

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
MAY 7, 2019**

Mayor Cardenas called the meeting to order at 7:02 p. m. Roll call was taken.

Councilmembers Present: Cardenas, Hammer, Kazarian, Rodriquez

Councilmembers Absent: Parra

City Staff Present: City Manager/City Clerk Davis, City Attorney Wolfe, Police Chief Alcaraz, Public Works Supervisor/Fire Chief Lopez, Finance Director Uyeda, Planner Marple, Deputy Planner O'Neal, Deputy City Clerk Burrola

The Flag Salute and Pledge of Allegiance were followed by the Invocation delivered by Pastor Green, Second Baptist Church, Fowler.

PUBLIC PRESENTATIONS

Patric Jones, Fowler resident expressed his gratitude to the Public Works Department for striping the parking stalls at St. Lucy's Church. He mentioned that there is a house located at the corner of Fowler and Adams Avenue that have bushes obstructing the visibility of traffic possibility causing a traffic hazard. Mr. Jones asked about possibilities of having the Council meetings podcasted.

Sandra Browning, Fowler resident spoke about the crosswalk located at Dee Ann and Adams Avenue. She spoke about the concerns of traffic not coming to a complete stop at the crosswalk for pedestrians. Pastor Green, Second Baptist Church expressed his concerns about the parking issues they are having with commercial vehicles, trucks, and trailers parking in front of the church during church service hours.

PUBLIC HEARING

- ◆ **To Consider Tentative Subdivision Map (TSM) No. 6188 and Adoption of a Mitigated Negative Declaration, Submitted by Sunshine Raisin Corporation of Approximately 30.7 acres at the Northeast Corner of Adams and Armstrong Avenue**

Jeff O'Neal, Deputy City Planner said the applicant, Sunshine Raisin Corporation, submitted a tentative map, in August 2018, proposing to subdivide the land at the northeast corner of Adams and Armstrong Avenues. Following two reviews by staff, the map and application were deemed complete. The map proposes 80 single-family lots on 30.7 acres, plus a remainder parcel of approximately 6,000 square feet. Proposed lot sizes range from just over 10,000 square feet to almost 16,000 square feet which is consistent with the Ahronian Estates, Crestwood Estates and Kensington Estates projects. There were a few points of discussion from the Planning Commission regarding E. Curtis Avenue which connects to Armstrong Avenue. The Fowler Unified

School District is proposing an expansion to Marshall Elementary School including a new pre-school across from Armstrong Avenue west of the proposed project. The expansion proposes a parking lot opposite the proposed location of E. Curtis Avenue which will predict potential traffic conflicts at this location. The second discussion point is related to open space. The General Plan Policy requires that the single-family projects include 5% open space within the project site and following the recommendation of approval by the Planning Commission there were follow up discussions with the project engineer and they have proposed to dedicate of Lots 55-58 as open space to meet the 5%. Mr. O'Neal said the City is currently undergoing efforts to address TCP in the water supply and 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 subdivision for installation of a GAC treatment station. Staff is currently analyzing the remainder lot to access whether it would be of sufficient size to house the treatment facilities. He noted the development is expected to occur over a 2.5 year period with project construction beginning in 2020 and completed by 2022/2023.

Mr. O'Neal said following a public hearing on April 4, 2019 the Planning Commission adopted Resolution No. 637 and 638 recommending that the City Council adopt the Mitigated Negative Declaration pursuant to the California Environmental Quality Act and that the City Council approves the Tentative Map as conditioned. Mayor Pro Tem Hammer asked if the school district had been contacted and if they provided any input on this project. Mr. O'Neal responded that they had met with staff from the school district regarding the proposed development and they did receive a copy of the CEQA document.

The Mayor opened the duly noticed public hearing on the matter at 7:29 p.m. Lori Gonzales, Interim Superintendent for Fowler Unified School District said they have met with the districts architects for the Marshal School projects and one of the discussion points has been the exit point and where the streets are to meet. She welcomed the opportunity to have further discussion and gather input on the project and bring it back to the architects. Dee Ribarich, Fowler resident, asked Mr. O'Neal if the project site would consist of having walkways and green belts (trees). Mr. O'Neal replied that the proposed project will have areas of pedestrian connections. There were no other public comments from the public and hearing closed at 7:38 p.m.

Mayor Cardenas expressed that he would like the school district to be more closely involved with the project in order to provide more input and if there are any concerns that need attention. City Engineer Peters noted to Council to use the revised condition No. 11 language that was provided prior to the meeting. The condition addresses annexation into the landscape maintenance district or CFD

Councilmember Kazarian made a motion to adopt 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" , seconded by Councilmember

Rodriguez. The motion carried by voice vote: Ayes: Cardenas, Hammer, Kazarian, Rodriguez. Noes: None. Abstain: None. Absent: Parra.

Councilmember Kazarian made a motion to adopt as amended pursuant to revised Condition No. 11, Resolution No. 2425, "A Resolution Before the City Council of the City of Fowler County of Fresno, State of California Approving Tentative Subdivision Map No. 6188", seconded by Mayor Pro Tem Hammer. The motion carried by voice vote: Ayes: Cardenas, Hammer, Kazarian, Rodriguez. Noes: None. Abstain: None. Absent: Parra.

- ◆ **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.**

Mayor Cardenas recused himself due to conflict of interest on the project from having a business relationship with a nearby property owner. Jeff O'Neal, stated that staff recommends that the City Council affirms the recommendation of the Planning Commission to adopt a mitigated negative declaration, deny General Plan Amendment No. 19-01, approve Rezone No. 19-01, approve revised vesting TSM No. 5952, and initiate annexation to the City of Fowler. In 2010 RJ Hill has proposed a number of alternatives to subdivide the land at the southwest corner of South and Sunnyside Avenues. In 2017 the Council denied on appeal a 171-lot planned development occupying the 40-acre site. RJ Hill has modified the proposal and submitted a revised tentative map that is consistent with the direction provide by staff, Planning Commission and the City Council. The revised map proposes 143 single-family lots on 39.91 acres. Mr. O'Neal provided points of discussion on the project: Open Space, Pedestrian Access, Remainder Lot, Traffic Study Storm Drain Hydrology Calculations, and Portable Water Model Preparation. The developer has submitted a detailed and comprehensive set of proposed site plans and elevations. The Development is expected to occur over a four-year period with project construction beginning in 2020 and completed by 2024. The applicant proposes to amend the General Plan Land Use designation from Medium Low to Medium Density; the 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. The Planning Commission adopted Resolution No. 639 recommending that the City Council deny General Plan Amendment No. 19-01. Mr. O'Neal said the project site is within the City's Sphere of Influence and is adjacent to the SOI boundary on the west and south. LAFCo will consider a request for annexation once the City has approved the project and initiated the annexation process.

Mayor Pro Tem Hammer opened the duly noticed public hearing on the matter at 7:59 p.m. Larry Veiz; Fowler resident asked if the project would be proposing to build school

bus stop benches in the area for future bus stops. His concerns are that there are no bus stop benches for the children that are waiting at the curb for the buses to arrive. Councilmember Kazarian suggested directing staff to look into gathering more information on the bus stop benches and implementing it. The hearing closed at 8:03 p.m.

Councilmember Rodriguez made a motion to adopt 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", seconded by Councilmember Kazarian. The motion carried by voice vote: Ayes: Hammer, Kazarian, Rodriguez. Noes: None. Abstain: None. Absent: Parra. Recused: Cardenas.

Councilmember Kazarian made a motion to adopt Resolution No. 2427 as amended (typo) "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", seconded by Councilmember Rodriguez. The motion carried by voice vote: Ayes: Hammer, Kazarian, Rodriguez. Noes: None. Abstain: None. Absent: Parra. Recused: Cardenas.

Councilmember Rodriguez made a motion to waive the First Reading and approve 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", seconded by Councilmember Kazarian. The motion carried by voice vote: Ayes: Hammer, Kazarian, Rodriguez. Noes: None. Abstain: None. Absent: Parra. Recused: Cardenas.

Councilmember Rodriguez made a motion to adopt Resolution No. 2428 as amended with Condition 11, "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", seconded by Councilmember Kazarian. The motion carried by voice vote: Ayes: Hammer, Kazarian, Rodriguez. Noes: None. Abstain: None. Absent: Parra. Recused: Cardenas.

Councilmember Kazarian made a motion to adopt as amended, 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", seconded Councilmember Rodriguez. The motion carried by voice vote: Ayes: Hammer, Kazarian, Rodriguez. Noes: None. Abstain: None. Absent: Parra. Recused: Cardenas.

COMMUNICATIONS

City Manager Davis reminded the Council of the Annual Mayor's Breakfast on Friday, May 10, 2019, at Jocy's.

STAFF REPORT

CITY MANAGER'S REPORT

Ms. Davis mentioned the final meeting of a series of community park grant meetings was held earlier today. The meetings consisted of gathering information from residents on the proposed design features of the park based on a point system. Staff met with consultants and discussed that if the grant is awarded; the City will be audited by the State if those items chosen by the citizens were not implemented for the park. She asked to set a joint workshop on May 21, 2019 at 5:00 p.m. with the Council and the School District to discuss the features that the citizens have come up with to ensure that they are similar to what was planned when the property was purchased for a future sports park.

City Manager Davis attended a presentation in the City of Kingsburg for a new T-Mobile Customer Experience Center. T-Mobile has chosen Kingsburg as the location for their Center, which will create 1,000 new jobs. Valley Children's Medical Center will be having their grand opening on Thursday, May 30, 2019, by invitation only, from 10:00 a.m. to 12:00 p.m.

PUBLIC WORKS REPORT

Public Works Supervisor Lopez said the parking stalls located at St. Lucy's church have been restriped. Parking stalls will also be restriped at Panzak Park and Merced Street.

He mentioned he received the results of the water testing from the State and the results are good.

FINANCE DIRECTOR'S REPORT

No report was given.

POLICE DEPARTMENT REPORT

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

FIRE DEPARTMENT REPORT

No report was given.

CITY ATTORNEY'S REPORT

City Attorney Wolfe announced that the State may have plans for proposed subdivision for Cities. The State wants to create affordable housing by allowing any density housing project from any residential zone district. This could potentially create problems for cities.

CONSENT CALENDAR

The consent calendar consisted of: 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”. Councilmember Kazarian made a motion to approve the Consent Calendar, seconded by Councilmember Rodriguez. The motion carried by voice vote: Ayes: Cardenas, Hammer, Kazarian, Rodriguez. Noes: None. Abstain: None. Absent: Parra.

COMMITTEE REPORTS

Mayor Cardenas commented on the Employee Appreciation Dinner and thanked staff for their help in organizing the event.

Mayor Pro Tem Hammer said the Spring Fest event was a success; there were over 60 vendors at the event; Fourth of July event is right around the corner. He said the Farmer’s Market will possibly start in August instead of July this year.

Councilmember Kazarian commented on the success of the Employee Appreciation Dinner, noting that there was a great turn-out.

Closed session listed on the agenda was not held.

ADJOURNMENT

Having no further business, Councilmember Kazarian made a motion, seconded by Mayor Pro Tem Hammer to adjourn. The motion carried and the meeting adjourned at 8:22 p.m.