



**FOWLER CITY COUNCIL MEETING
AGENDA
MAY 7, 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.fowlerciv.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.)

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.

6. Public Hearings:
 - A) Public Hearing to Consider Tentative Subdivision Map (TSM) No. 6188 and Adoption of a Mitigated Negative Declaration, Submitted by Sunshine Raisin Corporation for Approximately 30.7 Acres at the Northeast Corner of Adams Avenue and Armstrong Avenue.

- 1) Adoption of Resolution No. 2424, "A Resolution Before the City Council of the City of Fowler County of Fresno, State of California Adopting A Mitigated Negative Declaration for Tentative Subdivision Map No. 6188 Pursuant to the California Environmental Quality Act"
- 2) Adoption of Resolution No. 2425, "A Resolution Before the City Council of the City of Fowler Count of Fresno, State of California Approving Tentative Subdivision Map No. 6188"
- B) Public Hearing to Consider Revised Vesting Tentative Subdivision Map (VTSM) No. 5952, General Plan Amendment No. 19-01, Zoning Ordinance Amendment (Rezone) No. 19-01, Annexation to the City of Fowler, and Adoption of a Mitigated Negative Declaration, Submitted by RJ Hill for Approximately 67.17 acres at the Southwest Corner of Sumner Avenue and Sunnyside Avenue and the Northeast Corner of Parlier Avenue and Sunnyside Avenue.
 - 1) Adoption of Resolution No. 2426, "A Resolution Before the City Council of the City of Fowler County of Fresno, State of California Adopting Mitigated Negative Declaration for Revised Vesting Tentative Subdivision Map No. 5952 Pursuant to the California Environmental Quality Act"
 - 2) Adoption of Resolution No. 2427, A Resolution Before the City Council of the City of Fowler County of Fresno, State of California Denying General Plan Amendment No. 19-01 for Assessor's Parcel No. 345-100-19S"
 - 3) First Reading of Ordinance No. 2019-02, "An Ordinance of the City Council of the City of Fowler Amending the Official Zoning Map of the City to Reflect a Change of Zone for Assessor's Parcel No's 345-100-07 and 345-100-19S"
 - 4) Adoption of Resolution No. 2428, "A Resolution Before the City Council of the City of Fowler County of Fresno, State of California Approving Revised Vesting Tentative Subdivision Map No. 5952"
 - 5) Adoption of Resolution No. 2429, "A Resolution Before the City Council of the City of Fowler County of Fresno, State of California Requesting that the Local Agency Formation Commission Undertake Proceedings for the Sunnyside-South Southwest Reorganization"

7. Communications

8. Staff Reports

- A) City Manager's Report
- B) Public Works Report
- C) Finance Department Report
- 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 – May 7, 2019

B) Approve Minutes of the City Council Meeting and Fowler Public Financing Authority Joint Meeting – April 16, 2019

C) Adopt Resolution No. 2430 “A Resolution of the City Council of the City of Fowler Authorizing Officials to Execute Agreements with Caltrans”

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. Closed Session - Pursuant to Government Code Section 54957:
Public Employee Appointment/employment
Title: Public Works Director (Specific description of position to be filled)

13. Adjournment

Next Ordinance No. 2019-03

Next Resolution No. 2431

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, May 3, 2019.



Corina Burrola
Deputy City Clerk



TO: City of Fowler City Council

FROM: Dawn E. Marple, City Planner
Jeffrey O’Neal, AICP, Deputy City Planner

SUBJECT: Public hearing to consider Tentative Subdivision Map (TSM) No. 6188 and adoption of a Mitigated Negative Declaration, submitted by Sunshine Raisin Corporation for approximately 30.7 acres at the northeast corner of Adams Avenue and Armstrong Avenue

DATE: May 7, 2019

I. RECOMMENDATION

Staff recommends that the City Council affirms the recommendations of the Fowler Planning Commission to adopt a mitigated negative declaration and approve TSM No. 6188.

II. BACKGROUND & PROJECT DESCRIPTION

In August 2018, Sunshine Raisin Corporation submitted a tentative map proposing to subdivide the land at the northeast corner of Adams and Armstrong Avenues (APNs 340-130-07 and 340-230-07). Following two reviews by staff, the map and application were deemed complete. TSM No. 6188 proposes 80 single-family lots on 30.7 acres, plus a remainder parcel of approximately 6,000 square feet. The site is within the City limits and is zoned R-1-10. Proposed lot sizes range from 10,010 square feet to 15,931 square feet. This range of sizes is consistent with the Ahronian Estates project to the east, the Crestwood Estates project to the northeast, and the Kinsington Estates project to the north.

The California Subdivision Map Act (Gov. Code Sec. 66410, et seq.) allows local agencies to regulate the design and improvement of subdivisions. The City’s Subdivision Ordinance provides more detailed requirements for design and improvement as well as processing applications. Staff has met with the developer and the project engineer to discuss relevant issues and the resulting configuration generally meets the City’s requirements.

Points of discussion from the Planning Commission hearing include:

1. East Curtis Avenue. E. Curtis Avenue is the northernmost east-west street in the subdivision and provides connection to Armstrong Avenue. While there is no issue with E. Curtis Avenue per se, FUSD has proposed an expansion to Marshall Elementary School across Armstrong Avenue to the west of TSM NO. 6188. That expansion proposes a drive approach approximately opposite the proposed location of E. Curtis Avenue. There is the potential for traffic conflicts at this location. The City has mentioned the potential conflicts to both the District and the applicant

2. **Open Space.** General Plan Policy 4.3.16.b requires that single-family projects include 5% open space within the project site, the costs of which can be credited against up to 50% of the park impact fees that would otherwise be payable. The final map will need to reflect the location of the required open space, the addition of which shall not be considered to affect substantial conformance with the approved tentative map.

In discussions with staff following the Planning Commission hearing, the project engineer has suggested the improvement and dedication of Lots 55-58, Outlot “A,” and the remainder parcel as open space (See Figure 5). The six parcels total approximately 63,275 square feet (1.45 acres), or about 5.4% of the net project site.

3. **Water Treatment.** As part of the City’s effort to address TCP in its water supply, it may be necessary to install a treatment facility in this part of town. The City Engineer has discussed with the project engineer the possibility of acquiring property within the boundary of TSM No. 6188 for installation of a GAC treatment station.

Staff is currently analyzing the remainder lot to assess whether it would be of sufficient size to house the treatment facilities. Note that the treatment facilities do not generate noise or house hazardous materials.

4. **Remainder Lot.** What is the future use of the remainder lot and/or how will it be treated to avoid nuisance?

As discussed above, the remainder lot is proposed for dedication to the City. It may be used either as part of the larger open space component of the subdivision or for installation of water treatment facilities.

Development of TTM No. 6188 is expected to occur over a 2.5-year period with project construction beginning in 2020 and completed by 2022/2023. At 3.2 persons per household, the 80-unit project will accommodate approximately 256 people.

Circulation within the site would be provided by a system of local streets with one connection to Adams Avenue and one connection to Armstrong Avenue. The local streets conform to City standards and would be dedicated to and maintained by the City. Surrounding land uses are as follows:

North	Agriculture, Single-Family Subdivision	AE-20 (County), R-1-10 (City)
West	Agriculture, Marshall Elementary School	AE-20 (County), RCO (City)
South	Residences, Fowler High School	R-1-6, RCO (City)
East	Single-Family subdivision	R-1-10 (City)

Proposed Homes Within the Subdivision. The developer is not a homebuilder, and therefore has not provided floor plans or elevations. If approved, the project would likely be sold to a builder, who would be required to comply with the provisions of FMC Section 9-5.1605 related to single-family design criteria. The builder will be required to submit elevations for consideration by the Development Review Committee prior to issuance of a building permit for any lot within the subdivision.

Figure 1 contains an aerial photo showing the project site in relation to other facilities. Figure 2 shows the Fowler General Plan land uses. Figure 3 illustrates the zoning of the site and vicinity. Figure 4 contains proposed

Tentative Subdivision Map No. 6188. Figure 5 illustrates areas for potential parkland dedication and pedestrian connectivity.

Following a public hearing at its regular meeting on April 4, 2019 the Fowler Planning Commission adopted Resolution Nos. 637 and 638 recommending that the City Council approve the project.

III. ANALYSIS

Growth Management Policy. In 2004, the City Council adopted a growth management policy to implement the desired growth rate contained in the General Plan without creating adverse effects on City services and the Fowler Unified School District. The policy is to be reviewed with each subdivision application. Policy No. 1 of the Growth Management Policy states, “The desirable annual population and housing growth rate should not exceed the average of the planned growth rate through 2025 of 3% over any five-year period (50-60 units), and should not exceed 6% in any single year (80-90 units).”

Even with a mild upswing in the number of dwellings constructed in 2017 and 2018, the City remains well below the 3% and 6% growth rates, respectively.

Fowler Unified School District. Students from the project would attend Marshall Elementary (K-2), Fremont Elementary (3-5), Sutter Middle School (6-8), and Fowler High School (9-12). The school child generation factor within Fowler Unified has ranged between 0.5 and 0.6 students per household, indicating that the proposed project would generate 40 to 48 students. The School District was provided a copy of the CEQA document for the proposed subdivision and did not provide comments.

In accordance with State Law, any new development will be subject to school development fees as a condition of building permit to offset potential impacts to schools. These funds, in combination with bond financing authorized by District voters and State assistance will provide facilities and reduce overcrowding in the long-term.

IV. CEQA

The proposed project must be reviewed for compliance with CEQA. The City prepared an Initial Study and, on this basis, determined that the proposed project will not have significant adverse effects on the environment with incorporation of recommended mitigation. The City has prepared a proposed Mitigated Negative Declaration in accordance with CEQA requirements. The Initial Study/Mitigated Negative Declaration and mitigation measures are attached for Council review.

V. FINDINGS

The Subdivision Map Act (Sec. 66474) requires that a City makes the following findings prior to approval of a tentative map:

1. That the proposed map is consistent with applicable general and specific plans as specified in Section 65451.

The proposed project is consistent with the 2004 Fowler General Plan. The Low Density Residential designation prescribes a density of between 0.0 and 3.6 units per acre. TSM No. 6188 proposes a

density of approximately 2.61 units per acre. It is also consistent with policies of the General Plan encouraging development of in-fill property and lands already within the City limits.

2. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

The City is empowered to regulate the design and improvement of subdivisions by the Subdivision Map Act and the City's Subdivision Ordinance. Based on meetings between staff and the development team the project has been reconfigured to meet the City's design requirements. Conditions of approval will ensure consistency with General Plan standards and policies.

3. That the site is physically suitable for the type of development.

The site is physically suitable for the type of development.

4. That the site is physically suitable for the proposed density of development.

The site is physically suitable for the proposed density of development.

5. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure a fish or wildlife habitat.

There is no evidence in the record that the project is likely to cause substantial environmental damage.

6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

There is no evidence in the record that the project is likely to cause serious public health problems.

7. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

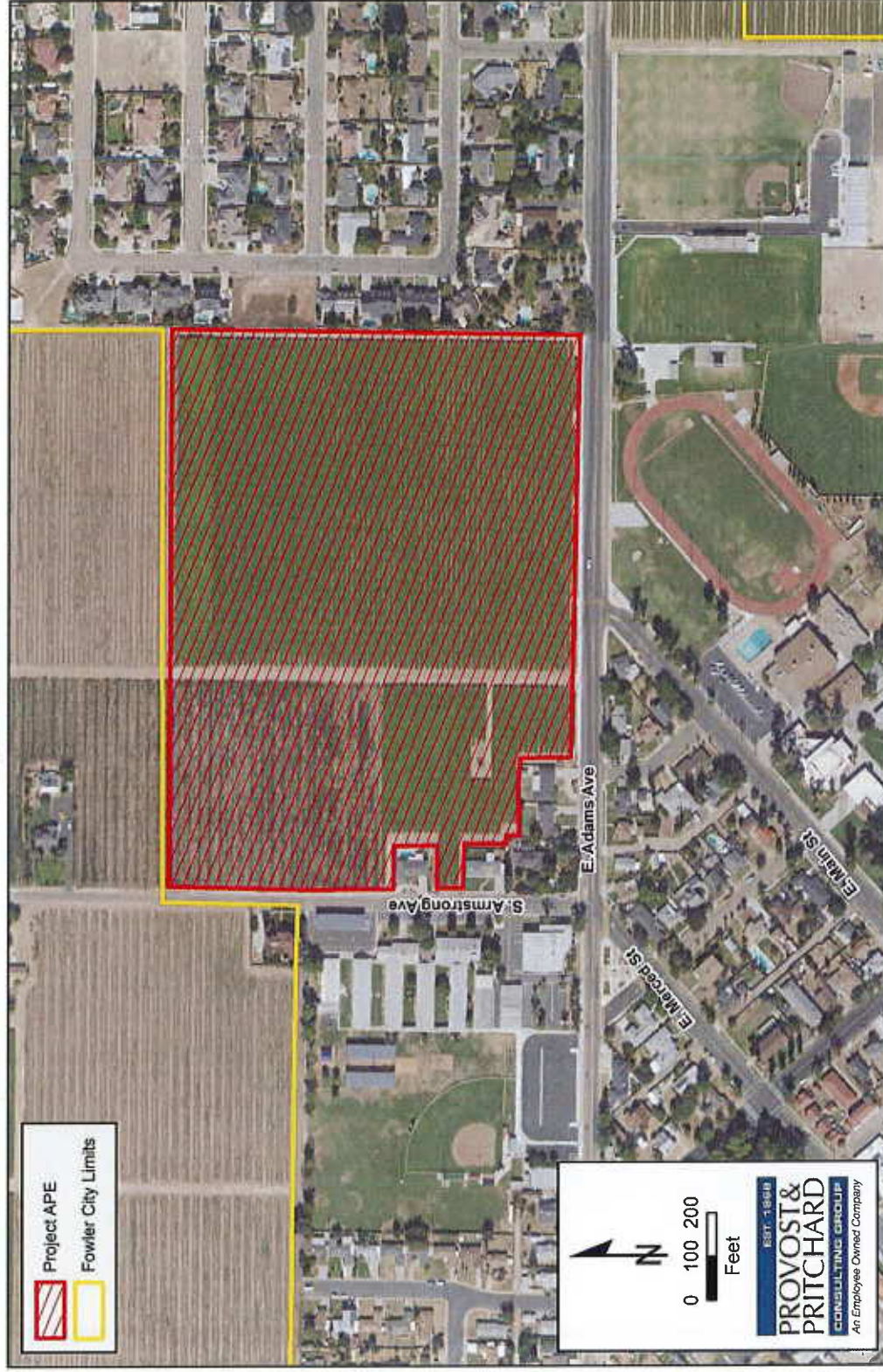
The project will not conflict with easements.

With conditions, including those related to open space, all the above findings can be made.

Attachments:

- Figure 1 – Aerial
- Figure 2 – General Plan
- Figure 3 – Zoning
- Figure 4 – TSM No. 6188
- Figure 5 – Potential Dedications

Figure 1 – Aerial



3/29/2019 : G:\Fowler_City of 2619\261918010-National Raisin Tentative Subdivision Map 18-01\GIS\Map\Aerial.mxd

Figure 2 – General Plan



Figure 3 – Zoning

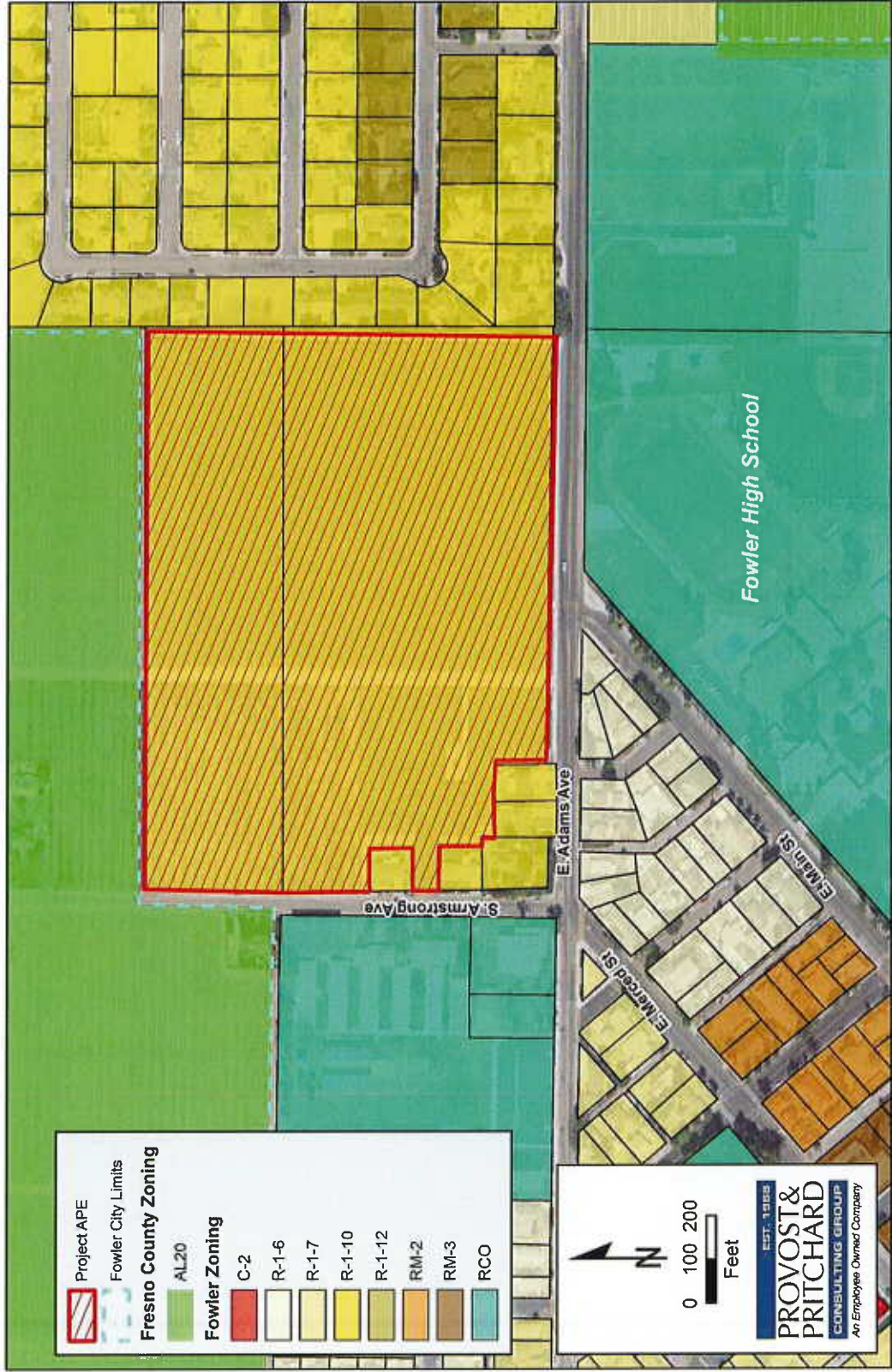


Figure 5 – Potential Dedications



RESOLUTION NO. 2424
RESOLUTION BEFORE THE CITY COUNCIL
OF THE CITY OF FOWLER
COUNTY OF FRESNO, STATE OF CALIFORNIA

RESOLUTION ADOPTING A MITIGATED NEGATIVE
DECLARATION FOR TENTATIVE SUBDIVISION
MAP NO. 6188 PURSUANT TO THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT

WHEREAS, an application for Tentative Subdivision Map No. 6188 has been submitted for APNs 340-130-07 and 340-230-07 located on the northeast corner of Adams and Armstrong Avenues; and

WHEREAS, the City of Fowler caused to be prepared an Initial Study for the Project to evaluate potentially significant adverse environmental impacts; and

WHEREAS, the City caused to be prepared a Mitigated Negative Declaration for the Project; and

WHEREAS, the Mitigated Negative Declaration has been prepared, circulated, and made available for public comment pursuant to the California Environmental Quality Act (CEQA), Public Resources Code, sections 21000, et seq., and the Guidelines for implementation of CEQA, Title 14 California Code of Regulations, Chapter 3sections 15000, et seq.; and

WHEREAS, a duly noticed public hearing was held on this matter by the Planning Commission on April 4, 2019; and

WHEREAS, the Planning Commission adopted Resolution No. 637 recommending that the City Council adopt the Mitigated Negative Declaration; and

WHEREAS, the City Council has independently reviewed and considered the Mitigated Negative Declaration and has evaluated and considered all comments, written and oral, received from persons who reviewed the Mitigated Negative Declaration, or otherwise commented on the Project.

NOW THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE COUNCIL RESOLVES AS FOLLOWS:

1. That it has reviewed the recommendation of the Planning Commission.
2. That the Initial Study and Mitigated Negative Declaration for the Project are adequate and have been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines,
3. That it has independently reviewed and considered the information contained in the

Initial Study and Mitigated Negative Declaration prior to approving the project

4. Finds on the basis of the whole record before it, including the Initial Study, Mitigated Negative Declaration, and any comments received that there is no substantial evidence in the record that the Project will have a significant effect on the environment.

BE IT FURTHER RESOLVED that the Fowler City Council hereby adopts the Mitigated Negative Declaration for Tentative Subdivision Map No. 6188 with mitigation measures as contained in Exhibit "A".

I hereby certify the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the City Council of the City of Fowler at a meeting held on the 7th day of May 2019 by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Mayor

Attest:

City Clerk

Exhibit "A"

Mitigation Measures

Mitigation Measure Bio-1: WEAP Training

Prior to initiating construction activities (including staging and mobilization), all personnel associated with Project construction shall attend mandatory Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist, to aid workers in identifying special status resources that may occur in the Project area. The specifics of this program shall include identification of the sensitive species and suitable habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information, along with photographs or illustrations of sensitive species with potential to occur onsite, shall also be prepared for distribution to all contractors, their employees, and all other personnel involved with construction of the Project. All employees shall sign a form documenting that they have attended WEAP training and understand the information presented to them.

Mitigation Measure Bio-2: General Pre-construction Survey

A pre-construction survey for special status species shall be conducted by a qualified biologist within 30 days prior to the beginning of construction activities. If sensitive biological resources are present onsite, the biologist shall establish an appropriate buffer zone and label sensitive resources or areas of avoidance with flagging, fencing, or other easily visible means. If avoidance is not feasible, CDFW and/or USFWS shall be consulted to determine the best course of action.

Mitigation Measure CUL-1

If, during construction, cultural resources are discovered, all work shall be halted within 50 feet of the discovery. A professional archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained by the City to determine the significance of the discovery. Upon a finding of significance, the City shall implement the required mitigation (if any) as determined by the archaeologist.

Mitigation Measure CUL-2:

In the event human remains are encountered during construction activities, all work within the vicinity of the remains would halt in accordance with Health and Safety Code §7050.5, Public Resources Code §5097.98, and Section 15064.5 of the CEQA Guidelines, and the Fresno County coroner's office would be contacted.

RESOLUTION NO. 2425
RESOLUTION BEFORE THE CITY COUNCIL
OF THE CITY OF FOWLER
COUNTY OF FRESNO, STATE OF CALIFORNIA

RESOLUTION APPROVING TENTATIVE
SUBDIVISION MAP NO. 6188

WHEREAS, an application for Tentative Subdivision Map No. 6188 has been submitted for APNs 340-130-07 and 340-230-07 located on the northeast corner of Adams and Armstrong Avenues; and

WHEREAS, a duly noticed public hearing was held on this matter by the Planning Commission on April 4, 2019; and

WHEREAS, the Planning Commission adopted Resolution No. 638 recommending that the City Council approves Tentative Subdivision Map No. 6188; and

WHEREAS, an Initial Study/Mitigated Negative Declaration has been prepared, circulated, and made available for public comment pursuant to the California Environmental Quality Act (CEQA), Public Resources Code, sections 21000, et seq., and the Guidelines for implementation of CEQA, Title 14 California Code of Regulations, Chapter 3 sections 15000, et seq.; and

WHEREAS, the City Council has adopted Resolution No. 2424 adopting the Initial Study/Mitigated Negative Declaration; and

WHEREAS, the City Council has made the following mandatory findings for the Tentative Map approval as prescribed by the State Subdivision Map Act (Sec. 66474):

1. *That the proposed map is consistent with applicable general and specific plans as specified in Section 65451 with approval of General Plan Amendment No. 10-01.*
2. *The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.*
3. *That the site is physically suitable for the type of development.*
4. *That the site is physically suitable for the proposed density of development.*
5. *That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure a fish or wildlife habitat.*
6. *That the design of the subdivision or type of improvements is not likely to cause serious public health problems.*
7. *That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.*

WHEREAS, the City Council as a result of its inspections, investigations, and studies made on its behalf and of testimonies offered at said hearing and the recommendation of the Planning Commission, has established that the best interests of the City of Fowler and of its residents is to approve Tentative Subdivision Map No. 6188.

NOW THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE COUNCIL HEREBY APPROVES Tentative Subdivision Map No. 6188 as shown on Exhibit "A" and subject to the Conditions of Approval attached as Exhibit "B."

I hereby certify the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the City Council of the City of Fowler at a meeting held on the 7th day of May 2019 by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Mayor

Attest:

City Clerk

Exhibit "B"
Conditions of Approval TSM No. 6188

General:

1. All conditions of the applicant shall be conditions of approval, except as further modified below, and subject to modifications to conform to applicable City Standards.
2. That the applicant pays all fees as required by existing ordinances and schedules.
3. That all water wells and septic systems that served the property be abandoned pursuant to City, County, and State standards.
4. The developer shall continually maintain the existing pavement keeping it clear of dirt, dust, and mud until the subdivision or phase is accepted by the City and shall install gravel filters with minimum 1-inch base rock at each construction entrance extending across the entrance and a minimum of 55-feet into the site.
5. As many energy-conserving features as possible shall be included in the project. Examples include, but are not limited to, increased wall and ceiling insulation, EPA-certified fireplace inserts and/or wood stoves or natural gas fireplaces, electrical and natural gas outlets installed around the exterior of the units to encourage use of electric yard maintenance equipment and gas-fired barbeques, and each home wired for computers/internet and electronic meter reading.
6. To reduce construction noise, construction contracts shall require that all equipment be maintained according to the manufacturers' specifications, and that noise-generating equipment be equipped with mufflers.
7. Hours of construction shall be limited to the hours of 6:00 am to 7:00 pm, Monday through Saturday.
8. The developer shall provide concrete pads and walkway within the side yards adjacent to garages for the placement of trash/recycling containers behind the rear yard fences/gates. All trash/recycling containers shall be placed out of public view except on the days of collection. The developer shall disclose this requirement to the future homeowners within the subdivision.
9. Crosswalks shall be provided to ensure pedestrian safety in areas determined by the City Engineer, Public Works Director and Community Development Director and these crosswalks shall be decorative such thermoplastic pavement striping and/or stamped and colored concrete.
10. Projects shall include all street lights, street signs, stop signs, and other designated by the City for street call names and traffic control. All signs shall be provided per City Municipal Code and shall be in like kind constructed on adjacent streets.
11. The developer shall annex to the City Lighting and Landscape Maintenance District or a Community Facilities District as deemed appropriate by the City Engineer.
12. Fire hydrants shall be spaced not to exceed 400 feet on center and shall be valved separately from the water main. Locations shall be approved by the City Engineer, Fire Chief, and the City of Fowler.

Final Map:

13. Within 24 months of tentative map approval, the developer may cause to be filed with the City a final map.
14. The design and improvement of the subdivision shall conform to Titles 1 through 15 of the City of Fowler Subdivision Ordinance and to the City of Fowler Standard Specifications (“Standard Specifications”) unless otherwise specified in these conditions.
15. The applicant shall enter into a subdivision agreement with the City if the final map is approved prior to completion and acceptance of the public improvements.
16. A right-to-farm covenant shall be recorded prior to recordation of the final map.
17. The minimum frontage of each lot shall comply with the City of Fowler Zoning Ordinance.
18. Lots backing onto Adams Avenue and Armstrong Avenue shall have no access to said streets.
19. Since the tentative subdivision map for TSM No. 6188 does not designate or indicate any phasing, the conditions are based on a total development of all 80 lots. If the development is to be phased, the developer shall modify the vesting tentative map to indicate phase lines to be approved by the City Engineer. If phased, the tentative map shall not be subject to new conditions of approval, but the City may require that any or all of the approved conditions be applied to any proposed phase.
20. Street names shall be verified by City staff prior to finalizing the final map. Street names shall be consistent with streets along similar alignments throughout the City
21. All development fees in effect at the time of permitting shall be applied to the development of this subdivision, including plan check, map, development, school and park fees, and all connection fees for sewer and water.

Circulation:

22. The developer shall mitigate the project’s traffic impacts at the intersection of Adams Avenue/ Armstrong Avenue through payment of a fair share contribution to intersection improvements.
23. Developer shall construct curb, gutter and a 5-foot sidewalk continuously from Adams Avenue to the northern boundary of the proposed tract including across frontages of developed areas. A pavement overlay may be required beyond the centerline to provide for a smooth transition. Transition grade greater than 4 percent will not be allowed. The street section shall be striped for two-way traffic and approved by the City of Fowler.
24. Additional street right-of-way shall be dedicated such that an 80-foot right-of-way is provided along Adams and Armstrong Avenues.
25. Adams Avenue shall be constructed to provide one travel lane, a bike lane, and an 8-foot shoulder in the eastbound direction and one travel lane in the west bound direction along the frontage of the project.
26. Developer shall construct curb extensions to calm traffic at the intersection of N. Lake Lane / E. Curtis Avenue.
27. LED street lights be constructed along Adams Avenue and Armstrong Avenue along the frontage of the project.
28. Local street pavement section shall be a minimum of 2.5 inches of hot mix asphalt over 5 inches of Class II aggregate and verified by a project soils report.
29. Traffic and street signs shall be installed by the Owner/Developer per City requirements.

Water:

30. A looped water system be developed within the subdivision and be tested and accepted by the City of Fowler Public Works Department. Each parcel shall be equipped a water meter/box.
31. All interior water mains shall be an 8-inch water main and loop within each phase of development. The completed interior water system shall be connected to the 12-inch water mains in the major collector streets at each entrance street.
32. Fire hydrants shall be installed at 300-foot intervals at the locations specified by the Fire Chief and City Engineer.
33. Two water sample stations shall be installed within the subdivision at the locations specified by the Public Works Director.
34. The developer shall pay for a water supply study to determine if a water well is required to serve this project. If it is determined that a water well is required, the project shall dedicate to the City of Fowler real property for a water well site within the project. The developer shall also design and construct a water well and dedicate to City of Fowler upon acceptance of construction. Water well improvements would be eligible for reimbursement in accordance with City ordinances.

Sewer:

35. That the developer complies with the conditions set forth by Selma-Kingsburg-Fowler County Sanitation District.

Grading and Drainage:

36. A grading and drainage plan shall be submitted for review and approval by the City Engineer. The developer shall obtain a grading permit for all on-site grading work.
37. The developer's engineer shall provide drainage calculations for the subdivision. A temporary basin located north of the tract is proposed. The temporary basin area shall have a covenant placed over it to restrict its use to accepting and storing drainage from the proposed tract. Additionally, piping shall be installed within the subdivision to facilitate future abandonment of the drainage basin in the Ahronian tract such that the drainage from this basin can be directed through the tract to the larger regional basin in Tract 5090. Additionally, the developer shall agree to maintain the temporary basin for the duration of its use related to this proposed tract.
38. The developer's engineer shall submit a storm drain plan and hydraulic calculations showing location of inlets, manholes, and pipelines (including sizing) to City Engineer for review and approval prior to preparation of improvement plans.
39. The developer shall obtain an NPDES permit from the Regional Water Quality Control Board. The plan shall provide for the mitigation of soil erosion from the project site during the construction and warranty periods and be submitted to the City prior to the start of construction. Developer shall supply City with the approved SWPPP and WDID number.
40. As a part of the mitigation measures for soil erosion, the developer shall be responsible for street sweeping during the one-year warranty period.

Aesthetics:

41. A landscape and irrigation plan shall be submitted for review and approval by the City Engineer for the areas along the frontage of Armstrong Avenue and Adams Avenue.
42. A 6-foot high decorative block wall shall be constructed on lots adjacent to Adams Avenue and Armstrong Avenue. Block walls shall be treated with an approved anti-graffiti coating and/or screened with vines as approved by the City Engineer.
43. Area comprising a minimum of 5% of the total project site shall be reserved and developed as open space. Proposed improvements shall include benches, play structure, concrete flatwork and landscaping as approved by the City Engineer.
44. The developer shall provide front yard landscaping and irrigation prior to occupancy. The automatic irrigation systems shall include enough stations, including controllers, wiring, and valves with irrigation main line stub to accommodate the rear yards for the homes.
45. One medium-sized tree (20-40 foot canopy at full growth) shall be provided on each interior lot front yard. Two medium-sized trees shall be provided for each corner lot, with one placed on each street frontage. The trees shall be so placed as to provide shade to the street at full growth.
46. A decorative wood fence with stone pilasters shall be provided for all other street-side yards within the subdivision.
47. The remainder parcel shall be maintained free of debris, weeds, and other nuisance conditions. If, in the determination of the City, the site becomes and remains a nuisance, the developer may be required to install and maintain screening in the form of fencing, landscaping, or other means.

Utilities:

48. All existing overhead utilities adjacent to the subdivision shall be undergrounded including all areas continuously from Adams Avenue to the northern boundary of the proposed tract including across frontages of developed areas.
49. The developer shall provide a street light plan for review and approval by the City Engineer prior to approval of the improvement plans and prior to the start of construction. Streetlights shall be provided by the developer and maintained by the City pursuant to PG&E rate schedule LS2C.
50. Developer shall work with PG&E for the preparation of a utility plan, subject to the review and approval by the City Engineer prior to approval of the improvement plans and prior to the start of construction. All work shall be completed such that no street surface need be reopened for service.

Irrigation:

51. Any irrigation pipelines maintained by CID shall be relocated outside of the street right-of-way, except at street crossings. Any irrigation lines that must remain in service shall be reconstructed with rubber gasket reinforced concrete pipe.
52. All abandoned irrigation lines serving the property shall be removed.

Hold Harmless and Indemnification Condition:

53. Hold Harmless and Indemnification Condition. Approval of this Project is for the benefit of the Applicant. The submittal of applications by the Applicant for this Project was a voluntary act on the part of the Applicant not required by the City. Therefore, as a condition

of approval of this Project, the Applicant agrees to defend, indemnify and hold harmless the City of Fowler and its agents, officers, consultants, independent contractors and employees ("City") from any and all claims, actions or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the Project, and for any and all costs, attorney's fees, and damages arising therefrom (collectively "Claim"). The City shall promptly notify the Applicant of any Claim and the City shall cooperate fully in the defense. If the City fails to promptly notify the Applicant of any Claim or if the City fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Nothing in this condition shall obligate the City to defend any Claim and the City shall not be required to pay or perform any settlement arising from any such Claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any Claim, and if the City decides to independently defend a Claim, the Applicant shall be responsible for City's attorney's fees, expenses of litigation and costs for that independent defense. Should the City decide to independently defend any Claim, the Applicant shall not be required to pay or perform any settlement arising from any such Claim unless the Applicant approves the settlement.

Signature of Applicant: _____

Date: _____



TO: City of Fowler City Council

FROM: Dawn E. Marple, City Planner
Jeffrey O'Neal, AICP, Deputy City Planner

SUBJECT: Public hearing to consider Revised Vesting Tentative Subdivision Map (VTSM) No. 5952, General Plan Amendment No. 19-01, Zoning Ordinance Amendment (Rezone) No. 19-01, Annexation to the City of Fowler, and adoption of a Mitigated Negative Declaration, submitted by RJ Hill for approximately 67.17 acres at the southwest corner Sumner Avenue and Sunnyside Avenue and the northeast corner of Parlier Avenue and Sunnyside Avenue.

DATE: May 7, 2019

I. RECOMMENDATION

Staff recommends that the City Council affirms the recommendations of the Fowler Planning Commission to adopt a mitigated negative declaration, deny General Plan Amendment No. 19-01, approve Rezone No. 19-01, approve TSM No. 6188, and initiate annexation to the City of Fowler.

II. BACKGROUND & PROJECT DESCRIPTION

Since 2010, RJ Hill has proposed a number of alternatives to subdivide the land at the southwest corner of South and Sunnyside Avenues (APN 345-100-19s). Most recently, in 2017 the City Council denied on appeal a 171-lot planned development. Pursuant to further discussions, RJ Hill has submitted a revised tentative map generally consistent with direction provided by staff, the Planning Commission, and the City Council:

Revised Vesting Tentative Subdivision Map No. 5952 proposes 143 single-family lots on 39.91 acres (APN 345-100-19s). That acreage includes a triangular remainder in the southeast corner of the lot, including the Kirby Canal easement, of approximately 4.2 acres in size that is not proposed for development. Lot sizes range from 6,300 square feet to 13,793 square feet, which is consistent with the previous RJ Hill subdivision that has been constructed to the immediate east of this project.

The California Subdivision Map Act (Gov. Code Sec. 66410, et seq.) allows local agencies to regulate the design and improvement of subdivisions. The City's Subdivision Ordinance provides more detailed requirements for design and improvement as well as processing applications. Staff has met with the developer and the project engineer to discuss relevant issues and the resulting configuration generally meets the City's requirements.

Remaining points of discussion include:

1. Open Space. General Plan Policy 4.3.16.b requires that single-family projects include 5% open space within the project site. This is in addition to any required development fees. The final map will need to reflect the location of the required open space, the addition of which shall not be considered to affect substantial conformance with the approved tentative map.
2. Pedestrian Access: Since a new elementary school and community park will be just north of the property, the map should consider pedestrian access to the school and intersection crossing issues at South and Sunnyside.
3. Remainder Lot. What is the future use of the remainder lot and/or how will it be treated to avoid nuisance? The City Engineer requested that the developer consider a multi-use area in southwest corner of property to be used for storm drainage and water recharge activities in conjunction with new pipeline as proposed by the Consolidated Irrigation District.
4. Randy Avenue: The alignment of Randy Avenue adjacent to the Kirby Canal easement will leave homes to the north with a view across a street to an agricultural field. What is the proposed treatment along Randy Avenue to protect these homes from noise and dust?
5. Traffic Study: The City required the developer to prepare a traffic study but has now completed a regional study that includes TTM No. 5952. The developer will be required to reimburse the City a “fair share” of the study’s cost as well as install recommended improvements and/or pay traffic mitigation fees generated from the study.
6. Storm Drain Hydrology Calculations: Provide storm drain hydrology calculations to determine how much capacity will be needed for the project, and where this capacity might be available. City Engineer to provide direction on proper “c” coefficient to use in calculation. Storm Drain hydraulic calculations to properly identify proposed pipe sizes and locations within the street layout and lotting pattern.
7. Potable Water Model Preparation: Developer to pay pro-rata share. Outcome of water model study could be requirement of a new water well or other facilities west of State Route 99 with development of TTM No. 5952.

Adjacent land uses and zoning are (see Figure 3):

North	Agriculture, Planned School/Park Site	AE-20 (Fresno County)
West	Agriculture	AE-20 (Fresno County)
South	Agriculture	AE 20 (Fresno County)
East	Single-family subdivision	R-1-7 (City of Fowler)

Proposed Homes Within the Subdivision. The developer has submitted a detailed and comprehensive set of proposed site plans and elevations for the homes proposed within the subdivision. These elevations are shown in Figures 6-8. This would provide a variation within the subdivision in terms of housing style, number of stories, and setbacks. Three “series” are proposed:

- The 100 Series offers five floor plan options and four architectural options. All 100 Series homes would be constructed on 60’ lots and are single story. Home sizes range from 1,309 square feet to 1,641 square feet.
- The 200 Series offers four floor plans and six architectural options. All 200 Series homes would also be

built on 60' lots; three of the floor plans are single story and one is 2-stories. Home sizes range from 1,830 square feet to 2,918 square feet and 3-car garages are an option.

- The 600 Series offers four floor plans and six architectural options. The 600 Series homes are the only 50' lot options; one of the floor plans is single story and three are 2-stories. Homes sizes range from 1,461 square feet to 2,666 square feet.

In all, there are a combination of 68 floor plans and elevations with homes ranging in size from 1,309 to 2,918 square feet.

Development of TTM No. 5952 is expected to occur over a four-year period with project construction beginning in 2020 and completed by 2024. At 3.2 persons per household, the 143-unit project will accommodate approximately 457 people. Homes sizes would range from 1,309 to 2,918 square feet.

Circulation within the site would be provided by a system of local streets with one connection to South Avenue and two connections to Sunnyside Avenue. The local streets conform to City standards and would be dedicated to and maintained by the City.

General Plan Amendment No. 19-01. The applicant proposes to amend the General Plan Land Use designation from Medium Low to Medium Density (APN 345-100-19S). Following the General Plan/Residential Zoning Consistency Table (see below), this would allow a change of zone to R-1-6 (One Family Residential - 6,000 square foot minimum lot size) to accommodate the requested minimum lot size. However, per the Table, the R-1-7 zone district (One Family Residential - 7,000 square foot minimum lot size) is “most compatible” with the Medium Low Density designation.

The site for TTM No. 5952 is designated Medium Low Density residential on the General Plan. While the gross parcel size is 39.91 acres, a “remainder lot” of approximately 4.2 acres is not considered a part of the map and the net site size for the subdivision is therefore 35.71 acres. With 143 lots, the density of the project is 4.00 units/acre. The following table is taken from the General Plan and shows consistent zone districts for residential designations.

General Plan/Residential Zoning Consistency Table

Plan Designation	Consistent Zone District	Consistent Density Units/Gross Acre
<u>Residential</u> Low Density	R-1-10, R-1-12	0.0 - 3.6
Medium Low Density	R-1-7, R-1-8.5, R-1-10	3.7 - 5.5
Medium Density	R-1-5, R-1-6, R-1-7, R-2-A, R-MP	5.6 - 13.5
High Density	R-2, R-3-A, R-3	13.6 - 21.8

Source: Table 5-1 of the Land Use Element of the Fowler General Plan

It is also important to consider the definitions of residential land use categories contained in the General Plan Land Use Element which are summarized below:

- Medium Low Density: Housing in this density range is typical of recent subdivisions built in Central Valley communities. The intent of this classification is to provide locations for construction of

single-family homes with a minimum lot size of 7,000 square feet ranging to 10,000 square feet. Because housing at this density reaches the largest residential market, it is expected to account for about half of all housing added during the next twenty years. The most compatible zone district is R-1-7.

- **Medium Density:** This category recognizes that small lot single family and low density multifamily units will make up an increasing percentage of the City's housing stock. Lots as small as 5,000 square feet would be permitted. Mobile home parks and apartments within this density range will meet the needs of many households without the financial means or the desire to be homeowners. The most compatible zone districts are R-1-5, R-1-6, R-1-7, R-2-A, and R-MP.

While the density of the project is based on R-1-6 zoning and falls within the range of Medium Low Density, the R-1-6 zone is not listed as "most compatible" with that density designation. However, as illustrated on the map, typical development in the R-1-6 zone district will not reach the 5.5-unit-per-acre minimum required to comply with the Medium Density land use. Staff believes that it is of utmost importance that the density of the project falls within the range prescribed by the General Plan land use, more so than that the zone district be listed as "most compatible" on Table 5-1. Therefore, staff contends that the project is consistent with the Medium Low Density land use and that General Plan Amendment No. 19-01 should be denied; the remainder of the project could be approved and proceed accordingly.

Rezone (prezone) No. 19-01. The applicant proposed to amend the zoning map to reflect the R-1-6 zone district for APN 345-100-19S and the R-1-7 zone district for APN 345-100-07. Zoning would become effective with recordation of the annexation to the City.

Annexation No. 19-01. The project site is within the City's Sphere of Influence and is adjacent to the SOI boundary on the west and south. The Fresno Local Agency Formation Commission (LAFCo) will consider a request for annexation once the City has approved the project and initiated the annexation process. At the request of the applicant, the subject parcel as well as APN 345-100-07, a 28.67-acre parcel located southeast of the VTSM No. 5952 site, would be annexed (approximately 67.17 acres in total).

The tax-sharing MOU between Fresno County and the City requires that at least 50% of land proposed for annexation be subject to a land use entitlement such as a tentative tract map. In this case, VTSM No. 5952 on 39.91 acres would allow the 28.67-acre second parcel to also be annexed. APN 345-100-07 is designated Medium Low Density and would be pre-zoned R-1-7. When development is proposed on this parcel, analysis of the development plan and environmental review will be required by the City.

Should the project be approved, an application will be prepared, and fees will be paid by the applicant to LAFCo, which would conduct its own hearings on the annexation.

TTM No. 5834: On January 15, 2008 the City Council approved Vesting TTM No. 5834 for approximately 40 acres located on the northeast corner of South and Sunnyside (APN 343-040-68). The map is within the City limits and was annexed in 2005. The project was purchased by K Hovnanian and its first phase is being constructed.

Figure 1 contains an aerial photo showing the project site in relation to other facilities. Figure 2 shows the Fowler General Plan land uses. Figure 3 illustrates the zoning of the site and vicinity. Figure 4 shows Revised Vesting Tentative Subdivision Map No. 5952

Following a public hearing at its regular meeting on April 4, 2019 the Fowler Planning Commission adopted:

- Resolution No. 639 recommending that the City Council adopts the Initial Study/Mitigated Negative Declaration.
- Resolution No. 640 recommending that the City Council denies General Plan Amendment No. 19-01.
- Resolution No. 641 recommending that the City Council approves Rezone No. 19-01.
- Resolution No. 642 recommending that the City Council approves Revised Vesting Tentative Map No. 5952.

III. ANALYSIS

Growth Management Policy. In 2004, the City Council adopted a growth management policy to implement the desired growth rate contained in the General Plan without creating adverse effects on City services and the Fowler Unified School District. The policy is to be reviewed with each subdivision application. Policy No. 1 of the Growth Management Policy states, “The desirable annual population and housing growth rate should not exceed the average of the planned growth rate through 2025 of 3% over any five-year period (50-60 units), and should not exceed 6% in any single year (80-90 units).”

Even with a mild upswing in the number of dwellings constructed in 2017 and 2018, the City remains well below the 3% and 6% growth rates, respectively.

Fowler Unified School District. Students from the project would attend Marshall Elementary (K-2), Fremont Elementary (3-5), Sutter Middle School (6-8), and Fowler High School (9-12). The school child generation factor within Fowler Unified has ranged between 0.5 and 0.6 students per household, indicating that the proposed project would generate between 72 and 86 students. Fowler Unified and the City of Fowler are working towards the eventual development of the 20-acre parcel site directly to the north across South Avenue from the project with an elementary school and park site; construction of this elementary school would be expected in 2022-24 and students from the proposed project may attend this school. The School District was provided a copy of the CEQA document for the proposed subdivision and did not provide comments.

In accordance with State law, any new development will be subject to school development fees as a condition of building permit to offset potential impacts to schools. These funds, in combination with bond financing authorized by District voters and State assistance will provide facilities and reduce overcrowding in the long-term.

IV. CEQA

The proposed project must be reviewed for compliance with CEQA. The City prepared an Initial Study and, on this basis, determined that the proposed project will not have significant adverse effects on the environment with incorporation of recommended mitigation. The City has prepared a proposed Mitigated Negative Declaration in accordance with CEQA requirements. The Initial Study/Mitigated Negative Declaration and mitigation measures are attached for Council review. The CEQA analysis did not include development of APN 345-100-07; any future development of that property would be subject to independent CEQA review.

V. FINDINGS

The Subdivision Map Act (Sec. 66474) requires that a City makes the following findings prior to approval of a tentative map:

1. *That the proposed map is consistent with applicable general and specific plans as specified in Section 65451.*

The project proposes 143 lots on 35.71 acres for a density of 4.00 units per acre. This falls squarely within the Medium Low Density range of 3.7-5.5 units per acre.

2. *That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.*

The City is empowered to regulate the design and improvement of subdivisions by the Subdivision Map Act and the City's certain requests by staff of the developer to consider re-design and provide needed information have not been provided. In particular, the project must contain open space and certain lot frontages have insufficient width.

3. *That the site is physically suitable for the type of development.*

The site is physically suitable for the type of development.

4. *That the site is physically suitable for the proposed density of development.*

The site is physically suitable for the proposed density of development.

5. *That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure a fish or wildlife habitat.*

There is no evidence in the record that the project is likely to cause substantial environmental damage.

6. *That the design of the subdivision or type of improvements is not likely to cause serious public health problems.*

There is no evidence in the record that the project is likely to cause serious public health problems.

7. *That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.*

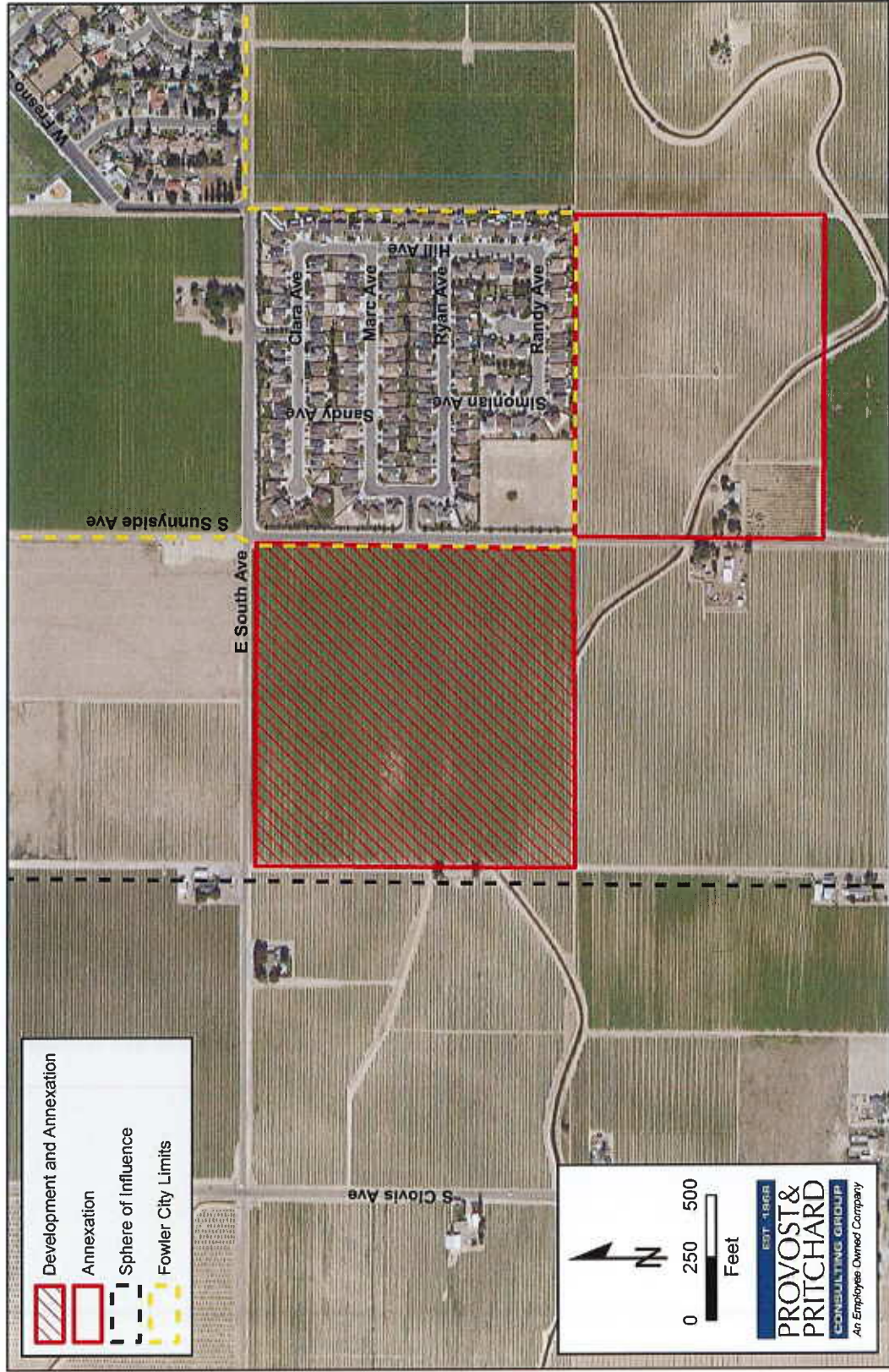
The project will not conflict with easements.

With conditions, including those related to open space and lot dimensions, all of the above findings can be made.

Attachments:

- Figure 1 – Aerial
- Figure 2 – General Plan
- Figure 3 – Zoning
- Figure 4 – TSM No. 6188

Figure 1 – Aerial



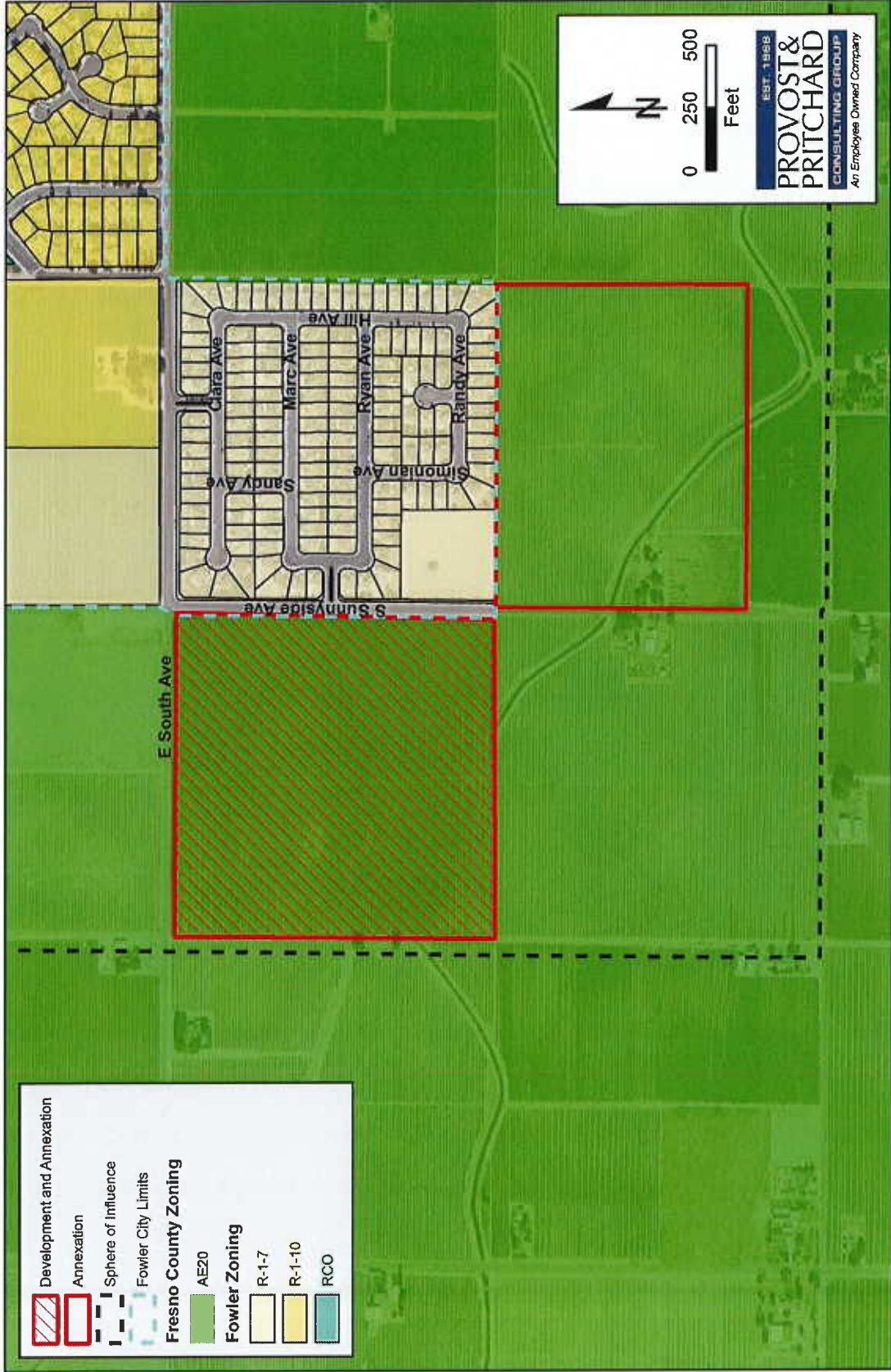
3/8/2019 : G:\Fowler_City-of-2619\2619190002 - RJ Hill Tract No. 5952\GIS\Map\Aerial.mxd

Figure 2 – General Plan



3/8/2019 : G:\Fowler_City of-2619\261919002 - RJ Hill Tract No. 5952\GIS\Map\General Plan.mxd

Figure 3 – Zoning



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RESOLUTION NO. 2426
RESOLUTION BEFORE THE CITY COUNCIL
OF THE CITY OF FOWLER
COUNTY OF FRESNO, STATE OF CALIFORNIA

RESOLUTION ADOPTING A MITIGATED NEGATIVE
DECLARATION FOR REVISED VESTING TENTATIVE
SUBDIVISION MAP NO. 5952 PURSUANT TO THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, an application for Revised Vesting Tentative Subdivision Map No. 5952 has been submitted for APN 345-100-19S located at the southwest corner of Sumner and Sunnyside Avenues; and

WHEREAS, the City of Fowler caused to be prepared an Initial Study for the Project to evaluate potentially significant adverse environmental impacts; and

WHEREAS, the City caused to be prepared a Mitigated Negative Declaration for the Project; and

WHEREAS, the Mitigated Negative Declaration has been prepared, circulated, and made available for public comment pursuant to the California Environmental Quality Act (CEQA), Public Resources Code, sections 21000, et seq., and the Guidelines for implementation of CEQA, Title 14 California Code of Regulations, Chapter 3sections 15000, et seq.; and

WHEREAS, a duly noticed public hearing was held on this matter by the Planning Commission on April 4, 2019; and

WHEREAS, the Planning Commission adopted Resolution No. 639 recommending that the City Council adopts the Mitigated Negative Declaration; and

WHEREAS, the City Council has independently reviewed and considered the Mitigated Negative Declaration and has evaluated and considered all comments, written and oral, received from persons who reviewed the Mitigated Negative Declaration, or otherwise commented on the Project.

NOW THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE COUNCIL RESOLVES AS FOLLOWS:

1. That it has reviewed the recommendation of the Planning Commission.
2. That the Initial Study and Mitigated Negative Declaration for the Project are adequate and have been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines,
3. That it has independently reviewed and considered the information contained in the

Initial Study and Mitigated Negative Declaration prior to approving the project

4. Finds on the basis of the whole record before it, including the Initial Study, Mitigated Negative Declaration, and any comments received that there is no substantial evidence in the record that the Project will have a significant effect on the environment.

BE IT FURTHER RESOLVED that the Fowler City Council hereby adopts the Mitigated Negative Declaration for Revised Vesting Tentative Subdivision Map No. 5952 with mitigation measures as contained in Exhibit "A", which have been incorporated into the Project Conditions of Approval.

I hereby certify the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the City Council of the City of Fowler at a meeting held on the 7th day of May 2019 by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Mayor

Attest:

City Clerk

Exhibit "A"
Mitigation Measures

1. All outdoor lighting shall be hooded and arranged in such a manner as to not create glare onto adjacent properties. Such lighting shall be maintained. Street lights shall be provided as required by the City Engineer.
2. The applicant shall submit a Landscape and Irrigation plan for public areas of the project for City review and approval, to include tree planting along the South and Sunnyside frontages. In addition, city standards require the developer provide front yard landscaping and such plans shall be reviewed and approved by the City.
3. Development of TTM No. 5834 shall be considered prior to approving annexation and development of TTM No. 5292 and APN 345-100-07.
4. A Right-to-Farm covenant shall be recorded for each lot within TTM No. 5952.
5. A person shall be designated by the builder to monitor dust control to prevent transport of dust offsite. The builder shall provide the name and telephone number of such person to the City Building Official prior to commencement of construction.
6. All material excavated or graded shall be watered to prevent dust emissions. The developer shall be responsible for watering in the event of high winds or watering needs after normal working hours.
7. During construction, all areas of vehicle movement shall be watered to prevent dust emissions. The frequency of watering shall be increased when wind speeds exceed 15 miles per hour if soils are not completely wet. If wind speeds increase such that dust control measures are not effective, construction shall be suspended.
8. All disturbed areas on the site not being actively utilized for construction, including storage piles, shall be stabilized to prevent dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.
9. Mud or dirt shall be removed from adjacent public streets at the end of each workday. Track out shall be immediately removed when it extends 50 or more feet from the site. Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
10. After clearing, grading, earth moving, or excavation is completed, the disturbed area shall be treated by watering, re-vegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
11. The developer shall contract with construction firms with fleets that meet the emissions reduction requirements set by District Rule 9510 (20% reduction of NOx emissions and 45% reduction of PM₁₀ emissions).

12. The following air emissions reduction measures shall be depicted on building plans:
 - Provide a pedestrian-friendly and interconnected streetscape to make walking more convenient and safe.
 - Provide good access to/from the development for pedestrians, bicyclists, and transit users.
13. The applicant shall provide the City of Fowler with a copy of an approved Air Impact Assessment Application as evidence of compliance with Rule 9510 Indirect Source Review.
14. Prior to issuing a grading permit, the developer shall provide a pre-construction biological survey prepared by a biologist acceptable to the California Department of Fish and Wildlife focused on burrowing owl, Swainson's hawks and other nesting raptors and migratory birds and San Joaquin kit fox. The applicant and City shall follow any recommendations contained in the survey.
15. If, during construction, cultural resources are discovered, all work shall be halted within 50 feet of the discovery. A professional archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained by the City to determine the significance of the discovery. Upon a finding of significance, the City shall implement the required mitigation (if any) as determined by the archaeologist.
16. In the event human remains are encountered during construction activities, all work within the vicinity of the remains would halt in accordance with Health and Safety Code §7050.5, Public Resources Code §5097.98, and Section 15064.5 of the CEQA Guidelines, and the Fresno County coroner's office would be contacted.
17. An Engineered Grading and Drainage Plan shall be required to show how additional stormwater run-off generated by the proposed development will be handled without adversely impacting adjacent properties.
18. A Grading Permit shall be required for any grading proposed with this project.
19. The Sunnyside/Sumner Avenue intersection is projected to operate at unacceptable LOS "D" in the PM peak hour. The following mitigation would provide acceptable LOS for both peak hours:
 - Install additional lane
 - o Provide southbound left turn pocket (LOS "C")
20. The Fowler City Engineer has determined an estimated "fair share" mitigation fee which addresses the impacts of TTM No. 5952 on study intersections and roadway segments. For TTM No. 5952, the preliminary fair share mitigation fee is estimated at \$405,495, or approximately \$2,371/unit. The fees include improvements to

Caltrans' facilities at the Merced/99 on and off-ramps. Not included are improvements to the Adams/99 interchange or the South Avenue overcrossing as these improvements have not been approved by Caltrans, are long-term, and no designs or cost estimates have been developed. Also not included is future traffic mitigation for development on APN 345-100-07. At the time of a specific development proposal, a traffic analysis will be conducted to determine "fair share" for that project.

RESOLUTION NO. 2427
RESOLUTION BEFORE THE CITY COUNCIL
OF THE CITY OF FOWLER
COUNTY OF FRESNO, STATE OF CALIFORNIA

RESOLUTION DENYING GENERAL PLAN AMENDMENT
NO. 19-01 FOR ASSESSOR'S PARCEL NO. 345-100-19S

WHEREAS, a general plan amendment application has been submitted requesting a change from Medium Low Density Residential to Medium Density Residential for APN 345-100-19S located on the southwest corner of Sunnyside and South Avenues; and

WHEREAS, General Plan Table 5-1 indicates that the R-1-6 zone district is “most compatible” with the Medium Density Land Use designation; however; the practical density of development that can occur within the R-1-6 zone district falls within the range of densities prescribed by the Medium Low Density General Plan Land Use designation; and

WHEREAS, a duly noticed public hearing was held on this matter by the Planning Commission on April 4, 2019; and

WHEREAS, the Planning Commission adopted Resolution No. 639 recommending that the City Council denies General Plan Amendment No. 19-01; and

WHEREAS, the City Council, after reviewing the staff report prepared pursuant to the request, which is herein incorporated by reference, along with the recommendation of the Planning Commission, has determined that it is in the best interests of General Plan and zoning consistency and the surrounding neighborhood to deny General Plan Amendment No. 19-01 requesting to change the designation of APN 345-100-19S from Medium Low Density to Medium Density Residential as requested.

NOW THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE COUNCIL DENIES General Plan Amendment No. 19-01.

I hereby certify the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the City Council of the City of Fowler at a meeting held on the 7th day of May 2019 by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Mayor

Attest:

City Clerk

Exhibit "A"

Mitigation Measures

Mitigation Measure Bio-1: WEAP Training

Prior to initiating construction activities (including staging and mobilization), all personnel associated with Project construction shall attend mandatory Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist, to aid workers in identifying special status resources that may occur in the Project area. The specifics of this program shall include identification of the sensitive species and suitable habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information, along with photographs or illustrations of sensitive species with potential to occur onsite, shall also be prepared for distribution to all contractors, their employees, and all other personnel involved with construction of the Project. All employees shall sign a form documenting that they have attended WEAP training and understand the information presented to them.

Mitigation Measure Bio-2: General Pre-construction Survey

A pre-construction survey for special status species shall be conducted by a qualified biologist within 30 days prior to the beginning of construction activities. If sensitive biological resources are present onsite, the biologist shall establish an appropriate buffer zone and label sensitive resources or areas of avoidance with flagging, fencing, or other easily visible means. If avoidance is not feasible, CDFW and/or USFWS shall be consulted to determine the best course of action.

Mitigation Measure CUL-1

If, during construction, cultural resources are discovered, all work shall be halted within 50 feet of the discovery. A professional archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained by the City to determine the significance of the discovery. Upon a finding of significance, the City shall implement the required mitigation (if any) as determined by the archaeologist.

Mitigation Measure CUL-2:

In the event human remains are encountered during construction activities, all work within the vicinity of the remains would halt in accordance with Health and Safety Code §7050.5, Public Resources Code §5097.98, and Section 15064.5 of the CEQA Guidelines, and the Fresno County coroner's office would be contacted.

ORDINANCE NO. 2019-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOWLER AMENDING THE OFFICIAL ZONING MAP OF THE CITY TO REFLECT A CHANGE OF ZONE FOR ASSESSOR'S PARCEL NOS. 345-100-07 AND 345-100-19S

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

SECTION 1. The Official Zoning Map of the City of Fowler is hereby amended to indicate Assessor's Parcel No. 345-100-07 as R-1-7 (One Family Residential – 7,000 Square Foot Minimum Lot Size) as indicated in Exhibit "A" hereto.

SECTION 2. The Official Zoning Map of the City of Fowler is hereby amended to indicate Assessor's Parcel No. 345-100-19S as R-1-6 (One Family Residential – 6,000 Square Foot Minimum Lot Size) as indicated in Exhibit "A" hereto.

SECTION 3. This ordinance shall take effect and be in full force and effect from and after thirty (30) days following its final passage and adoption. Within fifteen (15) days after its adoption, the ordinance, or a summary of the ordinance, shall be published once in a newspaper of general circulation.

The foregoing ordinance was introduced at a meeting of the City Council of Fowler held on the 7th day of May 2019 and passed and adopted at a regular meeting of the City Council held on the _____ day of _____ 2019 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor, City of Fowler

ATTEST:

City Clerk

RESOLUTION NO. 2428
RESOLUTION BEFORE THE CITY COUNCIL
OF THE CITY OF FOWLER
COUNTY OF FRESNO, STATE OF CALIFORNIA

RESOLUTION APPROVING REVISED VESTING
TENTATIVE SUBDIVISION MAP NO. 5952

WHEREAS, an application for Revised vesting Tentative Subdivision Map No. 5952 has been submitted for APN 345-100-19S located on the southwest corner of Sumner and Sunnyside; and

WHEREAS, a duly noticed public hearing was held on this matter by the Planning Commission on April 4, 2019; and

WHEREAS, the Planning Commission adopted Resolution No. 642 recommending that the City Council approves Revised Vesting Tentative Subdivision Map No. 5952; and

WHEREAS, an Initial Study/Mitigated Negative Declaration has been prepared, circulated, and made available for public comment pursuant to the California Environmental Quality Act (CEQA), Public Resources Code, sections 21000, et seq., and the Guidelines for implementation of CEQA, Title 14 California Code of Regulations, Chapter 3, Section 15000, et seq.; and

WHEREAS, the City Council has adopted Resolution No. 2426 adopting the Initial Study/Mitigated Negative Declaration; and

WHEREAS, the City Council has made the following mandatory findings for the Tentative Map approval as prescribed by the State Subdivision Map Act (Sec. 66474):

1. *That the proposed map is consistent with applicable general and specific plans as specified in Section 65451 with approval of General Plan Amendment No. 10-01.*
2. *The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.*
3. *That the site is physically suitable for the type of development.*
4. *That the site is physically suitable for the proposed density of development.*
5. *That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure a fish or wildlife habitat.*
6. *That the design of the subdivision or type of improvements is not likely to cause serious public health problems.*
7. *That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.*

WHEREAS, the City Council as a result of its inspections, investigations, and studies made on its behalf and of testimonies offered at said hearing and the recommendation of the Planning Commission, has established that the best interests of the City of Fowler and of its residents is to approve Revised Vesting Tentative Subdivision Map No. 5952.

NOW THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE COUNCIL HEREBY APPROVES Revised Vesting Tentative Subdivision Map No. 5952 as shown on Exhibit "A" and subject to the Conditions of Approval attached as Exhibit "B."

I hereby certify the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the City Council of the City of Fowler at a meeting held on the 7th day of May 2019 by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Mayor

Attest:

City Clerk

Exhibit "A"

Revised Vesting Tentative Subdivision Map No. 5952

VESTING TENTATIVE SUBDIVISION MAP

TRACT No. 5952

IN THE CITY OF FOWLER
FRESNO COUNTY, CALIFORNIA
APN 345-100-195

LEGAL DESCRIPTION:
THE NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP 15 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN

IMPROVEMENTS TO BE INSTALLED:

1. STREETS - CITY OF FOWLER STANDARDS
2. CURB & GUTTER - CITY OF FOWLER STANDARDS
3. SIDEWALK - CITY OF FOWLER STANDARDS
4. SANITARY SEWER - CITY OF FOWLER STANDARDS
5. SANITARY SEWER MAIN - CITY OF FOWLER STANDARDS
6. SANITARY SEWER MAIN - CITY OF FOWLER STANDARDS
7. UNDERGROUND TELEPHONE - CITY OF FOWLER STANDARDS
8. CABLE TELEVISION - COMCAST

NOTES:

1. EXISTING TOWNSHIP - AGRICULTURAL
2. EXISTING ZONING - M.U.S. 1.5
3. SITE AREA - 38.81 ACRES
4. DENSITY - 100 UNITS PER ACRE
5. MAXIMUM LOT SIZE - 13,714 SQ. FT.
6. EXISTING LOT SIZE - 7,114 SQ. FT.
7. EXISTING LOT - 10,000 SQ. FT.
8. PROPOSED USE - SINGLE FAMILY RESIDENTIAL
9. THE STREETS WITHIN THE BOUNDARIES OF THIS SUBDIVISION SHALL BE CONSIDERED AS OPEN PUBLIC HIGHWAYS.
10. ALL EXISTING STRUCTURES ON THE SITE ARE TO BE DEMOLISHED UNLESS NOTED OTHERWISE. ALL EXISTING WELLS AND SEPTIC TANKS SHALL BE ABANDONED.
11. UTILITIES AS SHOWN ON THIS MAP SHALL BE OFFERED FOR RELOCATION TO THE CITY OF FOWLER AND SHALL BE INSTALLED AT THE SUBDIVISION DESIGNER'S EXPENSE. THE SUBDIVISION DESIGNER PROVIDES TO THE EXTENT FEASIBLE FOR NATURAL HEATING AND COOLING OPPORTUNITIES BY MAXIMIZING NORTH-SOUTH FACING LOTS.



GARY C. GIANNETTA
CIVIL ENGINEERING & LAND SURVEYING
11500 N. 10TH AVENUE
FRESNO, CA 93721
PHONE: (559) 438-1000 FAX: (559) 438-1008

RECORD OWNERS:
SCOTT FAMILY TRUST, LP

SUBMITTERS:
GARY C. GIANNETTA
11500 N. 10TH AVENUE
FRESNO, CA 93721
PHONE: (559) 438-1000

Exhibit "B"
Conditions of Approval Revised VTSM No. 5952

General:

1. All conditions of the applicant shall be conditions of approval, except as further modified below, and subject to modifications to conform to applicable City Standards.
2. That the applicant pays all fees as required by existing ordinances and schedules.
3. That all water wells and septic systems that served the property be abandoned pursuant to City, County, and State standards.
4. The developer shall continually maintain the existing pavement keeping it clear of dirt, dust, and mud until the subdivision or phase is accepted by the City and shall install gravel filters with minimum 1-inch base rock at each construction entrance extending across the entrance and a minimum of 55-feet into the site.
5. As many energy-conserving features as possible shall be included in the project. Examples include, but are not limited to, increased wall and ceiling insulation, EPA-certified fireplace inserts and/or wood stoves or natural gas fireplaces, electrical and natural gas outlets installed around the exterior of the units to encourage use of electric yard maintenance equipment and gas-fired barbeques, and each home wired for computers/internet and electronic meter reading.
6. To reduce construction noise, construction contracts shall require that all equipment be maintained according to the manufacturers' specifications, and that noise-generating equipment be equipped with mufflers.
7. Hours of construction shall be limited to the hours of 6:00 am to 7:00 pm, Monday through Saturday.
8. The developer shall provide concrete pads and walkway within the side yards adjacent to garages for the placement of trash/recycling containers behind the rear yard fences/gates. All trash/recycling containers shall be placed out of public view except on the days of collection. The developer shall disclose this requirement to the future homeowners within the subdivision.
9. Crosswalks shall be provided to ensure pedestrian safety in areas determined by the City Engineer, Public Works Director and Community Development Director and these crosswalks shall be decorative such thermoplastic pavement striping and/or stamped and colored concrete.
10. Projects shall include all street lights, street signs, stop signs, and other designated by the City for street call names and traffic control. All signs shall be provided per City Municipal Code and shall be in like kind constructed on adjacent streets.
11. The developer shall annex to the City Lighting and Landscape Maintenance District or Community Facilities District as deemed appropriate by the City Engineer.
12. Fire hydrants shall be spaced not to exceed 400 feet on center and shall be valved separately from the water main. Locations shall be approved by the City Engineer, Fire Chief, and the City of Fowler.

Final Map:

13. Within 24 months of tentative map approval, the developer may cause to be filed with the City a final map.
14. The design and improvement of the subdivision shall conform to Titles 1 through 15 of the City of Fowler Subdivision Ordinance and to the City of Fowler Standard Specifications (“Standard Specifications”) unless otherwise specified in these conditions.
15. The applicant shall enter into a subdivision agreement with the City if the final map is approved prior to completion and acceptance of the public improvements.
16. A right-to-farm covenant shall be recorded prior to recordation of the final map.
17. The minimum frontage of each lot shall comply with the City of Fowler Zoning Ordinance.
18. Lots backing onto South Avenue and Sunnyside Avenue shall have no access to said streets.
19. Since the tentative subdivision map for Revised VTSM No. 5952 does not designate or indicate any phasing, the conditions are based on a total development of all 143 lots. If the development is to be phased, the developer shall modify the vesting tentative map to indicate phase lines to be approved by the City Engineer. If phased, the tentative map shall not be subject to new conditions of approval, but the City may require that any or all of the approved conditions be applied to any proposed phase.
20. Street names shall be verified by City staff prior to finalizing the final map. Street names shall be consistent with streets along similar alignments throughout the City
21. All development fees in effect at the time of permitting shall be applied to the development of this subdivision, including plan check, map, development, school and park fees, and all connection fees for sewer and water.

Circulation:

22. The developer shall mitigate the project’s traffic impacts through payment of a fair-share contribution towards future transportation related improvements as indicated in the SW Area Traffic Impact Study (SW Area TIS).
23. The intersection of South Avenue / Sunnyside Avenue shall be designed to accommodate a northbound left turn pocket in accordance with the SW Area TIS.
24. East South Avenue shall be constructed to provide two travel lanes and an 8-foot shoulder in the eastbound direction and one travel lane in the west bound direction along the frontage of the project.
25. Developer shall construct curb extensions to calm traffic at the intersection of Manila Ave / Clara Avenue and Marion Avenue / Ryan Avenue.
26. A 5-foot wide sidewalk and landscaping improvements shall be developed along South Sunnyside Drive and East South Avenue along the frontage of the project.
27. LED street lights be constructed along Armstrong Avenue along the frontage of the project.
28. Local street pavement section shall be a minimum of 2.5 inches of hot mix asphalt over 5 inches of Class II aggregate and verified by a project soils report.
29. Traffic and street signs shall be installed by the Owner/Developer per City requirements.

Water:

30. A looped water system be developed within the subdivision and be tested and accepted by the City of Fowler Public Works Department. Each parcel shall be equipped a water meter/box.

31. All interior water mains shall be an 8-inch water main and loop within each phase of development. The completed interior water system shall be connected to the 12-inch water mains in the major collector streets at each entrance street.
32. Fire hydrants shall be installed at 300-foot intervals at the locations specified by the Fire Chief and City Engineer.
33. Two water sample stations shall be installed within the subdivision at the locations specified by the Public Works Director.
34. The developer shall pay for a water supply study to determine if a water well is required to serve this project. If it is determined that a water well is required, the project shall dedicate to the City of Fowler real property for a water well site within the project. The developer shall also design and construct a water well and dedicate to City of Fowler upon acceptance of construction. Water well improvements would be eligible for reimbursement in accordance with City ordinances.

Sewer:

35. The developer shall comply with the conditions set forth by Selma-Kingsburg-Fowler County Sanitation District.

Grading and Drainage:

36. A grading and drainage plan shall be submitted for review and approval by the City Engineer. The developer shall obtain a grading permit for all on-site grading work.
37. The developer's engineer shall provide drainage calculations for the subdivision. While a drainage basin exists on the east side of South Sunnyside Avenue, it is not certain if there is capacity remaining for this subdivision. If it is determined that there is no capacity, the developer will need to provide an alternate drainage location to be approved by the City of Fowler.
38. The developer's engineer shall submit a storm drain plan and hydraulic calculations showing location of inlets, manholes, and pipelines (including sizing) to City Engineer for review and approval prior to preparation of improvement plans.
39. The developer shall obtain an NPDES permit from the Regional Water Quality Control Board. The plan shall provide for the mitigation of soil erosion from the project site during the construction and warranty periods and be submitted to the City prior to the start of construction. Developer shall supply City with the approved SWPPP and WDID number.
40. As a part of the mitigation measures for soil erosion, the developer shall be responsible for street sweeping during the one-year warranty period.

41.

Aesthetics:

42. A landscape and irrigation plan shall be submitted for review and approval by the City Engineer for the areas along the frontage of Sunnyside Avenue and South Avenue.
43. A 6-foot high decorative block wall shall be constructed on lots adjacent to Sunnyside Avenue and South Avenue. Block walls shall be treated with an approved anti-graffiti coating and/or screened with vines as approved by the City Engineer.
44. Area comprising a minimum of 5% of the total project site shall be reserved and developed as open space. Proposed improvements shall include benches, play structure, concrete flatwork and landscaping as approved by the City Engineer.

45. The developer shall provide front yard landscaping and irrigation prior to occupancy. The automatic irrigation systems shall include enough stations, including controllers, wiring, and valves with irrigation main line stub to accommodate the rear yards for the homes.
46. One medium-sized tree (20-40 foot canopy at full growth) shall be provided on each interior lot front yard. Two medium-sized trees shall be provided for each corner lot, with one placed on each street frontage. The trees shall be so placed as to provide shade to the street at full growth.
47. A decorative wood fence with stone pilasters shall be provided for all other street-side yards within the subdivision.
48. The remainder parcel shall be maintained free of debris, weeds, and other nuisance conditions. If, in the determination of the City, the site becomes and remains a nuisance, the developer may be required to install and maintain screening in the form of fencing, landscaping, or other means.

Utilities:

49. All existing overhead utilities adjacent to the subdivision shall be undergrounded.
50. The developer shall provide a street light plan for review and approval by the City Engineer prior to approval of the improvement plans and prior to the start of construction. Streetlights shall be provided by the developer and maintained by the City pursuant to PG&E rate schedule LS2C.
51. Developer shall work with PG&E for the preparation of a utility plan, subject to the review and approval by the City Engineer prior to approval of the improvement plans and prior to the start of construction. All work shall be completed such that no street surface need be reopened for service.

Irrigation:

52. Any irrigation pipelines maintained by CID shall be relocated outside of the street right-of-way, except at street crossings. Any irrigation lines that must remain in service shall be reconstructed with rubber gasket reinforced concrete pipe.
53. All abandoned irrigation lines serving the property shall be removed.

Hold Harmless and Indemnification Condition:

54. Hold Harmless and Indemnification Condition. Approval of this Project is for the benefit of the Applicant. The submittal of applications by the Applicant for this Project was a voluntary act on the part of the Applicant not required by the City. Therefore, as a condition of approval of this Project, the Applicant agrees to defend, indemnify and hold harmless the City of Fowler and its agents, officers, consultants, independent contractors and employees ("City") from any and all claims, actions or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the Project, and for any and all costs, attorney's fees, and damages arising therefrom (collectively "Claim"). The City shall promptly notify the Applicant of any Claim and the City shall cooperate fully in the defense. If the City fails to promptly notify the Applicant of any Claim or if the City fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Nothing in this condition shall obligate the City to defend any Claim and the City shall not be required to pay or perform any settlement arising from any such Claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any Claim, and if the City decides to independently defend a Claim, the Applicant shall be responsible for City's attorney's fees, expenses of litigation and costs for that independent defense. Should the City decide to independently defend any Claim, the Applicant shall not be required to pay or perform any settlement arising from any such Claim unless the Applicant approves the settlement.

Signature of Applicant: _____

Date: _____

**RESOLUTION NO. 2429
RESOLUTION BEFORE THE CITY COUNCIL
OF THE CITY OF FOWLER
COUNTY OF FRESNO, STATE OF CALIFORNIA**

**RESOLUTION REQUESTING THAT THE LOCAL AGENCY
FORMATION COMMISSION UNDERTAKE PROCEEDINGS FOR
THE SUNNYSIDE-SOUTH SOUTHWEST REORGANIZATION**

WHEREAS, the City of Fowler desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Government Code Section 56000 for the proposed Sunnyside-South Southwest Reorganization; and

WHEREAS, the specific changes of organization consist of annexation to the City of Fowler and the Selma-Kingsburg-Fowler County Sanitation District and detachment from the Consolidated Irrigation District; and

WHEREAS, the territory proposed to be changed is uninhabited, and on this day contains no registered voters, established by virtue of lack of habitable structures; and

WHEREAS, an illustration of the boundaries of the territory is set forth in Exhibit "A" hereto, and a map and written description accurately depicting said territory shall be forwarded to the Local Agency Formation Commission upon application; and

WHEREAS, this proposal is consistent with the City of Fowler sphere of influence; and

WHEREAS, the City of Fowler does not desire to subject the proposal to additional terms or conditions; and

WHEREAS, the proposed reorganization is intended to: 1) facilitate development of Revised Vesting Tentative Subdivision Map No. 5952, said map occupying Assessor's Parcel No. 345-100-19S and approved with conditions by the City of Fowler City Council via Resolution No. 2428 on May 7, 2019, which comprises approximately 39.91 acres; and 2) allow for the annexation of Assessor's Parcel No. 345-100-07 comprising approximately 28.67 acres, which at this time is not proposed for development but lies immediately south of existing single-family development and would constitute a logical expansion of the city limits; and

WHEREAS, the City Council, via Resolution No. 2426 has adopted a mitigated negative declaration for the project pursuant to the California Environmental Quality Act.

NOW THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE COUNCIL HEREBY ADOPTS this Resolution of Application and the Local Agency Formation Commission of Fresno County is hereby requested to initiate proceedings for the Sunnyside-South Southwest Reorganization in the manner prescribed by the

Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

I hereby certify the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the City Council of the City of Fowler at a meeting held on the 7th day of May 2019 by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Mayor

Attest:

City Clerk

345-10

POR. SEC. 21, T.15 S., R.21 E. M.D.B.M.

NOTE: This map is for Assessment purposes only. It is not to be construed as anything other than a statement of fact for purposes of zoning or subdivision law.



Assessor's Map Bk.345 - Pg.10
County of Fresno, Calif.

Agricultural Preserve
Parcel Map No. 2115 - Bk. 14, Pg. 27

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

Proposed for Annexation

City of Fowler



PROVOST & PRITCHARD
CIVIL ENGINEERS & ARCHITECTS
An Equal Opportunity Company

Exhibit "A" to Resolution No. 2429

CITY OF FOWLER
 WARRANTS LIST
 May 7, 2019

<u>ACCOUNTS PAYABLE CHECKS</u>	<u>CHECK NUMBERS</u>	<u>CHECK DATES</u>	<u>AMOUNT</u>
Regular checks	35039-35080	April 23 thru May 3	\$ 303,959.07
Fire Station checks	1008	May 3, 2019	\$ 12,580.00
TOTAL ACCOUNTS PAYABLE CHECKS			\$ 316,539.07
<u>PAYROLL COSTS</u>			
First April Bi-Monthly Payroll		April 15, 2019	93,437.56
Second April Bi-Monthly Payroll		April 30, 2019	\$ 91,845.77
TOTAL PAYROLL COSTS			\$ 185,283.33
TOTAL CASH DISBURSEMENTS			
			\$ 501,822.40

NOTE:
 Check #35087 -#35088 Void check carry over to check #35089
 Check #35093 Void check carry over to check #35094

SUPERION
 DATE: 05/03/2019
 TIME: 12:43:40

CITY OF FOWLER
 CHECK REGISTER - BY FUND

PAGE NUMBER: 1
 ACCTPAZ1

SELECTION CRITERIA: transact.check_no between '35039' and '35106'
 ACCOUNTING PERIOD: 11/19

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCT	DESCRIPTION	SALES TAX	AMOUNT
1001	35039	04/23/19	12654	COMCAST CABLE	6120	5220	SERVICES	0.00	684.95
1001	35041	04/23/19	12810	GLOBAL CTI	6020	5220	SERVICES	0.00	116.15
1001	35041	04/23/19	12810	GLOBAL CTI	6020	5220	SERVICES	0.00	116.15
TOTAL CHECK								0.00	232.30
1001	35042	04/23/19	10194	LOZANO SMITH	100	1300	SERVICES	0.00	9,189.66
1001	35043	04/23/19	13187	SECOND CHANCE ANIMA	6270	5220	SERVICES	0.00	1,000.00
1001	35044	04/23/19	13848	TPX	6020	5160	SERVICES	0.00	3,239.55
1001	35047	05/03/19	11689	A & C TIRE SERVICE	6260	5200	SERVICES	0.00	32.39
1001	35048	05/03/19	10006	AGRICHEM	6260	5190	SUPPLIES	0.00	507.91
1001	35051	05/03/19	10549	AT&T MOBILITY	6120	5220	SERVICES	0.00	76.06
1001	35052	05/03/19	12285	ATT	6120	5220	SERVICES	0.00	497.01
1001	35053	05/03/19	13849	AXON ENTERPRISE INC	6120	5175	TASER PURCH AGRMNT	0.00	3,051.30
1001	35056	05/03/19	14020	BRYANT L. JOLLEY, C	6030	5220	AUDIT WORK	0.00	6,600.00
1001	35058	05/03/19	12429	CENTRAL VALLEY AIRL	6200	5200	SERVICES	0.00	639.61
1001	35059	05/03/19	11970	CENTRAL VALLEY TOXI	6120	5220	SERVICES	0.00	78.00
1001	35060	05/03/19	10556	CNA SURETY DIRECT B	6080	5240	BOND INSURANCE	0.00	250.00
1001	35060	05/03/19	10556	CNA SURETY DIRECT B	6030	5240	BOND INSURANCE	0.00	250.00
TOTAL CHECK								0.00	500.00
1001	35061	05/03/19	11226	COMMUNITY MEDICAL C	6120	5220	SERVICES	0.00	175.00
1001	35062	05/03/19	10475	COUNTY OF FRESNO TR	6150	5100	BUSINESS CARDS	0.00	45.46
1001	35063	05/03/19	13084	CREEPY CRAWLIES EXT	6700	5220	SERVICES	0.00	95.00
1001	35063	05/03/19	13084	CREEPY CRAWLIES EXT	6020	5220	SERVICES	0.00	180.00
TOTAL CHECK								0.00	275.00
1001	35065	05/03/19	10100	ECN POLYGRAPH & INV	6120	5110	SERVICES	0.00	200.00
1001	35066	05/03/19	10109	FMAAA	6700	5110	MEALS	0.00	9.16
1001	35067	05/03/19	10119	FRESNO CO CLERK/REG	6025	5110	2018 GENERAL ELECTI	0.00	5,465.19
1001	35068	05/03/19	10124	FRESNO COUNTY TREAS	6120	5270	SERVICES	0.00	1,213.52
1001	35069	05/03/19	10127	FRESNO MADERA CHIEF	6120	5250	MEMBERSHIP DUES	0.00	150.00
1001	35070	05/03/19	12567	FRESNO MOBILE RADIO	6200	5220	SERVICES	0.00	220.00

SUPERIOR
DATE: 05/03/2019
TIME: 12:43:40

PAGE NUMBER: 2
ACCTPAZ1

CITY OF FOWLER
CHECK REGISTER - BY FUND

SELECTION CRITERIA: transact.check_no between '35039' and '35106'
ACCOUNTING PERIOD: 11/19

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	---DESCRIPTION----	SALES TAX	AMOUNT
1001	35071	05/03/19	13451	FRONTIER COMMUNICAT	6120	5160	SERVICES	0.00	182.09
1001	35072	05/03/19	10141	H & H TIRE SERVICES	6120	5205	AUTO MAINTENANCE	0.00	82.54
1001	35073	05/03/19	11018	HOME DEPOT CREDIT S	6200	5110	SUPPLIES	0.00	147.27
1001	35074	05/03/19	13956	JACKSON LEWIS P.C.	6020	5220	LEGAL SERVICES	0.00	3,502.95
1001	35076	05/03/19	10416	LAW & ASSOCIATES IN	6120	5110	BACKGROUND	0.00	600.00
1001	35076	05/03/19	10416	LAW & ASSOCIATES IN	6120	5110	BACKGROUND	0.00	1,000.00
TOTAL CHECK								0.00	1,600.00
1001	35077	05/03/19	10191	LIFE ASSIST, INC	6130	5310	SUPPLIES	0.00	250.16
1001	35079	05/03/19	10171	MEJIA, JUAN	6025	5300	REIMBURSEMENT	0.00	489.44
1001	35081	05/03/19	10885	NELSONS POWER CENTE	6260	5110	SUPPLIES	0.00	433.85
1001	35081	05/03/19	10885	NELSONS POWER CENTE	6260	5110	SUPPLIES	0.00	1,046.71
1001	35081	05/03/19	10885	NELSONS POWER CENTE	6260	5120	SUPPLIES	0.00	1,430.21
TOTAL CHECK								0.00	2,910.77
1001	35082	05/03/19	10216	NEW ENGLAND SHEET M	6700	5220	SERVICES	0.00	383.66
1001	35082	05/03/19	10216	NEW ENGLAND SHEET M	6120	5220	SERVICES	0.00	383.67
1001	35082	05/03/19	10216	NEW ENGLAND SHEET M	6020	5220	SERVICES	0.00	383.67
TOTAL CHECK								0.00	1,151.00
1001	35083	05/03/19	12941	NFPA	6130	5250	MEMBERSHIP DUES	0.00	175.00
1001	35085	05/03/19	10237	P G & E - SACRAMENT	6200	5170	UTILITIES	0.00	113.74
1001	35085	05/03/19	10237	P G & E - SACRAMENT	6700	5170	UTILITIES	0.00	477.84
1001	35085	05/03/19	10237	P G & E - SACRAMENT	6200	5170	UTILITIES	0.00	2,187.86
1001	35085	05/03/19	10237	P G & E - SACRAMENT	6200	5170	UTILITIES	0.00	11.09
TOTAL CHECK								0.00	2,790.53
1001	35086	05/03/19	10235	PBM SUPPLY & MANUFA	6260	5110	SUPPLIES	0.00	6.19
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	SPR 18-09	0.00	120.00
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	TTM 6188	0.00	240.00
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	TCP COORDINATION	0.00	240.00
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2060	MAGILL TERRACE	0.00	250.44
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2060	CUP 17-02 TACO BELL	0.00	282.90
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2060	CUP 18-04	0.00	298.20
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	SPR 18-01	0.00	318.75
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2060	BUFORD TRUCK STOP	0.00	360.00
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2060	GOLDEN STATE CORRID	0.00	360.00
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2060	CUP 18-04	0.00	376.25
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	SPR 18-01	0.00	385.00
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	TRACT 6259	0.00	401.25
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2060	HEALTH CLINIC	0.00	577.40
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	TCP COORDINATION	0.00	720.00
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2060	TRACT 6157	0.00	773.38
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	SPR 18-05	0.00	786.25

SUPERIOR
DATE: 05/03/2019
TIME: 12:43:40

CITY OF FOWLER
CHECK REGISTER - BY FUND

PAGE NUMBER: 3
ACCTPAZI

SELECTION CRITERIA: transact.check_no between '35039' and '35106'
ACCOUNTING PERIOD: 11/19

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	DESCRIPTION----	SALES TAX	AMOUNT
1001	35089	05/03/19	12060	PETERS ENGINEERING	6200	5510	2019 ST MAIN	0.00	820.00
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	MAGILL TERRACE	0.00	826.50
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	TRACT 6027	0.00	965.80
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	ENRCHMNT PERMIT	0.00	996.90
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	SERVICES	0.00	1,000.00
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2060	GOLDEN STATE CORRID	0.00	1,146.10
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	TRACT 6157	0.00	1,161.78
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	TRACT MAP 6027	0.00	1,200.00
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	SERVICES	0.00	1,500.00
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2073	TRACT 5834	0.00	1,691.33
1001	35089	05/03/19	12060	PETERS ENGINEERING	6200	5510	RSTP 5173 (028)	0.00	1,982.25
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2082	MAXCO	0.00	1,988.98
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2060	HEALTH CLINIC	0.00	2,042.46
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2073	TRACT 5834	0.00	3,136.04
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	SERVICES	0.00	3,163.16
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	TEMPERANCE/WALTER	0.00	3,322.45
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	TRACT 6027	0.00	3,632.50
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	ENRCHMNT PERMITS	0.00	4,544.42
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	SERVICES	0.00	4,929.78
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2060	CUP 17-02 TACO BELL	0.00	4,936.04
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2073	TRACT 5834	0.00	5,362.19
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	WALTERS AVE	0.00	6,046.84
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	SD SYSTEM MAPPING	0.00	6,593.08
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2082	MAXCO	0.00	8,740.00
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2082	MAXCO	0.00	8,754.00
1001	35089	05/03/19	12060	PETERS ENGINEERING	6150	5510	SERVICES	0.00	9,264.68
1001	35089	05/03/19	12060	PETERS ENGINEERING	100	2073	TRACT 5834	0.00	13,822.02
1001	35089	05/03/19	12060	PETERS ENGINEERING	6200	5510	RSTP 5173 (028)	0.00	25,398.75
TOTAL	CHECK							0.00	135,457.87
1001	35090	05/03/19	14102	PICK EM UP TRUCK ST	6130	5205	SUPPLIES	0.00	269.94
1001	35090	05/03/19	14102	PICK EM UP TRUCK ST	6130	5205	SUPPLIES	0.00	1,935.58
TOTAL	CHECK							0.00	2,205.52
1001	35091	05/03/19	12059	PITNEY BOWES	6020	5110	POSTAGE	0.00	370.47
1001	35092	05/03/19	13765	PROVIDENCE HORTICUL	6260	5220	TREE REMOVALS	0.00	4,250.00
1001	35094	05/03/19	13655	PROVOST & PRITCHARD	100	2060	SPR 18-11	0.00	29.40
1001	35094	05/03/19	13655	PROVOST & PRITCHARD	6150	5520	SPR 18-10	0.00	73.50
1001	35094	05/03/19	13655	PROVOST & PRITCHARD	100	2060	CUP 17-04	0.00	73.50
1001	35094	05/03/19	13655	PROVOST & PRITCHARD	6150	5520	18-10 2ND DWELLING	0.00	218.50
1001	35094	05/03/19	13655	PROVOST & PRITCHARD	6150	5520	18-10 2ND DWELLING	0.00	227.10
1001	35094	05/03/19	13655	PROVOST & PRITCHARD	100	2060	SPR 18-09	0.00	233.48
1001	35094	05/03/19	13655	PROVOST & PRITCHARD	100	2060	G/S SPR 18-09	0.00	242.10
1001	35094	05/03/19	13655	PROVOST & PRITCHARD	100	2060	CUP 17-04	0.00	351.90
1001	35094	05/03/19	13655	PROVOST & PRITCHARD	6150	5520	RAMIREZ VAR 18-01	0.00	366.50
1001	35094	05/03/19	13655	PROVOST & PRITCHARD	100	2060	NATIONAL RAISIN	0.00	441.00
1001	35094	05/03/19	13655	PROVOST & PRITCHARD	100	2060	THREE CROWNS SPR18-	0.00	550.00
1001	35094	05/03/19	13655	PROVOST & PRITCHARD	100	2060	BEE SWEET SPR 18-11	0.00	569.80
1001	35094	05/03/19	13655	PROVOST & PRITCHARD	100	2073	RJ HILL TTM 5952	0.00	1,043.10
1001	35094	05/03/19	13655	PROVOST & PRITCHARD	100	2066	THREE CROWNS SPR18-	0.00	1,287.42

SUPERIOR
 DATE: 05/03/2019
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CITY OF FOWLER
 CHECK REGISTER - BY FUND

PAGE NUMBER: 5
 ACCTPA21

SELECTION CRITERIA: transact.check_no between '35039' and '35106'
 ACCOUNTING PERIOD: 11/19

FUND - 210 - GAS TAX									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	35049	05/03/19	10007	ALERT-O-LITE, INC	2100	5190	SUPPLIES	0.00	190.04
1001	35049	05/03/19	10007	ALERT-O-LITE, INC	2100	5190	SUPPLIES	0.00	330.69
1001	35049	05/03/19	10007	ALERT-O-LITE, INC	2100	5195	SUPPLIES	0.00	380.07
TOTAL CHECK								0.00	900.80
TOTAL CASH ACCOUNT								0.00	900.80
TOTAL FUND								0.00	900.80

SUPERIOR
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ACCTPAZ1

CITY OF FOWLER
CHECK REGISTER - BY FUND

SELECTION CRITERIA: transact.check_no between '35039' and '35106'
ACCOUNTING PERIOD: 11/19

FUND - 225 - LTF - ARTICLE 8

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	35085	05/03/19	10237	P G & E - SACRAMENT	2250	5170	UTILITIES	0.00	70.35
1001	35085	05/03/19	10237	P G & E - SACRAMENT	2250	5170	UTILITIES	0.00	109.22
TOTAL CHECK								0.00	179.57
TOTAL CASH ACCOUNT								0.00	179.57
TOTAL FUND								0.00	179.57

SUPERION
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 ACCTPAZ1

CITY OF FOWLER
 CHECK REGISTER - BY FUND

SELECTION CRITERIA: transact.check_no between '35039' and '35106'
 ACCOUNTING PERIOD: 11/19

FUND - 500 - WATER

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	DESCRIPTION	SALES TAX	AMOUNT
1001	35040	04/23/19	13275	FERGUSON ENTERPRISE	5000	5110	SUPPLIES	0.00	678.54
1001	35041	04/23/19	12810	GLOBAL CTI	5000	5220	SERVICES	0.00	116.15
1001	35041	04/23/19	12810	GLOBAL CTI	5000	5220	SERVICES	0.00	116.15
TOTAL CHECK								0.00	232.30
1001	35045	04/23/19	10923	VALLEY COUNTIES WAT	5000	5260	MEETING	0.00	60.00
1001	35046	05/01/19	10242	U S POSTMASTER	5000	5175	POSTAGE FOR BILLS	0.00	864.30
1001	35050	05/03/19	14097	ALMAGUER, ABELINA	500	2050	UB REFUND	0.00	100.00
1001	35054	05/03/19	14096	BADHESHA, AMRITPAL	500	2050	UB REFUND	0.00	100.00
1001	35055	05/03/19	14093	BLANCO, RICHARD	500	2050	UB REFUND	0.00	79.09
1001	35057	05/03/19	10024	BSK LABORATORIES	5000	5220	SERVICES	0.00	21.00
1001	35060	05/03/19	10556	CNA SURETY DIRECT B	5000	5240	BOND INSURANCE	0.00	250.00
1001	35064	05/03/19	14098	CRUZ, MONICA	500	2050	UB REFUND	0.00	87.86
1001	35071	05/03/19	13451	FRONTIER COMMUNICAT	5000	5160	SERVICES	0.00	157.93
1001	35073	05/03/19	11018	HOME DEPOT CREDIT S	5000	5110	SUPPLIES	0.00	444.09
1001	35073	05/03/19	11018	HOME DEPOT CREDIT S	5000	5110	SUPPLIES	0.00	107.33
TOTAL CHECK								0.00	551.42
1001	35075	05/03/19	14099	KLAIR, PAUL	500	2050	UB REFUND	0.00	88.53
1001	35078	05/03/19	14100	LOTZ, RANDY	500	2050	UB REFUND	0.00	89.88
1001	35084	05/03/19	14092	OGATA, GWENDOLYN	500	2050	UB REFUND	0.00	40.96
1001	35085	05/03/19	10237	P G & E - SACRAMENT	5000	5170	UTILITIES	0.00	3,521.07
1001	35096	05/03/19	12672	R&B COMPANY	5000	5110	SUPPLIES	0.00	116.61
1001	35097	05/03/19	11195	ROBERT V JENSEN INC	5000	5210	FUEL	0.00	204.82
1001	35097	05/03/19	11195	ROBERT V JENSEN INC	5000	5210	FUEL	0.00	229.23
1001	35097	05/03/19	11195	ROBERT V JENSEN INC	5000	5210	FUEL	0.00	242.12
TOTAL CHECK								0.00	676.17
1001	35098	05/03/19	14101	SHEPARD, MICHELE	500	2050	UB REFUND	0.00	130.66
1001	35102	05/03/19	14094	TELLEZ, GREGORIO	500	2050	UB REFUND	0.00	79.09
1001	35106	05/03/19	10346	ZOOM IMAGING SOLUTI	5000	5220	SERVICES	0.00	20.28
1001	35106	05/03/19	10346	ZOOM IMAGING SOLUTI	5000	5220	SERVICES	0.00	43.45
TOTAL CHECK								0.00	63.73
TOTAL CASH ACCOUNT								0.00	7,989.14

SUPERION
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ACCTPAZI

CITY OF FOWLER
CHECK REGISTER - BY FUND

SELECTION CRITERIA: transact.check_no between '35039' and '35106'
ACCOUNTING PERIOD: 11/19

FUND - 500 - WATER

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
								0.00	7,989.14

TOTAL FUND

SUPERION
 DATE: 05/03/2019
 TIME: 12:43:40

CITY OF FOWLER
 CHECK REGISTER - BY FUND

PAGE NUMBER: 9
 ACCTPAZ1

SELECTION CRITERIA: transact.check_no between '35039' and '35106'
 ACCOUNTING PERIOD: 11/19

FUND - 710 - AB1600-GENERAL SERVICES

CASH ACCT	CHECK NO	ISSUE DT	VENDOR NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	35089	05/03/19	PETERS ENGINEERING	710	5510	IMPACT FEE STUDY	0.00	120.00
1001	35094	05/03/19	PROVOST & PRITCHARD	710	5520	SERVICES	0.00	16,033.80
1001	35094	05/03/19	PROVOST & PRITCHARD	710	5520	SERVICES	0.00	1,567.10
TOTAL CHECK							0.00	17,600.90
TOTAL CASH ACCOUNT							0.00	17,720.90
TOTAL FUND							0.00	17,720.90

SUPERION
 DATE: 05/03/2019
 TIME: 12:43:40

CITY OF FOWLER
 CHECK REGISTER - BY FUND

PAGE NUMBER: 10
 ACCTPA21

SELECTION CRITERIA: transact.check_no between '35039' and '35106'
 ACCOUNTING PERIOD: 11/19

FUND - 850 - SUCCESSOR AGENCY

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	35080	05/03/19	10214	NBS	8500	5220	QTR ADMIN FEE	0.00	672.50
1001	35080	05/03/19	10214	NBS	8500	5220	ANNUAL REPORT	0.00	1,270.00
TOTAL CHECK								0.00	1,942.50
TOTAL CASH ACCOUNT								0.00	1,942.50
TOTAL FUND								0.00	1,942.50
TOTAL REPORT								0.00	303,959.07

SUPERION
 DATE: 05/03/2019
 TIME: 12:44:12

SELECTION CRITERIA: transact.check_no='1008'
 ACCOUNTING PERIOD: 11/19

PAGE NUMBER: 1
 ACCTPA21

CITY OF FOWLER
 CHECK REGISTER - BY FUND

FUND - 790 - FIRE STATION PROJECT

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	1008	05/03/19	12060	PETERS ENGINEERING	790	5510	SERVICES	0.00	2,630.00
1001	1008	05/03/19	12060	PETERS ENGINEERING	790	5510	FIRE STATION CON	0.00	9,950.00
TOTAL CHECK								0.00	12,580.00
TOTAL CASH ACCOUNT								0.00	12,580.00
TOTAL FUND								0.00	12,580.00
TOTAL REPORT								0.00	12,580.00

**MINUTES OF THE FOWLER CITY COUNCIL AND
FOWLER PUBLIC AUTHORITY JOINT MEETING
APRIL 16, 2019**

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

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

City/PFA Staff Present: City Manager/City Clerk Davis, City Attorney Cross, Police Chief Alcaraz, Public Works Supervisor/Fire Chief Lopez, Finance Director Uyeda, Deputy City Clerk Burrola

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

PUBLIC PRESENTATIONS

Raquel White, Central Regional Compliance Manager at Construction Industry Force Account Council (CIFAC). CIFAC is a non-profit coalition of concerned construction industry associates, contractors, and labor unions that work to ensure State and local governments' are in compliance with the Public Contract Code.

Patric Jones, Fowler resident spoke about concerns he received from other residents regarding the dust control at the Hovanian subdivision project.

PRESENTATION OF AUDITOR'S REPORT FOR THE YEAR ENDED JUNE 30, 2017

Auditor Gus Corona, of Borchardt, Corona, Faeth & Zakarian, presented the audits for the City of Fowler and Public Financing Authority (PFA). The PFA audit showed that the long-term debt was decreased by \$295,000 for the period. The fund balance in the debt service fund is a deficit of \$79,477, an improvement of \$74,998 over prior year.

The City's audit showed a total positive net position of \$27,695,611 for all governmental funds. General Fund (GF) revenues totaled \$4,187,613, and expenditures totaled \$4,063,289 for the period. With the addition of operating transfers in of \$219,660, there was an excess of revenue over expenditures of \$343,984 in the GF as of June 30, 2017. Adding this to the beginning fund balance of \$1,705,451, the ending GF fund balance at June 30, 2017 was \$2,049,435. The Utility Users Tax fund received \$431,771 in revenues, and expenditures totaled \$305,070. With the addition of \$95,060 in operating transfers in and other financing sources, the total revenue over expenditures was \$221,761. The ending fund balance in the Utility Users Tax fund at June 30, 2017 was \$1,000,591. Mr. Corona noted that the total net position for the Water fund was \$3,349,322 at the end of the fiscal year.

COMMUNICATIONS

City Manager/Executive Director Davis reminded the Council of the upcoming Mayor's Breakfast Friday, May 10th at 6:30 a.m. at Jocy's Mexican Restaurant, the Employees Appreciation Dinner is Friday, May 3rd at Cattleman's Steakhouse Restaurant at 6:00 p.m., and Spring Fest is Saturday, April 27th.

STAFF REPORT

CITY MANAGER'S REPORT

City Manager/Executive Director Davis said at the April 4ths Planning Commission meeting, Tract 6188, National Raisin's Subdivision and RJ Hill's Tract 5952 were approved; both will be coming to the Council for consideration on May 7, 2019.

Ms. Davis mentioned the second of a series of the community park grant meetings was held on April 2, 2019. The meeting consisted of gathering information from the community on priorities of what they wanted for the park based on a point system. The next meeting is scheduled for Tuesday, May 7, 2019. The Magill Terrace apartments are near completion, the first phase of tenants will be able to move in in a couple of weeks.

The Valley Children's Clinic will be having its grand opening possibly on May 30, 2019. Ms. Davis said the Plans for Art Ramirez's project have been corrected.

PUBLIC WORKS REPORT

Public Works Supervisor Lopez said Panzak Park was closed for two days last week; two pine trees fell due to heavy winds. He mentioned he is currently working on weed control along the alley ways and Golden State Boulevard. Well Site 5A is currently going through an upgrade; the electrical control panel is in bad shape and will be replaced. Councilmember/Director Kazarian said he was approached by residents who had some concerns of TCP 123 chemical containing fumigants contaminating drinking water wells. He suggested possibly providing information on the City's website with educational information for the residents on water testing.

Mr. Lopez said he is working on getting the flashing four-way stop signs at Merced, Adams, and Armstrong Avenues switched over to solar.

FINANCE DIRECTOR'S REPORT

No report was given.

POLICE DEPARTMENT REPORT

PRESENTATION OF PILOT PATROL VEHICLE

Police Chief Alcaraz presented information on the newest vehicle added to the fleet, a 2018 Toyota Camry. He said he is always looking for ways to save public funds, he expressed that the Toyota Camry can hold up to the demands of the profession. He believes this vehicle will offer better fuel efficiency and reduce maintenance costs in the long term. This patrol unit is a prototype vehicle currently being road tested to ensure its feasibility for patrol functions.

He provided the DOJ Crime Statistic's for the month of March 2019. Chief Alcaraz said the department is currently down two police officer positions; he is in the process of getting those positions filled. On Saturday, April 13th, the Explorers attended and assisted at the Easter Egg Hunt at Panzak Park.

FIRE DEPARTMENT REPORT

Fire Chief Lopez said he will be sending four volunteer fire fighters to an upcoming Wildland Fire Academy in the fall, sponsored by CALFIRE. He mentioned Fire Engine No. 48 will be sent in for major maintenance repairs.

CITY ATTORNEY'S REPORT

No report was given.

CONSENT CALENDAR

The consent calendar consisted of: A) Ratification of Warrants – April 16, 2019; B) Approve Minutes of the City Council Meeting – March 19, 2019; C) Approve Proclamation “Remembrance of the Armenian Genocide”; D) Adopt Resolution N. 2019-2423, “A Resolution of the City Council of the City of Fowler for Inclusion in the 2019-20 Budget to Incorporate a List of Projects Funded by SB 1: The Road Repair and Accountability Act” and Authorize the City Engineer to Transmit the Resolution and Project List to the California Transportation Commission by May 1, 2019. Councilmember/Director Kazarian questioned Item D, in terms of the funding amount; the amount listed on the memo is not consistent with the resolution amount. City Manager/Executive Director Davis said it may be a typo and will be corrected.

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

COMMITTEE REPORTS

Mayor/Chairman Cardenas attended a Selma, Kingsburg, and Fowler Sanitation (SKF) meeting with City Manager Davis.

Councilmember/Director Kazarian said he was interviewed by Channel 30 Action News regarding the 1% district sales tax. Last week he spoke at the 16th Annual Fresno EDC Real Estate Forecast.

He mentioned on April 24, 2019 he will be the Master of Ceremonies during the flag rising at Fresno City Hall for the Armenian Genocide.

Councilmember/Director Parra and Mayor/Chairman Cardenas attended the League of California Cities general membership meeting last week.

ADJOURNMENT

Having no further business, Councilmember/Director Kazarian made a motion, seconded by Councilmember/Director Parra to adjourn. The motion carried and the meeting adjourned at 8:57 p.m.

RESOLUTION NO. 2430

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOWLER
AUTHORIZING OFFICIALS TO EXECUTE AGREEMENTS WITH CALTRANS**

WHEREAS, State of California, Department of Transportation (Caltrans) requires that an official be authorized by City Council to execute Agreements for all federally-funded and state-funded projects; and

WHEREAS, the City Manager and the City Clerk possess the expertise to execute Agreements with Caltrans for all federally-funded and state funded projects on behalf of the City of Fowler.

NOW, THEREFORE, BE IT RESOLVED:

That the City Council of the City of Fowler hereby adopts a Resolution to authorize the City Manager and the City Clerk to execute Agreements with Caltrans for all federally-funded and state-funded projects.

* * * * *

David Cardenas, Mayor

ATTEST:

City Clerk

I, Jeannie Davis, City Clerk of the City of Fowler, do hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the Fowler City Council held on the 7th day of May 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:
