

FOWLER CITY COUNCIL MEETING AGENDA MARCH 5, 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.fowlercity.org.

- 1. Meeting called to order
- 2. Flag Salute and Pledge of Allegiance
- 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.)

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.

Communications

7. Staff Reports

- A) Consider First Reading of Ordinance No. 2019-01, "An Ordinance of the City Council of the City of Fowler Amending Sections 6-4.707 and 6-4.709 of Article 7, of Chapter 4, of Title 6, and Amending Section 6-4.1109 of Article 11, of Chapter 4, of Title 6 of the Fowler Municipal Code Relating to the City's Residential Water Service"
- B) City Manager's Report
- C) City Engineer's Report
 - Discussion on Possible Traffic Mitigation Measures for the Merced and 10th Street Area
- D) Public Works Report
- E) Finance Department Report
- F) Police Department Report
- G) Fire Department Report
- 8. City Attorney's Report
- 9. 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 <u>single</u> vote should be taken. If a Councilmember <u>objects</u> to an item, <u>then</u> it should be removed and acted upon as a separate item.
 - A) Ratification of Warrants March 5, 2019
 - B) Approve Minutes of the Fowler City Council and Fowler Planning Commission Special Joint Workshop and the City Council Meeting February 19, 2019
- 10. 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

11. Adjournment

Next Ordinance No. 2019-02

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, March 1, 2019.

ORDINANCE NO. 2019-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOWLER AMENDING SECTIONS 6-4.707 AND 6-4.709 OF ARTICLE 7, OF CHAPTER 4, OF TITLE 6, AND AMENDING SECTION 6-4.1109 OF ARTICLE 11, OF CHAPTER 4, OF TITLE 6 OF THE FOWLER MUNICIPAL CODE RELATING TO THE CITY'S RESIDENTIAL WATER SERVICE.

THE CITY COUNCIL OF THE CITY OF FOWLER DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT TO SECTION 6-4.707 OF FOWLER MUNICIPAL CODE.

Section 6-4.707, or Article 7, of Chapter 4, of Title 6 of the Fowler Municipal Code, is hereby amended to read as follows:

6-4.707 – Due dates – Payment – Copy of Bill

- (a) Water charges shall be due and payable at the office of the Water Department thirty (30) days from the issuance of the bill and shall thereafter become delinquent. Water services may be discontinued in accordance with Section 6-4.1109 of the Fowler Municipal Code.
- (b) The water charges shall begin when a service connection is installed and the meter is set, unless the water is ordered to be left shut off when the service connection is ordered to be installed.
- (c) Anyone wishing an additional copy of a bill shall pay a fee as established by resolution of the City Council.

SECTION 1. AMENDMENT TO SECTION 6-4.709 OF FOWLER MUNICIPAL CODE.

Section 6-4.709, or Article 7, of Chapter 4, of Title 6 of the Fowler Municipal Code, is hereby amended to read as follows:

6-4.709 - Delinquencies.

- (a) Penalties. Any charges set forth in this chapter which are not paid on or before the day of delinquency shall be subject to a penalty of fifteen (15) percent.
- (b) Suits for Collection. All unpaid rates, charges, and penalties provided for in this chapter may be collected by suit.
- (c) Suits for Collection—Costs. The defendant shall pay all costs of suit in any judgment rendered in favor of the City.

(d) Written Policy. Delinquencies shall be subject to any written policy approved by the City Council, which policy shall be posted on the City's internet website. If there is any conflict between this section and the written policy, the written policy shall control.

SECTION 3. AMENDMENT TO SECTION 6-4.1109 OF FOWLER MUNICIPAL CODE.

Section 6-4.1109, of Article 11, of Chapter 4, of Title 6 of the Fowler Municipal Code, is hereby amended to read as follows:

6-4.1109 – Disconnections

- (a) Water services to a premises may be disconnected or refused connection where cross-connections exist, unsafe appliances or apparatus are used, there is noncompliance with regulations and laws relating to water distribution systems, or to protect the city against fraud or abuse.
- (b) Upon vacating premises users shall notify the City Water Department two (2) days prior to vacating to disconnect service. Failure to notify will result in the user being liable for charges whether or not water is used.
- (c) Nonresidential users may have service disconnected for nonpayment of charges on or after the twentieth (20th) day of the month of billing.
- (d) Residential users may have service disconnected for nonpayment of charges upon due notice and under the provisions of Sections 10010 and 10010.1 of the Public Utilities Code of the State, or otherwise in accordance with any written policy approved by the City Council, which policy shall be posted on the City's internet Website. If there is any conflict, the written policy shall control.
- (e) No disconnections shall occur during the time period when the business office of the Water Department is closed.
- (f) A reconnection fee, as established by Council resolution, shall be paid before water services are reconnected.

SECTION 3: EFFECTIVE DATE.

This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

The foregoing ordinance was introduced at a regular meeting of the City Council held on ______, 2019 and was adopted at a regular meeting of said Council held on ______, 2019 by the following vote, to wit:

AYES: NOES: ABSENT: ABSTAIN:	
	David Cardenas, Mayor
ATTEST:	
Jeannie Davis, City Clerk	Dated:

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AMOUNT	\$ 61,479.82	\$ 61,479.82		83,225.89	\$ 83,225.89	\$ 144,705.71 Mall
CHECK DATES	Feb 21 thru March 1			February 28, 2019		
CHECK NUMBERS	34839-34903					
ACCOUNTS PAYABLE CHECKS	Regular checks	TOTAL ACCOUNTS PAYABLE CHECKS	PAYROLL COSTS	Second February Bi-Monthly Payroll	TOTAL PAYROLL COSTS	TOTAL CASH DISBURSEMENTS

CITY OF FOWLER WARRANTS LIST March 5, 2019 9 A

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CITY OF FOWLER CHECK REGISTER - BY FUND

SELECTION CRITERIA: transact.check_no between '34839' and '34903' ACCOUNTING PERIOD: 9/19

SUPERION DATE: 03/01/2019 TIME: 14:07:08

FUND - 100 - GENERAL FUND

AMOUNT	816.00	277.20 277.20 277.20 1,282.96 2,114.56	15.00	15.00	15.00	650.00 1,361.66 2,011.66	15.00	4.03 9.99 12.56 21.68 110.00 154.98 170.00	15.00	22.75 43.24 52.77 67.19 107.39 293.34	239.48	225.00	285.69	499.74	62.51	698.01	33.62 300.00
SALES TAX	00.00	00000	00.00	00.00	00.00	0.00	00.00	88888888	00.0	000000	00.0	00.0	00.0	00.0	00.0	00.0	0.00
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NAME DEPT	FRESNO COUNTY SHERI 6120	BCT CONSULTING 6030 BCT CONSULTING 6030 BCT CONSULTING 6030 BCT CONSULTING 6020	векку, кеттн 6120	CONNOR BRANDERHORST 6120	KARL KULOW 6120	LOZANO SMITH 6060 LOZANO SMITH 6060	NOBLE, JEFF 6120	VALLEY FIRST CREDIT 6030 VALLEY FIRST CREDIT 6020 VALLEY FIRST CREDIT 6020 VALLEY FIRST CREDIT 6020 VALLEY FIRST CREDIT 6025 VALLEY FIRST CREDIT 6025 VALLEY FIRST CREDIT 6025	YANG, FONG 6120	HOME DEPOT CREDIT S 6020 HOME DEPOT CREDIT S 6020 HOME DEPOT CREDIT S 6020 HOME DEPOT CREDIT S 6200 HOME DEPOT CREDIT S 6200	SMART & FINAL 6700	ALCARAZ, RUDY 6120	ALERT-O-LITE, INC 6120	ATT 6120	BATTERY SYSTEMS INC 6200	BELMONT NURSERY 6260	BERGTHOLD, CHRIS 6120 BERGTHOLD, CHRIS 6120
ISSUE DT VENDOR	02/21/19 11760	02/21/19 10026 02/21/19 10026 02/21/19 10026 02/21/19 10026	02/21/19 10176	02/21/19 14028	02/21/19 14069	02/21/19 10194 02/21/19 10194	02/21/19 11416	02/21/19 12852 02/21/19 12852 02/21/19 12852 02/21/19 12852 02/21/19 12852 02/21/19 12852	02/21/19 13742	02/28/19 11018 02/28/19 11018 02/28/19 11018 02/28/19 11018 02/28/19 11018	02/28/19 10288	03/01/19 13925	03/01/19 10007	03/01/19 12285	03/01/19 12489	03/01/19 12196	03/01/19 10578 03/01/19 10578
CHECK NO	34839	34841 34841 34841 34841 X	34842	34843	34844	34845 34845 K	34846	34847 34847 34847 34847 34847 34847 34847 X	34848	34849 34849 34849 34849 34849	34850	34853	34855	34856	34857	34858	34859 34859
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CITY OF FOWLER CHECK REGISTER - BY FUND

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SUPERION DATE: 03/01/2019 TIME: 14:07:08

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CITY OF FOWLER CHECK REGISTER - BY FUND

SUPERION DATE: 03/01/2019 TIME: 14:07:08

CITY OF FOWLER CHECK REGISTER - BY FUND

SUPERION DATE: 03/01/2019 TIME: 14:07:08

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		AMOUNT	731.85	325.00 325.00 325.00 975.00	32.39	1,739.24	1,739.24
		SALES TAX	00.00	0.00	00.00	00.00	00.00
		DESCRIPTION	REFLECTIVE SIGN POS	SERVICES SERVICES SERVICES	SUPPLIES		
		ACCNT	5190	5220 5220 5220	5220		
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CITY OF FOWLER CHECK REGISTER - BY FUND

SELECTION CRITERIA: transact.check_no between '34839' and '34903' ACCOUNTING PERIOD: 9/19

SUPERION DATE: 03/01/2019 TIME: 14:07:08

FUND - 225 - 1	FUND - 225 - LTF - ARTICLE 8					
CASH ACCT CHECK NO	ACCT CHECK NO ISSUE DT VENDOR	NAME DEPT	ACCNT	DESCRIPTION	SALES TAX	AMOUNT
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TOTAL CASH ACCOUNT					00.00	1,456.02
TOTAL FUND					00.00	1,456.02

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CITY OF FOWLER CHECK REGISTER - BY FUND

SELECTION CRITERIA: transact.check_no between '34839' and '34903' ACCOUNTING PERIOD: 9/19

SUPERION DATE: 03/01/2019 TIME: 14:07:08

	AMOUNT	870.26	13.00	100.00	375.00	52.30	80.66	62.55	77.74	116.15	25.00	138.06 218.50 356.56	108.44	58.19	9.86 564.44 803.15 5,010.48 6,387.93	1,332.60	38.46	100.00	101.35 202.70 280.77 584.82	50.00	235.00	102.00	100.00
	SALES TAX	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	00.00	0.00	0.00	0.00	00000	0.00	0.00	0.00	0.00	00.00	0.00	00.00	00.00
	DESCRIPTION	POSTAGE FOR BILLS	AUTO MAINTENANCE	UB REFUND	TRAINING	SUPPLIES	SERVICES	UB REFUND	UB REFUND	SERVICES	AUTO MAINTENANCE	SUPPLIES SUPPLIES	SERVICES	UB REFUND	UTILITES UTILITES UTILITES UTILITES	LEASE PAYMENT	SUPPLIES	UB REFUND	FUEL FUEL FUEL	EXAM	FIRST CLASS PRESORT	SUPPLIES	UB REFUND
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WATER	ISSUE DT VENDOR	03/01/19 10242	03/01/19 11689	03/01/19 14075	03/01/19 13797	03/01/19 10113	03/01/19 13451	03/01/19 14078	03/01/19 14074	03/01/19 12810	03/01/19 10141	03/01/19 11018 03/01/19 11018	03/01/19 12075	03/01/19 14073	03/01/19 10237 03/01/19 10237 03/01/19 10237 03/01/19 10237	03/01/19 12384	03/01/19 12672	03/01/19 14077	03/01/19 11195 03/01/19 11195 03/01/19 11195	03/01/19 14080	03/01/19 10242	03/01/19 13543	03/01/19 14076
FUND - 500 - WA	ACCT CHECK NO	34851	34852	34854	34863	34865	34869	34870	34871	34872	34873	34874 34874 CHECK	34875	34877	34882 34882 34882 34882 CHECK	34883	34887	34888	34889 34889 34889 CHECK	34895	34899	34901	34903
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PAGE NUMBER: ACCTPA21

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CITY OF FOWLER CHECK REGISTER - BY FUND

0.00

SALES TAX

----DESCRIPTION----

ACCNT

DEPT

NAME

CASH ACCT CHECK NO ISSUE DT VENDOR

TOTAL CASH ACCOUNT

TOTAL REPORT TOTAL FUND

FUND - 500 - WATER

0.00

11,226.66

61,479.82

0.00

11,226.66

AMOUNT

SELECTION CRITERIA: transact.check_no between '34839' and '34903' ACCOUNTING PERIOD: 9/19

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MINUTES OF THE FOWLER CITY COUNCIL AND FOWLER PLANNING COMMISSION SPECIAL JOINT MEETING FEBRUARY 19, 2019

ITEM 9B

Mayor Cardenas called the meeting to order at 5:02 p. m. Roll call was taken.

Councilmembers present:

Cardenas, Hammer, Rodriguez

Councilmembers absent:

Kazarian, Parra

Commissioners present:

Mellon, Fernandez, Mukai, Kandarian

Commissioners absent:

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City staff present:

City Manager Davis, Public Works Supervisor/Fire Chief Lopez, Finance Director Uyeda, City Attorney Lerner, Police Chief Alcaraz, City Engineer Peters, City Planner Marple, Deputy City Clerk Burrola, Planning Secretary Zavala, Senior Center/Recreation Coordinator Hernandez

AB 1234 ETHICS AND PUBLIC SERVICE TRAINING

Mary Lerner, Senior Council with Lozano Smith Attorneys at Law conducted the biennial AB 1234 ethics training for elected and appointed officials. The presentation began with topics of personal financial gain, personal advantages, government transparency and general ethic principals beyond the law. Ms. Lerner spoke about news items concerning public corruption that took place in recent years. She explained the conflict of interest laws that prohibit officials from participating in any discussion or decision on matters that materially affect their financial interest, whether negatively or positively. Ms. Lerner provided copies of the City's recently adopted Rules of Conduct for City Employees and Whistleblower Policy. A list of questions involving scenarios related to potential conflicts of interests was discussed. Ms. Lerner noted the "10 Rules of Public Service", to provide service to the public; be open to transparency; be honest and fair and always do the right thing, even when no one is looking.

ADJOURNMENT

Mayor Pro Tem Hammer made a motion to adjourn, seconded by Councilmember Rodriquez. The motion carried and the meeting was adjourned at 6:35 p.m.

MINUTES OF THE FOWLER CITY COUNCIL MEETING **FEBRUARY 19, 2019**

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

Councilmembers Present: Cardenas, Hammer, Parra, Rodriquez

Councilmember Absent: Kazarian

City Staff Present: City Manager/City Clerk Davis, Public Works Supervisor/Fire Chief

Lopez, City Attorney Mary Lerner, Finance Director Uyeda, Police

Chief Alcaraz, City Planner Marple, Deputy City Clerk Burrola

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

PUBLIC PRESENTATIONS

There were no public presentations.

PRESENTATIONS

Police Chief Alcaraz introduced the newly Fowler Police Department Explorers. Officer Michael Allison has taken the initiative in coordinating the police department explorer program. The applicants are high school students that have had to go through a thorough background, panel interview and attend a 4-day training program; they will continue to receive training as they work alongside with the officers. Currently the department has four explorers they will be providing assistance at school events such as patrolling, traffic enforcement and report assistance to officers. Law Enforcement Exploring is the preeminent career orientation and experience program for young people contemplating a career in the field of criminal justice. Its mission is to offer young adults, ages 14-21, interested in a career in law enforcement a personal awareness of the criminal justice system through training, practical experiences and other activities. Officer Allison promoted Rebecca Castro to squad leader; she will be the first line of supervision to the other explorers. The Council commended the young adults for their commitment and dedication to this program.

COMMUNICATIONS

City Manager Davis mentioned the Annual CitiPAC Golf Fund Raiser of the South San Joaquin Valley Division of League will be held on Friday, May 17, 2019 at 10:00 a.m. at the Ridge Creek Golf Course.

She mentioned an email was sent out as a reminder to submit the FPPC 700 forms, forms are due in April. For those serving on various committees there are new requirements from Fresno County on filing these forms.

STAFF REPORT

CITY MANAGER'S REPORT

City Manager Davis mentioned the City has been extremely busy with applications; the Planning Department is working on twenty eight applications for developments, subdivisions and businesses.

She mentioned the City recently approved an agreement with an agency to assist in applying for a parks grant through the State. Staff met with representatives on gathering information. Public outreach meetings will be taking place to gather information and opinions from the public on what they would like to see for the future park on Sunnyside and South Avenue. Invitations will be mailed out with the water bill and surveys can be completed online.

PUBLIC WORKS REPORT

Public Works Supervisor Lopez circulated the Landscape District assessments for expenses and labor costs for servicing the areas.

FINANCE DIRECTOR'S REPORT

SIX MONTH BUDGET PERFORMANCE FOR JULY THROUGH DECEMBER 2018

Finance Director Uyeda gave a brief overview of the six month budget versus actual revenues and expenditures for the general fund and selected special funds. He said overall the City is doing well.

POLICE DEPARTMENT REPORT

Police Chief Alcaraz circulated the DOJ statistics for 2018. He mentioned the department will be hosting "Coffee with a Cop" on Thursday, February 28th, from 6:00 p.m. to 8:30 p.m. at the Fowler Starbucks.

FIRE DEPARTMENT REPORT

Fire Chief Lopez said he has one volunteer firefighter attending the Fire Academy at Fresno City College. He mentioned the main fire engine truck is currently having maintenance done.

CITY ATTORNEY'S REPORT

No Report was given.

CONSENT CALENDAR

The consent calendar consisted of: 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."

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

COMMITTEE REPORTS

Mayor Pro-Tem Hammer provided a list of dates for the Recreation Department City Events.

Councilmember Parra attended the League of California Cities dinner in Madera.

Councilmember Rodriquez attended the Heart of the Horse Therapy Ranch benefit concert sponsored by the Sutter Middle School's Civics program students.

ADJOURNMENT

Having no further business, Councilmember Rodriquez made a motion, seconded by Mayor Pro Tem Hammer to adjourn. The motion carried and the meeting adjourned at 7:50 p.m.