
First February Bi-Monthly Payroll		February 15, 2019	84,379.26
TOTAL PAYROLL COSTS			\$ 84,379.26
TOTAL CASH DISBURSEMENTS			\$ 379,823.53

NOTE: Check #34775 Void check

SUPERION
DATE: 02/13/2019
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CITY OF FOWLER
CHECK REGISTER - BY FUND

PAGE NUMBER: 1
ACCTPA21

SELECTION CRITERIA: transact.check_no between '34775' and '34838'
ACCOUNTING PERIOD: 8/19

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	34777	02/04/19	10578	BERGTHOLD, CHRIS	6120	5300	TRAINING	0.00	30.00
1001	34778	02/04/19	10176	BERRY, KEITH	6120	5300	TRAINING	0.00	30.00
1001	34779	02/04/19	14028	CONNOR BRANDERHORST	6120	5300	TRAINING	0.00	30.00
1001	34780	02/04/19	13358	DENNIS GILLETTE	6120	5300	TRAINING	0.00	15.00
1001	34781	02/04/19	14068	FRESNO COUNTY SHERI	6120	5300	TRAINING	0.00	136.00
1001	34782	02/04/19	14069	KARL KULOW	6120	5300	TRAINING	0.00	30.00
1001	34783	02/04/19	11416	NOBLE, JEFF	6120	5300	TRAINING	0.00	30.00
1001	34784	02/04/19	13742	YANG, FONG	6120	5300	TRAINING	0.00	30.00
1001	34785	02/06/19	13798	LEE CRIPPEN DEMOLIT	100	1150	403 S 5TH DEMO	0.00	8,000.00
1001	34786	02/11/19	13729	ALLISON, MICHAEL	6120	5300	TRAINING	0.00	15.00
1001	34786	02/11/19	13729	ALLISON, MICHAEL	6120	5300	TRAINING	0.00	15.00
TOTAL CHECK								0.00	30.00
1001	34787	02/11/19	12454	CORTEZ, RAY	6120	5300	TRAINING	0.00	15.00
1001	34787	02/11/19	12454	CORTEZ, RAY	6120	5300	TRAINING	0.00	15.00
TOTAL CHECK								0.00	30.00
1001	34788	02/11/19	11585	DURON, ARTHUR	6120	5300	TRAINING	0.00	15.00
1001	34789	02/11/19	14068	FRESNO COUNTY SHERI	6120	5300	TRAINING	0.00	680.00
1001	34790	02/11/19	13959	GALEN WHISENHUNT	6270	5110	REIMBURSEMENT	0.00	13.98
1001	34790	02/11/19	13959	GALEN WHISENHUNT	6160	5190	REIMBURSEMENT	0.00	56.70
TOTAL CHECK								0.00	70.68
1001	34791	02/11/19	10825	MIRANDA, JOSEPH	6120	5300	TRAINING	0.00	15.00
1001	34792	02/11/19	12060	PETERS ENGINEERING	6200	5202	ADAMS AVE RECONSTR	0.00	1,062.50
1001	34793	02/11/19	13949	SENNAIDA ZAVALA	6120	5300	TRAINING	0.00	30.00
1001	34794	02/11/19	11060	SOLIAN MARCO	6120	5300	TRAINING	0.00	15.00
1001	34795	02/11/19	10064	COLONIAL LIFE INSUR	100	2042	EMPLOYEE DEDUCTION	0.00	120.54
1001	34795	02/11/19	10064	COLONIAL LIFE INSUR	100	2044	EMPLOYEE DEDUCTION	0.00	292.92
TOTAL CHECK								0.00	413.46
1001	34796	02/11/19	13496	KEENAN & ASSOCIATES	6150	5080	EMPLOYEE BENEFITS	0.00	319.97
1001	34796	02/11/19	13496	KEENAN & ASSOCIATES	6025	5080	EMPLOYEE BENEFITS	0.00	351.97
1001	34796	02/11/19	13496	KEENAN & ASSOCIATES	6030	5080	EMPLOYEE BENEFITS	0.00	460.22
1001	34796	02/11/19	13496	KEENAN & ASSOCIATES	6400	5080	EMPLOYEE BENEFITS	0.00	657.45
1001	34796	02/11/19	13496	KEENAN & ASSOCIATES	6700	5080	EMPLOYEE BENEFITS	0.00	657.45
1001	34796	02/11/19	13496	KEENAN & ASSOCIATES	6020	5080	EMPLOYEE BENEFITS	0.00	780.20

CITY OF FOWLER
CHECK REGISTER - BY FUND

SUPERION
DATE: 02/13/2019
TIME: 18:02:20

SELECTION CRITERIA: transact.check_no between '34775' and '34838'
ACCOUNTING PERIOD: 8/19

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	34796	02/11/19	13496	KEENAN & ASSOCIATES	100	2041	EMPLOYEE BENEFITS	0.00	1,944.95
1001	34796	02/11/19	13496	KEENAN & ASSOCIATES	6200	5080	EMPLOYEE BENEFITS	0.00	5,062.61
1001	34796	02/11/19	13496	KEENAN & ASSOCIATES	6120	5080	EMPLOYEE BENEFITS	0.00	11,050.16
TOTAL CHECK									21,284.98
1001	34797	02/11/19	13647	SUN LIFE FINANCIAL	6400	5080	EMPLOYEE BENEFITS	0.00	33.18
1001	34797	02/11/19	13647	SUN LIFE FINANCIAL	6700	5080	EMPLOYEE BENEFITS	0.00	33.18
1001	34797	02/11/19	13647	SUN LIFE FINANCIAL	6160	5080	EMPLOYEE BENEFITS	0.00	61.52
1001	34797	02/11/19	13647	SUN LIFE FINANCIAL	6150	5080	EMPLOYEE BENEFITS	0.00	66.36
1001	34797	02/11/19	13647	SUN LIFE FINANCIAL	6020	5080	EMPLOYEE BENEFITS	0.00	73.31
1001	34797	02/11/19	13647	SUN LIFE FINANCIAL	6030	5080	EMPLOYEE BENEFITS	0.00	105.74
1001	34797	02/11/19	13647	SUN LIFE FINANCIAL	6200	5080	EMPLOYEE BENEFITS	0.00	464.52
1001	34797	02/11/19	13647	SUN LIFE FINANCIAL	6120	5080	EMPLOYEE BENEFITS	0.00	802.92
1001	34797	02/11/19	13647	SUN LIFE FINANCIAL	100	2046	EMPLOYEE BENEFITS	0.00	1,155.23
TOTAL CHECK								0.00	2,795.96
1001	34799	02/11/19	11335	VISION SERVICE PLAN	6400	5080	EMPLOYEE BENEFITS	0.00	9.85
1001	34799	02/11/19	11335	VISION SERVICE PLAN	6700	5080	EMPLOYEE BENEFITS	0.00	9.85
1001	34799	02/11/19	11335	VISION SERVICE PLAN	6025	5080	EMPLOYEE BENEFITS	0.00	10.83
1001	34799	02/11/19	11335	VISION SERVICE PLAN	6160	5080	EMPLOYEE BENEFITS	0.00	19.70
1001	34799	02/11/19	11335	VISION SERVICE PLAN	6020	5080	EMPLOYEE BENEFITS	0.00	20.68
1001	34799	02/11/19	11335	VISION SERVICE PLAN	6030	5080	EMPLOYEE BENEFITS	0.00	23.62
1001	34799	02/11/19	11335	VISION SERVICE PLAN	6200	5080	EMPLOYEE BENEFITS	0.00	98.45
1001	34799	02/11/19	11335	VISION SERVICE PLAN	100	2048	EMPLOYEE BENEFITS	0.00	224.30
1001	34799	02/11/19	11335	VISION SERVICE PLAN	6120	5080	EMPLOYEE BENEFITS	0.00	236.29
TOTAL CHECK								0.00	653.57
1001	34800	02/13/19	12359	SEAL RITE PAVING AN	6200	5710	ADAMS AVE PROJECT	0.00	102,732.68
1001	34801	02/13/19	13335	1-800-BOARDUP	100	1150	403 S 5TH	0.00	877.87
1001	34802	02/13/19	10995	ADT SECURITY SERVIC	6700	5110	SERVICES	0.00	165.31
1001	34803	02/13/19	10006	AGRICHEM	6260	5190	SUPPLIES	0.00	1,833.42
1001	34805	02/13/19	10549	AT&T MOBILITY	6120	5220	SERVICES	0.00	214.10
1001	34806	02/13/19	12489	BATTERY SYSTEMS INC	6200	5200	BATTERY LIFT TRUCK	0.00	132.39
1001	34807	02/13/19	10022	BORCHARDT, CORONA &	6030	5220	ANNUAL AUDIT 2017	0.00	395.00
1001	34809	02/13/19	10025	BUFORD OIL COMPANY	6120	5210	FUEL	0.00	136.69
1001	34810	02/13/19	10054	CHEVRON & TEXACO CA	6020	5210	FUEL	0.00	19.69
1001	34810	02/13/19	10054	CHEVRON & TEXACO CA	6120	5210	FUEL	0.00	43.82
TOTAL CHECK								0.00	63.51
1001	34811	02/13/19	13894	COMCAST	6120	5160	SERVICES	0.00	23.91
1001	34812	02/13/19	11163	COOK'S COMMUNICATIO	6130	5205	SUPPLIES	0.00	188.96
1001	34812	02/13/19	11163	COOK'S COMMUNICATIO	6130	5205	SUPPLIES	0.00	487.55
1001	34812	02/13/19	11163	COOK'S COMMUNICATIO	6130	5205	SUPPLIES	0.00	770.66

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CITY OF FOWLER
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SELECTION CRITERIA: transact.check_no between '34775' and '34838'
ACCOUNTING PERIOD: 8/19

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
TOTAL CHECK									
1001	34813	02/13/19	12680	COPWARE INC	6120	5150	LEGAL SOURCE BOOKS	0.00	1,447.17
1001	34815	02/13/19	12582	DARLEY	6130	5110	SUPPLIES	0.00	615.00
1001	34816	02/13/19	10088	DEPARTMENT OF CONSE	6150	5220	SEISMIC FEES	0.00	280.99
1001	34817	02/13/19	13985	DURATECH USA, INC.	6120	5715	GETAC TABLET PATROL	0.00	152.63
1001	34818	02/13/19	13826	ECS IMAGING INC	6150	5220	LASERFICHE MAINT	0.00	2,839.24
1001	34818	02/13/19	13826	ECS IMAGING INC	6020	5220	LASERFICHE MAINT	0.00	60.00
1001	34818	02/13/19	13826	ECS IMAGING INC	6025	5220	LASERFICHE MAINT	0.00	261.34
TOTAL CHECK								0.00	582.68
1001	34819	02/13/19	10108	FIVE CITIES EDA - E	6020	5250	EDA Q3	0.00	811.85
1001	34820	02/13/19	10122	FRESNO COUNTY FIRE	6130	5271	DISPATCHING SERVICE	0.00	4,341.18
1001	34821	02/13/19	10476	FRESNO TRUCK CENTER	6130	5205	AUTO MAINTENANCE	0.00	1,828.96
1001	34822	02/13/19	12810	GLOBAL CTI	6020	5220	SERVICES	0.00	116.15
1001	34823	02/13/19	13161	JAS PACIFIC	100	2080	PLAN CHECK	0.00	13,569.61
1001	34824	02/13/19	10189	LEAGUE OF CALIFORNI	6020	5250	ANNUAL DUES	0.00	4,300.00
1001	34825	02/13/19	10201	METRO UNIFORM & ACC	6120	5715	EXPLORER UNIFORMS	0.00	1,213.64
1001	34825	02/13/19	10201	METRO UNIFORM & ACC	6120	5715	DEPT JACKETS	0.00	1,223.36
TOTAL CHECK								0.00	2,437.00
1001	34826	02/13/19	10215	NELSON HARDWARE & G	6260	5110	SUPPLIES	0.00	28.19
1001	34827	02/13/19	10885	NELSONS POWER CENTE	6260	5200	SERVICES	0.00	97.62
1001	34828	02/13/19	10235	PBM SUPPLY & MANUFA	6260	5200	SUPPLIES	0.00	22.80
1001	34829	02/13/19	12060	PETERS ENGINEERING	100	2060	CUP 17-04	0.00	120.00
1001	34829	02/13/19	12060	PETERS ENGINEERING	6260	5510	G/S CORRIDOR BK PTH	0.00	163.68
1001	34829	02/13/19	12060	PETERS ENGINEERING	6150	5510	G/S CORRIDOR	0.00	240.00
1001	34829	02/13/19	12060	PETERS ENGINEERING	100	2060	CUP 18-02	0.00	240.00
1001	34829	02/13/19	12060	PETERS ENGINEERING	6150	5510	TRACT MAP 6027	0.00	360.00
1001	34829	02/13/19	12060	PETERS ENGINEERING	6200	5510	S TEMP/E WALTERS	0.00	475.00
1001	34829	02/13/19	12060	PETERS ENGINEERING	6150	5510	TTM 6188	0.00	680.00
1001	34829	02/13/19	12060	PETERS ENGINEERING	100	2060	CUP 18-04	0.00	1,080.00
1001	34829	02/13/19	12060	PETERS ENGINEERING	6150	5510	TRACT 9157	0.00	1,186.28
1001	34829	02/13/19	12060	PETERS ENGINEERING	6160	5510	SERVICES	0.00	2,000.00
1001	34829	02/13/19	12060	PETERS ENGINEERING	6200	5510	WALTERS AVE	0.00	2,520.00
1001	34829	02/13/19	12060	PETERS ENGINEERING	6150	5510	TCP COORDINATION	0.00	3,720.00
1001	34829	02/13/19	12060	PETERS ENGINEERING	100	2060	MAGILL TERRACE	0.00	3,874.22
1001	34829	02/13/19	12060	PETERS ENGINEERING	100	2060	HEALTH CLINIC	0.00	4,475.85
1001	34829	02/13/19	12060	PETERS ENGINEERING	6150	5510	SD SYSTEM MAPPING	0.00	6,248.62

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CITY OF FOWLER
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SELECTION CRITERIA: transact.check_no between '34775' and '34838'
ACCOUNTING PERIOD: 8/19

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
TOTAL FUND									284,419.25

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CITY OF FOWLER
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SELECTION CRITERIA: transact.check_no between '34775' and '34838'
ACCOUNTING PERIOD: 8/19

FUND - 200 - UTILITY USERS TAX

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	34812	02/13/19	11163	COOK'S COMMUNICATIO	2020	5720	NW PTRL VHCL OTFITT	0.00	2,719.89
TOTAL CASH ACCOUNT								0.00	2,719.89
TOTAL FUND								0.00	2,719.89

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CITY OF FOWLER
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SELECTION CRITERIA: transact.check_no between '34775' and '34838'
ACCOUNTING PERIOD: 8/19

FUND - 225 - LTF - ARTICLE 8

CASH ACCT	CHECK NO	ISSUE DT	VENDOR NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	34814	02/13/19	10349 CORNER CLEAN SWEEPI	2250	5220	SERVICES	0.00	2,444.00
TOTAL CASH ACCOUNT								2,444.00
TOTAL FUND								2,444.00

CITY OF FOWLER
CHECK REGISTER - BY FUND

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CITY OF FOWLER
CHECK REGISTER - BY FUND

SELECTION CRITERIA: transact.check_no between '34775' and '34838'
ACCOUNTING PERIOD: 8/19

FUND - 850 - SUCCESSOR AGENCY

CASH ACCT	CHECK NO	ISSUE DT	VENDOR NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	34796	02/11/19	13496 KEENAN & ASSOCIATES	8500	5080	EMPLOYEE BENEFITS	0.00	229.22
1001	34797	02/11/19	13647 SUN LIFE FINANCIAL	8500	5080	EMPLOYEE BENEFITS	0.00	10.60
1001	34799	02/11/19	11335 VISION SERVICE PLAN	8500	5080	EMPLOYEE BENEFITS	0.00	4.93
TOTAL CASH ACCOUNT								244.75
TOTAL FUND								244.75
TOTAL REPORT								295,444.27

**MINUTES OF THE FOWLER CITY COUNCIL
SPECIAL MEETING
JANUARY 31, 2019**

ITEM 10B

Mayor Cardenas called the meeting to order at 9:06 a.m. Roll call was taken. There were no public presentations.

Councilmembers present: Cardenas, Hammer, Parra, Rodriquez
Councilmembers absent: Kazarian

City staff present: City Manager Davis, Public Works Supervisor/Fire Chief
Lopez, City Attorney Wolfe, City Planner Marple, City
Planner, O'Neal, Building Official Baxa, Deputy City Clerk
Burrola,

**DISCUSSION/DIRECTION REGARDING FAT GABE'S FOOD TRUCK PROPOSAL TO
OPERATE AT 226 S. 8TH STREET**

City Manager Davis stated that at the last Council meeting, representatives of Fat Gabe's Mobile BBQ spoke of an issue that has come up with their proposed business plans for property located at 226 S. 8th Street. Their operational statement for a mobile food vending business on the site would fall under regulations that apply to a permanent restaurant business, and does not align with the City's mobile food vending ordinance regulations. Planning Staff has been working with the applicants to provide the correct process for the operation they are proposing. The City Attorney has provided an opinion letter pertaining to use of the site, based on their operational statement.

Planning Consultant Dawn Marple stated that there was a misinterpretation of the Municipal Code after several discussions with the applicants on their proposed business plan, namely that Fat Gabe's might operate under regulations of the City's mobile food vendor ordinance. However, their plan is to be operating each day on the site, serving food all day, using the mobile trailer to cook the food. This would not fall under the regulations of mobile food vending but would be governed by State and local codes related to a stationary restaurant. City Attorney Wolfe provided an opinion letter that would allow for a process for Fat Gabe's to do what they propose for a short period of time until they can comply with the Code for the intended permanent food operation, as outlined in their business statement.

Jason Webb and Gabriel Sepeda, business partners, spoke of their business plans. They described the mobile trailer equipment, and said that they wish to have a permanent spot to park it and serve their customers at breakfast, lunch and dinner. Future plans include having a tap house that serves beer, and food that will be cooked in the trailer. They signed a five year lease on the property, due to receiving verbal approval. Since then, Planning Staff clarified that there is a conflict in operating permanently on the site as a mobile vendor, and they instead would be required to comply with regulations similar to a permanent restaurant business. They said that they cannot afford to comply with such requirements.

Mayor Cardenas spoke of wanting to assist their business, but the problem is that there is a separation between mobile and stationary businesses, and City policies must be followed. Staff has provided a compromise in offering a six month temporary use permit while they work to make the restaurant

operation comply with their business plan. Questions were asked about requirements to make the truck permanent. Planning Consultant O'Neal said that it would be similar to making a mobile home permanent: removing the wheels to make a permanent structure, providing a foundation, and connecting to City utilities.

Councilmember Parra noted that El Mexicano restaurant on Manning Avenue was originally a food truck that had to comply with permanent restaurant regulations, and the City has received other requests for parking a mobile trailer or truck on private property to operate as Fat Gabe's proposes. He said that he did not want to see the City become a mobile food truck town, and while such operations take place in areas like Fresno, they are mostly limited to downtown areas.

City Attorney Wolfe said that the temporary use permit being offered to Fat Gabe's was the most liberal interpretation of the Code that the City could offer, that will give them the opportunity to establish a permanent food business, if they desire.

Mayor Cardenas asked if it was possible to update the mobile vendor ordinance. City Manager Davis said that while there are various State retail food codes and health and safety laws that restrict or regulate mobile vending, staff would research the subject.

Mr. Webb asked if the Council would consider changing the mobile vendor ordinance to accommodate their business proposal. Councilmember Hammer stated that while the City could review the ordinance, the applicants must understand that mobile is mobile, and permanent is permanent. Councilmember Parra also said that there is a difference between mobile and permanent, and though changing the ordinance might result in allowing a mobile vendor that parks on private property to service a business, to be open for a longer time such as two hours, it would not help with what Fat Gabe's wishes to do.

Mr. Webb asked why their food truck can operate for longer hours at the City's Farmer's Market. Ms. Marple explained that the Farmer's Market is permitted as a specific use listed in the Code under temporary uses, and the uses associated are permitted under the time limit of that seasonal event. Mr. Webb asked if, hypothetically, they use the 226 S. 8th Street location as a special events venue, if they would be able to have a temporary use permit and continually reapply, like a Farmer's Market. Mr. O'Neal stated that the Farmer's Market operates as a standalone event on its own at which any number of different things may appear for the duration of the event, but allowing the mobile food trailer on the property on 8th Street, there is no "event" going on, per se. If there was an event and the six months elapsed, and they reapplied for another temporary use permit, it would be evident that they would be perpetuating a permanent business under a temporary use.

City Attorney Wolfe summarized the Council's direction: Staff can process a temporary use permit to allow Fat Gabe's to operate for six months, with conditions that the City would need to impose along with state law requirements, and to bring back for discussion possible amendments to the Code which would require public hearings by the Planning Commission and City Council, with no guarantees that any changes that will benefit the business will happen. Mr. Webb asked for a list, in writing, of everything that needs to be done to the property to operate for the six months. Mr. O'Neal stated that they can apply for a temporary use permit, and will be given the list. They will then have time to comply with requirements, as the six month time frame would begin on the date they are open for business.

Mr. Webb asked if they decided to go with their plans for a tap house, before doing the mobile BBQ vendor operations, would they be able to invite a food truck at the property and sell food for longer hours than the mobile vendor ordinance allows. Mr. O'Neal said that if they decide to have a tap house facility, the mobile truck might be allowed, not under the mobile vendor requirements, but under a Conditional Use Permit process. This could allow for the food to be prepared in the mobile food trailer as an accessory use to the tap house business.

Property owner Art Ramirez asked if Fat Gabe's can also be given a list from the Planning and Building Departments for what is needed to make their business a permanent restaurant, to help them make a decision for the future.

Mayor Cardenas said that it is hoped that the six month period provides them an opportunity to test their operations, and that they can move forward in having a successful business.

ADJOURNMENT

Councilmember Parra made a motion to adjourn, seconded by Mayor Pro-Tem Hammer. The motion carried and the meeting was adjourned at 10:03 a.m.

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
FEBRUARY 5, 2019**

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

Councilmembers Present: Cardenas, Kazarian, Parra

Councilmembers Absent: Hammer, Rodriquez

City Staff Present: City Manager/City Clerk Davis, City Attorney Wolfe, Finance Director Uyeda, Police Chief Alcaraz, Deputy City Clerk Burrola

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

PUBLIC PRESENTATIONS

Patric Jones, Fowler resident, expressed his concerns of the parking situation at St. Lucy's church he had mentioned at a prior Council meeting.

Vicki Filgas-Trevino, Selma resident and active member providing mural projects and public art to the City of Selma, spoke of an opportunity she would like to offer the City of Fowler. She provided information on a bronze sculpture that the city of Selma has had on display for three years. This sculpture was created by Muralist Ernie Palomino, weighing 2000 pounds, dedicated to the farm workers. She explained that Mr. Palomino's endeavor was to share this sculpture with other farm working communities so that it could be enjoyed and appreciated. She expressed that Fowler would be a great location to house this sculpture for the next three years and at the end of the three years move it to the next community.

Jason Webb and Gabriel Sepeda, business partners of Fat Gabe's Mobile Kitchen, stated they are following up on last week's special meeting. They have not received the list of requirements they need to operate their mobile food vending trailer on property at 226 S. 8th Street. City Manager Davis said that staff is working on completing the list.

COMMUNICATIONS

City Manager Davis mentioned the General membership meeting for the South San Joaquin Valley Division is this Thursday, February 7, 2019 at 5:30 p.m. at the Madera Club House.

The Blossom Trail Ceremony will be Friday, February 8, 2019 at 10:00 a.m. at the Selma Arts Center.

STAFF REPORT

CITY MANAGER'S REPORT

City Manager Davis said that the City is working with Tree Fresno and Fresno Council of Governments (COG) on a Community Landscape Plan. There will be outreach events, to get community participation, these events will be taking place at Sutter Middle School; the dates are February 28th and March 28th from 5:30 – 7:30 p.m. Invitations were mailed out with the water bills.

She mentioned construction for the fire station project will begin towards the end of next week.

Ms. Davis said City staff met to discuss traffic mitigation solutions for the Merced and 10th street intersection. The subject will be brought to the Council sometime in March for discussion.

PUBLIC WORKS REPORT

Public Works Supervisor Lopez was not present. Ms. Davis reported 14 truckloads of asphalt were used to patch potholes on Golden State Boulevard. The weeds along alleyways and Golden State Boulevard have been sprayed.

FINANCE DIRECTOR'S REPORT

APPROVE INSTALLATION OF ONLINE PAYMENT SERVICES

Finance Director Uyeda said the City currently accepts credit cards only in-house, he is working on options that would allow residents to access an online site to pay their water bills via credit and debit card. Mr. Uyeda said software installation and training would be a one-time installation fee of \$11,882 and monthly use and maintenance fee of \$541. He proposes using part of the \$70,000 initially budgeted for replacing the City's aging computer software. Fowler is the only City in the direct area that does not have online bill paying available.

Councilmember Kazarian made a motion to approve installation of online water bill payment services and related budget adjustment, seconded by Councilmember Parra. The motion carried by voice vote: Ayes: Cardenas, Kazarian, Parra. Noes: None. Abstain: None. Absent: Hammer, Rodriquez.

IMPLEMENT NEW OUT SOURCED MAILING SYSTEM

Mr. Uyeda said the City is currently renting a folding machine which prepares the bills for mailing which costs the City \$500 a month. In addition the copier is tied up for long periods of time printing invoices and restricts other users from faxing or making copies. There are times the system will suffer a glitch and invoices do not get printed correctly and this causes additional time and material costs, combined with staff time, to incur. The City has been experiencing mailing problems and bills are not being received or received late. The system fee is \$1,150 per month; less current copier rental equals \$650 per month offset by reduced time to other more productive areas.

Councilmember Parra made a motion to approve budget adjustment to implement new out sourced water bill mailing system, seconded by Councilmember Kazarian. The motion carried by voice vote: Ayes: Cardenas, Kazarian, Parra. Noes: None. Abstain: None. Absent: Hammer, Rodriquez.

DIRECTION ON MAKING CHANGES TO WATER BILL DUE DATES AND SHUT OFF DATES; AND CONSIDER AND APPROVE CLOSING OUT DAILY WATER BILL PAYMENTS AT 4:30 PM

Mr. Uyeda stated the water bills are due 15 days after issuance. Finance proposes to extend the due date to 30 days. Most cities in Fresno County use the 30-day period to cut off and in some cases; late fees are not accessed until after 45 to 60 days. The Finance Department proposes to close out receiving water bill payments at 4:30 p.m. to give staff enough time to correctly balance the daily receipts. In addition, SB-998 recently passed, will require cities to extend water cut-off to 60 days effective January 1, 2020. Ms. Davis said this will require an ordinance amendment for water shut off dates. This will be brought back at a later time to the Council.

Councilmember Kazarian made a motion to approve closing out water bill payments at 4:30 p.m., seconded by Councilmember Parra. The motion carried by voice vote: Ayes: Cardenas, Kazarian, Parra. Noes: None. Abstain: None. Absent: Hammer, Rodriquez.

POLICE DEPARTMENT REPORT

♦ APPROVAL TO SURPLUS PATROL VEHICLE

Police Chief Alcaraz recommended to surplus a patrol vehicle, Patrol Unit #35, a 2006 Dodge Charger has not been utilized for patrol in the last six months due to needed repairs. In the last two years it has incurred over \$6,000 in repairs and is currently in need of extensive repairs which will cost the City over \$5,000.

Councilmember Parra made a motion to approve the surplus of the patrol vehicle, seconded by Councilmember Kazarian. The motion carried by voice vote: Ayes: Cardenas, Kazarian, Parra. Noes: None. Abstain: None. Absent: Hammer, Rodriquez.

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 – February 5, 2019; B) Approve Minutes of the Fowler City Council and Fowler Planning Commission Special Joint Meeting and the City Council Meeting – January 15, 2019; C) Adopt Resolution No. 2421, “A Resolution Before the City Council of the City of Fowler, County of Fresno, State of California Approving Variance No. 18-01 and Approving A Categorical Exemption Pursuant to CEQA Guidelines Section 15322”, D) Adopt Resolution No. 19-2422, “A Resolution of the City Council of the City of Fowler Accepting A Sewer Easement Within APN’s 345-180-05, 345-180-22 and 345-180-26”.

City Manager Davis pulled Item D. She explained this item is for a sewer easement for Maxco, which should be approved separately; the grant deed has not yet been received from Maxco for the sewer easement. City Attorney Wolfe said it could be approved contingently on the Grant deed being submitted to the City Engineer. Councilmember Kazarian made a motion to adopt Resolution No. 19-2422, “A Resolution of the City Council of the City of Fowler Accepting a Sewer Easement within APN’s 345-180-05, 345-180-22 and 345-180-26” contingent upon the grant deeds upon being satisfactory to staff, seconded by Councilmember Parra. The motion carried by voice vote: Ayes: Cardenas, Kazarian, Parra. Noes: None. Abstain: None. Absent: Hammer, Rodriquez.

Councilmember Kazarian made a motion to approve the Consent Calendar Items A through C, seconded by Councilmember Parra. The motion carried by voice vote: Ayes: Cardenas, Kazarian, Parra. Noes: None. Abstain: None. Absent: Hammer, Rodriquez.

COMMITTEE REPORTS

Mayor Cardenas attended a Council of Governments meeting last week, he was asked to take the position as Chair for the Council of Governments.

Councilmember Parra met with a representative from Congressman TJ Cox's office and representatives from other cities regarding public safety and economic development.

ADJOURNMENT

Having no further business, Councilmember Kazarian made a motion, seconded by Councilmember Parra to adjourn. The motion carried and the meeting adjourned at 8:12 p.m.

STAFF REPORT

TO: MAYOR & CITY COUNCIL
FROM: JEANNIE DAVIS, CITY MANAGER
SUBJECT: DEVELOPMENT IMPACT FEE UPDATE AND NEXUS STUDY
DATE: FEBRUARY 15, 2019

RECOMMENDATION / REQUESTED ACTION

Select DTA as the most qualified firm and authorize the City Manager to execute an agreement with DTA in the amount of \$42,500 for the preparation of a Development Impact Fee Update and Nexus Study subject to the review and approval of the City Attorney.

DISCUSSION

The City of Fowler imposes impact fees on proposed development projects within the City boundaries. These fees are collected to fund infrastructure and other services necessary to support and serve the developments. The amount of the impact fees are set though studies performed periodically to accurately account for and determine costs for development related infrastructure and services. The most recent impact fee and nexus study was last prepared and adopted in June 2000.

Since June 2000, the city has experienced new and diverse development proposals and projects. This coupled with inflation and changing needs necessitates the need for a revised impact fee and nexus study in order to update the impact fees.

Based on the need to reevaluate the impact fees, the City issued a Request for Proposals on December 26, 2018 soliciting services from qualified firms for preparation of a Development Impact Fee Update and Nexus Study. On January 24, 2019, three proposals were received from the following firms:

Firm	Proposed Fee
DTA	\$42,500
EPS	\$69,000
Willdan	\$62,520

After a thorough review by the City Manager, City Engineer, and Finance Director, the City has identified DTA as the most qualified firm for the project. Staff has prior experience working successfully with DTA on similar fee studies. Additionally, staff has contacted other local agencies and received similar positive reviews of DTA and their staff.

The consultant will work closely with city staff and stakeholders to develop and support a comprehensive Development Impact Fee Program that meets the requirements of the City. The services include developing a public facilities financing plan, reviewing proposed impact fees, and preparing a nexus study in order to develop updated and sustainable impact fees for newly proposed development projects. The consultants schedule includes beginning preparation of the study in March 2019 and completing the study and adopting the impact fees in July 2019.

Copies of the consultant's proposals are available in the office of the City Clerk for review.