



**FOWLER CITY COUNCIL MEETING  
AGENDA  
SEPTEMBER 3, 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](http://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. Communications

7. Staff Reports

A) City Planner's Report

- ◆ Presentation of Annual Growth Management Report

B) City Manager's Report

C) Public Works Report

D) Finance Department Report

E) Police Department Report

F) Fire Department Report

8. City Attorney's Report

9. Consent Calendar - *Items on the Consent Calendar are considered routine and shall be approved by one motion of the Council. If a Councilmember requests additional information or wants to comment on an item, **the vote should be held until the questions or comments are made, and then a 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 – September 3, 2019

B) Approve Minutes of the City Council Meeting – August 20, 2019

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

Mayor Cardenas

Mayor Pro Tem Hammer

Councilmember Kazarian

Councilmember Parra

Councilmember Rodriguez

11. Closed Session:

- ◆ Pursuant to Government Code Section 54957: Public Employee Appointment/employment Title: Public Works Director
- ◆ Pursuant to Government Code Section 54957 - Public Employee Performance Evaluation. Title: City Manager

12. Adjournment

Next Ordinance No. 2019-04

Next Resolution No. 2440

*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, August 30, 2019.*

A handwritten signature in blue ink, appearing to read "Corina Burrola". The signature is fluid and cursive, with the first name "Corina" being more prominent than the last name "Burrola".

*Corina Burrola  
Deputy City Clerk*

CITY OF FOWLER  
WARRANTS LIST  
September 3, 2019

<u>ACCOUNTS PAYABLE CHECKS</u>	<u>CHECK NUMBERS</u>	<u>CHECK DATES</u>	<u>AMOUNT</u>
Regular checks	35476-35527	Aug 20 thru Aug 30	\$ 125,319.42
TOTAL ACCOUNTS PAYABLE CHECKS			<u>\$ 125,319.42</u>
<u>PAYROLL COSTS</u>			
Second August Bi-Monthly Payroll		August 31, 2019	87,230.42
TOTAL PAYROLL COSTS			<u>\$ 87,230.42</u>
TOTAL CASH DISBURSEMENTS			<u>\$ 212,549.84</u>

ITEM

9A

SUPERION  
DATE: 08/30/2019  
TIME: 13:40:40

CITY OF FOWLER  
CHECK REGISTER - BY FUND

PAGE NUMBER: 1  
ACCTPA21

SELECTION CRITERIA: transact.check\_no between '35476' and '35527'  
ACCOUNTING PERIOD: 13/19

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	35476	08/20/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	48,927.78
1001	35482	08/21/19	11411	FOWLER COLLISION CE	100	1605	FORD REPAIRS	0.00	7,116.73
1001	35492	08/23/19	12184	INTELLECTUAL PROPER	100	1605	TRADEMARK	0.00	150.00
1001	35494	08/30/19	14020	BRYANT L. JOLLEY, C	6030	5621	AUDIT WORK 18/19	0.00	4,800.00
1001	35496	08/30/19	10109	FMAAA	6700	5105	NON QUALIFIED MEALS	0.00	114.50
1001	35497	08/30/19	10122	FRESNO COUNTY FIRE	6130	5271	DISPATCH FEES	0.00	4,341.18
1001	35499	08/30/19	10476	FRESNO TRUCK CENTER	6130	5205	REPAIR E48	0.00	356.41
1001	35500	08/30/19	10216	NEW ENGLAND SHEET M	6020	5220	SERVICES	0.00	297.35
1001	35500	08/30/19	10216	NEW ENGLAND SHEET M	6020	5220	SERVICES	0.00	540.00
TOTAL CHECK								0.00	837.35
1001	35501	08/30/19	11489	SHOP N GO, INC.	6120	5205	CAR WASHES	0.00	753.00
1001	35502	08/30/19	10346	ZOOM IMAGING SOLUTI	6020	5220	SERVICES	0.00	272.16
1001	35504	08/30/19	12489	BATTERY SYSTEMS INC	100	1605	BATTERY	0.00	120.16
1001	35505	08/30/19	10026	BCT CONSULTING	100	1605	SERVICES	0.00	1,777.20
1001	35506	08/30/19	10980	BLANK--DOORHANGERS.C	100	1605	DOOR HANGERS	0.00	30.50
1001	35507	08/30/19	10022	BORCHARDT, CORONA &	100	1605	FINAL 18 AUDIT	0.00	3,600.00
1001	35508	08/30/19	13914	CALIFORNIA TRENDZ	100	1605	SUPPLIES	0.00	694.86
1001	35509	08/30/19	10045	CASCADE FIRE EQUIPM	100	1605	SUPPLIES	0.00	276.48
1001	35509	08/30/19	10045	CASCADE FIRE EQUIPM	100	1605	SUPPLIES	0.00	601.66
1001	35509	08/30/19	10045	CASCADE FIRE EQUIPM	100	1605	SUPPLIES	0.00	2,963.94
TOTAL CHECK								0.00	3,842.08
1001	35510	08/30/19	11970	CENTRAL VALLEY TOXI	100	1605	DRUG SCREEN	0.00	114.00
1001	35511	08/30/19	13783	CO OF FRESNO DEPT O	100	1605	SE RG DSPSL FEE 181	0.00	3,955.00
1001	35512	08/30/19	13893	COUNTY OF MARIN/CAL	100	1605	MEMBERSHIP DUES	0.00	315.00
1001	35513	08/30/19	12810	GLOBAL CTI	100	1605	PHONE REPAIRS	0.00	108.59
1001	35513	08/30/19	12810	GLOBAL CTI	100	1605	SERVICES	0.00	116.15
1001	35513	08/30/19	12810	GLOBAL CTI	100	1605	SERVICES	0.00	116.15
TOTAL CHECK								0.00	340.89
1001	35514	08/30/19	10201	METRO UNIFORM & ACC	100	1605	UNIFORM	0.00	130.72
1001	35514	08/30/19	10201	METRO UNIFORM & ACC	100	1605	UNIFORM	0.00	141.61
1001	35514	08/30/19	10201	METRO UNIFORM & ACC	100	1605	UNIFORM	0.00	178.27
1001	35514	08/30/19	10201	METRO UNIFORM & ACC	100	1605	UNIFORM	0.00	315.06

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## FUND - 100 - GENERAL FUND

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ACCOUNTING PERIOD: 13/19

FUND - 500 - WATER

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	35477	08/21/19	14138	AHRONIAN, RICHARD	500	1605	UB REFUND	0.00	64.42
1001	35478	08/21/19	14143	ALLISON, MICHAEL	500	1605	UB REFUND	0.00	1.67
1001	35479	08/21/19	14141	ALVAREZ, JARED J	500	1605	UB REFUND	0.00	79.76
1001	35480	08/21/19	14140	AVEDISIAN, STACY	500	1605	UB REFUND	0.00	51.51
1001	35481	08/21/19	14148	DAVIS, MONICA	500	1605	UB REFUND	0.00	31.78
1001	35483	08/21/19	14133	FOX, MATTHEW	500	1605	UB REFUND	0.00	100.00
1001	35484	08/21/19	14134	LIZARRAGA, ADRIAN	500	1605	UB REFUND	0.00	100.00
1001	35485	08/21/19	14151	MAYORAL, JORGE A	500	1605	UB REFUND	0.00	100.00
1001	35486	08/21/19	14139	MRO INVESTMENTS INC	500	1605	UB REFUND	0.00	50.89
1001	35487	08/21/19	14136	PANTOJA, SUSAN	500	1605	UB REFUND	0.00	49.33
1001	35488	08/21/19	14135	PETERS, MITCHELL	500	1605	UB REFUND	0.00	100.00
1001	35489	08/21/19	14142	SNOW, SYLVIA HERNAN	500	1605	UB REFUND	0.00	34.48
1001	35490	08/21/19	14137	SUMBAL, JASVIR K	500	1605	UB REFUND	0.00	40.43
1001	35491	08/21/19	14147	TEWS, CYNTHIA	500	1605	UB REFUND	0.00	56.16
1001	35493	08/30/19	14066	A-C TECHNOLOGY SOLU	5000	5190	WELL SITE UPGRADES	0.00	4,154.10
1001	35493	08/30/19	14066	A-C TECHNOLOGY SOLU	5000	5190	WELL 5A NEW VFD	0.00	7,435.41
TOTAL CHECK								0.00	11,589.51
1001	35498	08/30/19	12567	FRESNO MOBILE RADIO	5000	5160	SERVICES	0.00	220.00
1001	35503	08/30/19	14066	A-C TECHNOLOGY SOLU	500	1605	WELL #8A	0.00	2,721.16
1001	35506	08/30/19	10980	BLANK-DOORHANGERS.C	500	1605	DOOR HANGERS	0.00	30.50
1001	35508	08/30/19	13914	CALIFORNIA TRENDZ	500	1605	SUPPLIES	0.00	352.50
1001	35513	08/30/19	12810	GLOBAL CTI	500	1605	PHONE REPAIRS	0.00	108.59
1001	35513	08/30/19	12810	GLOBAL CTI	500	1605	SERVICES	0.00	116.15
1001	35513	08/30/19	12810	GLOBAL CTI	500	1605	SERVICES	0.00	116.15
TOTAL CHECK								0.00	340.89
1001	35515	08/30/19	10237	P G & E - SACRAMENT	500	1605	UTILITIES	0.00	5,081.55
1001	35516	08/30/19	10249	QUILL	500	1605	SUPPLIES	0.00	113.89
1001	35516	08/30/19	10249	QUILL	500	1605	SUPPLIES	0.00	49.55
TOTAL CHECK								0.00	163.44
1001	35517	08/30/19	11179	R G EQUIPMENT	500	1605	SUPPLIES	0.00	166.55





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FUND - 501 - WATER WELL MAINTENANCE

CASH ACCT	CHECK NO	ISSUE DT	VENDOR NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	35527	08/30/19	11116 GRAINGER	501	1605	SUPPLIES	0.00	696.07
TOTAL CASH ACCOUNT								696.07
TOTAL FUND								696.07

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SELECTION CRITERIA: transact.check\_no between '35476' and '35527'  
ACCOUNTING PERIOD: 13/19

FUND - 710 - AB1600-GENERAL SERVICES

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	35495	08/30/19	14122	DTA	710	5621	IMPACT FEE STUDY	0.00	860.26
TOTAL CASH ACCOUNT									860.26
TOTAL FUND									860.26

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ACCOUNTING PERIOD: 13/19

FUND - 850 - SUCESSOR AGENCY

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	35507	08/30/19	10022	BORCHARDT, CORONA & 850		1605	FINAL 18 AUDIT	0.00	3,600.00
TOTAL CASH ACCOUNT									3,600.00
TOTAL FUND									3,600.00
TOTAL REPORT									125,319.42

**MINUTES OF THE FOWLER CITY COUNCIL MEETING  
AUGUST 20, 2019**

Mayor Cardenas called the meeting to order at 7:00 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 Cross, Police Chief Alcaraz, Public Works Supervisor/Fire Chief Lopez, Finance Director Uyeda, City Planner Marple, Deputy City Clerk Burrola

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

**PUBLIC PRESENTATIONS**

Patric Jones, Fowler resident, expressed his concerns regarding possibly placing stop signs at the newly built Magill Terrace apartments located on Nelson Street between 4<sup>th</sup> and Vine Streets, traffic is becoming congested now that the residents are moving in.

Steve Barile, Fowler resident, expressed his gratitude to Recreation Coordinator Yvonne Hernandez for her hard work and dedication to the community and providing such an excellent job on setting up and coordinating community events.

**APPROVE REQUEST TO CLOSE FRESNO STREET BETWEEN SECOND AND THIRD STREETS – FOWLER CHAMBER OF COMMERCE FIRST ANNUAL HARVEST CAR SHOW**

Ryan Bedrosian, Fowler Chamber of Commerce requested approval to close Fresno Street between 2<sup>nd</sup> and 3<sup>rd</sup> Streets for the First Annual Harvest Car Show on Saturday, September 7, 2019 from 10:00 a.m. to 2:00 p.m. at St. Gregory Apostolic Church. He expressed the importance of having the event to show what Fowler has to offer and to attract outside community sharing. Councilmember Kazarian made a motion to approve the request to close Fresno Street between 2<sup>nd</sup> and 3<sup>rd</sup> Streets for the Fowler Chamber of Commerce First Annual Harvest Car Show on Saturday, September 7, 2019, seconded by Councilmember Rodriquez. The motion carried by unanimous voice vote: Ayes: Cardenas, Hammer, Kazarian, Rodriquez. Noes: None. Abstain: None. Absent: Parra.

**COMMUNICATIONS**

City Manager Davis said the Council has been invited to attend the 2019 State of the County Luncheon, Wednesday, September 20, 2019 at The New Exhibit Hall, Fresno, CA; a grand opening has been scheduled for the Magill Terrace Apartments, Thursday, August 29, 2019 at 10:30 a.m.

## **STAFF REPORT**

### **DISCUSSION/DIRECTION TO REMOVE OPEN SPACE REQUIREMENT FROM CONDITIONS OF APPROVAL FOR SUBDIVISION TRACT NO. 6188**

City Planner Marple provided background information regarding parks and open space requirements on subdivisions. On Tuesday, July 30, 2019 during the public presentation of the Council meeting the applicant's representative for Tract No. 6188 requested that the open space conditions be removed from their conditions of approval based on the assertion that other tract maps within the City have not been held to this requirement. Staff did some research as far back as 2001 on tentative tract map history on this requirement. In 2004 a portion of the City's general plan was updated and a policy was added that required residential projects provide useable open space within their boundaries, 10% for multi-family residential and 5% for single family residential. She said there were maps submitted after the general plan policy was adopted; however the policy was not codified until March 2009. The K. Hovanian project, Tract No. 5834, was accepted for processing prior to the Zoning Ordinance update in 2009. This map was processed by previous staff with the explanation that Tract No. 5834 is located at the northwest corner of South and Sunnyside Avenues and is positioned between two proposed park sites: Donny Wright Park (now operational) and the future Sports Park.

Ms. Marple said in order for the conditions of the request for open space to be removed the applicant would need to apply for a General Plan Amendment and a Zoning Text Amendment. If approved, the requirement for open space would not apply to any future subdivision development maps. Mayor Cardenas asked how long the process would take if the applicant decided to move forward in amending the process. Ms. Marple said it would take about six months to a year to complete. Councilmember Kazarian expressed concerns with lack of consistency and guidelines for developers to know of what is expected. He said issues would endure because of the subjectivity of future councils and administration.

Brian Bedrosian, applicant and Fowler resident said that the parcel that they are proposing to develop on is located near Fowler High School and Marshall Elementary School. He said maybe there's a possibility of implementing an agreement with the school district to consider its grounds as green space. City Attorney Cross said there would need to be an agreement with the school district; he said the general plan does not reference school districts as open space only city parks. The possibility of entering into a development agreement with the applicant was discussed. City Attorney Cross explained that a development agreement would have to be adopted as an ordinance and this would be the only way to grant a waiver to a single project.

Melissa Squeo-Rodriguez, Fowler resident commented on utilizing school grounds as open park space. She currently works at a school and there are some concerns of the general public using the school grounds for this purpose.

Mayor Cardenas closed public comments on the discussion. He expressed his opposition saying it would complicate and create issues due to the possibility of many requests from future developers wanting to remove open space requirements. Ms. Marple said the policies can be reviewed as they go through the General Plan update process. Staff can facilitate the general plan process and word those policies clearly and follow up with a zoning ordinance update that would codify it and make it clear and equal to everyone. Paul Bedrosian thanked staff for the clarification regarding their conditions on the requirements of the subdivision and that they will agree to comply with them. The direction of the Council is to look further into the policy and additional exceptions without eliminating the open space requirements.

## **SECOND READING OF ORDINANCE NO. 2019-03**

City Planner Marple said changes were made to the Ordinance; Section 9-5.21.09 of Article 21 of Chapter 5 of Title 9 of the Fowler Municipal Code pertaining to Fences, Walls and Hedges to make it very clear of the use of barbed wire, razor wire and prohibiting electrified fencing. Ms. Marple read the changes outlined in the ordinance.

Councilmember Rodriquez made a motion to waive the second reading and approve Ordinance No. 2019-03, "An Ordinance of the City Council of the City of Fowler Amending Section 9-5.21.09 of Article 21, of Chapter 5, of Title 9 of the Fowler Municipal Code Pertaining to Fences, Walls, and Hedges", seconded by Councilmember Kazarian. The motion carried by unanimous voice vote: Ayes: Cardenas, Hammer, Kazarian, Rodriquez. Noes: None. Abstain: None. Absent: Parra.

## **CITY MANAGER'S REPORT**

City Manager Davis said the park grant application was successfully completed and submitted by the August 5, 2019 deadline.

Ms. Davis mentioned the City's Planning Department received a Site Plan proposal for a small hotel to be placed on a vacant lot on 10<sup>th</sup> Street behind the La Quinta hotel.

## **PUBLIC WORKS REPORT**

Public Works Supervisor Lopez said Tree Fresno will be donating 500 trees for the Donny Wright Park and a stretch alongside the freeway; this will be taking place mid-September early October 2019.

## **FINANCE DIRECTOR'S REPORT**

Finance Director Uyeda had no report but he did mention the City's had some issues with Ransomware; he has been working with Tech Support to protect the City's systems of computer viruses.

## **POLICE DEPARTMENT REPORT**

Police Chief Alcaraz circulated the DOJ crime statistics for the month of July 2019.

## **FIRE DEPARTMENT REPORT**

Fire Chief Lopez provided information for Resolution No. 2439. Approval of recommended actions will update the County's Multi-Jurisdictional Local Hazard Mitigation Plan and add it to the Safety Element of the County General Plan. The second recommendation action will allow the Emergency Service Director to implement future revisions, as necessary. The update will allow the County to remain eligible for State and Federal pre-disaster mitigated funding. This item is countywide.

Councilmember Kazarian made a motion to adopt Resolution No. 2439, "A Resolution of the City of Fowler for the Fresno County Multi-Jurisdictional Local Hazard Mitigation Plan and Incorporating into the Safety Element of the County General Plan; and Authorizing the Emergency Services Director to Implement Future Updates to the Fresno County Multi-Jurisdictional Local

Hazard Mitigation Plan in Compliance with Local, State or Federal Codes” seconded by Councilmember Rodriquez. The motion carried by unanimous voice vote: Ayes: Cardenas, Hammer, Kazarian, Rodriquez. Noes: None. Abstain: None. Absent: Parra.

## **CITY ATTORNEY’S REPORT**

No report was given.

## **CONSENT CALENDAR**

The consent calendar consisted of: A) Ratification of Warrants – August 20, 2019; B) Approve Minutes of the City Council Meeting – July 16, 2019 and Fowler Financing Authority Special Joint Meeting – July 30, 2019; C) Approve Fresno County Auditor-Controller/Tax Collector Authority Special Assessment Changes.

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

## **COMMITTEE REPORTS**

Mayor Cardenas attended a meeting with Mosquito Abatement District; they have reported that the mosquito population has increased this year.

Mayor Pro Tem Hammer reported the Farmer’s Market is in its fourth week and attendance has been good. Tour De Fresno is scheduled to come into the City on Saturday, September 21, 2019. He also mentioned he attended the National Night Out event and it was a good turnout.

Councilmember Kazarian said he has been attending Ground Water meetings twice a week. The draft GSP is complete and they will be reviewing it on August 28, 2019.

Councilmember Rodriquez said he was asked by some community residents about the possibility of placing “Welcome / Population” entry signs into the City.

## **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 8:24 p.m.