

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

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

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

1. Meeting called to order
2. Flag Salute and Pledge of Allegiance
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. Introduction of New Police Officer and Badge Pinning Ceremony: Officer Karl Kulow
7. Public Hearing: Vesting Tentative Subdivision Map No. 6274 (Woodside Homes), Zoning Amendment, Annexation, and Initial Study/Mitigated Negative Declaration

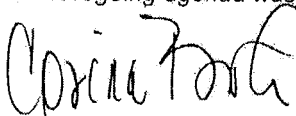
- A) Consider Adoption of Resolution No. 2445, "A Resolution Before the City Council of the City of Fowler County of Fresno, State of California Adopting A Mitigated Negative Declaration for Vesting Tentative Subdivision Map No. 6274 and Zoning Ordinance Amendment 19-02 Pursuant to the California Environmental Quality Act"
 - B) Consider Adoption of Resolution No. 2446, " A Resolution Before the City Council of the City of Fowler County of Fresno, State of California Approving Vesting Tentative Subdivision Map No. 6274"
 - C) Consider Adoption of Resolution No. 2447, "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 – Sumner Northwest Reorganization
 - D) First Reading of Ordinance No. 2019-04, "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 345-020-15"
8. Communications
9. Staff Reports
- A) City Engineer's Report
 - B) City Manager's Report
 - C) Public Works Report
 - D) Finance Department Report
 - 1) Preliminary Financial Results for Fiscal Year 2018-19
 - 2) Discussion on Capital Projects – Water Storage Tanks
 - E) Police Department Report
 - F) Fire Department Report
10. City Attorney's Report
11. 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 – November 5, 2019

- B) Approve Minutes of the City Council Special Meeting and City Council Meeting – October 15, 2019
 - C) Approve Agreement for CDBG Capital Improvement Project Engineering Services – Panzak Park ADA Restroom Facilities
 - D) Approve Resolution No. 2444, "A Resolution of the City Council of the City of Fowler County of Fresno, State of California Authorizing Investment of Monies in the Local Agency Investment Fund"
12. 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
13. Closed Session:
- ♦ Government Code Section 54956.9(d)(1) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION David Weissner v. City of Fowler (Public Records Act Case)
 - ♦ Government Code Section 54956.9(d)(1) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION David Weissner v. City of Fowler (Employment Case)
 - ♦ Government Code Section 54956.9 CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION Initiation of Litigation Pursuant to Paragraph (4) of subdivision (d) of Section 54956.9 (Deciding Whether to Initiate Litigation)
One Potential Case
14. Adjournment

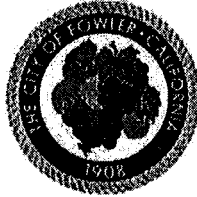
Next Ordinance No. 2019-05

Next Resolution No. 2448

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, November 1, 2019.



Corina Burrola
Deputy City Clerk



TO: City of Fowler City Council

FROM: Dawn E. Marple, City Planner

SUBJECT: Public hearing to consider Vesting Tentative Subdivision Map (VTSM) No. 6274, Zoning Ordinance Amendment (Rezone) No. 19-02, annexation to the City of Fowler (Annexation Request No. 19-02), and adoption of a Mitigated Negative Declaration, submitted by Woodside 06N, LP for approximately 19.25 acres at the northwest corner of East Sumner Avenue and South Sunnyside Avenue.

DATE: November 5, 2019

I. RECOMMENDATION

Staff recommends that the City Council affirms the recommendations of the Fowler Planning Commission to adopt a mitigated negative declaration, approve Rezone No. 19-02, approve Vesting Tentative Subdivision Map No. 6274, and initiate annexation to the City of Fowler.

II. BACKGROUND & PROJECT DESCRIPTION

In May 2019, Woodside 06N, LP submitted a tentative map application proposing to subdivide the land at the northwest corner of East Sumner Avenue and South Sunnyside Avenue (APN 343-020-15).

VTSM No. 6274 proposes 100 single-family lots on 19.25 acres. The site is within the City's Sphere of Influence but is not currently within the City limits. An annexation (Application 19-02) is associated with the Project and will be acted on separately by the City Council. The General Plan Designation for the site is split between Medium Low Density Residential and Medium Density Residential. The site is currently zoned AE-20 by Fresno County. Proposed zoning is R-1-5 (One Family Residential – 5,000 square foot minimum lot size). Proposed lot sizes range between 5,000 and 8,899 square feet. This range of sizes is consistent with the General Plan, which prescribes a density of 3.7-5.5 dwelling units per gross acre (du/ga) for Medium Low Density Residential and a density of 5.6-13.5 du/ga for Medium Density Residential. Based on the acreage of each General Plan Land Use within the project site, development must provide between 4.9 and 8.7 du/ga in order to maintain consistency; VTSM 6274 proposes a density of approximately 5.19 du/ga and thus meets the density provisions of the General Plan.

Development of VTSM No. 6274 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 100-unit project will accommodate approximately 320 people.

Circulation within the site would be provided by a system of four interior local streets generally forming a grid pattern, with cul-de-sacs proposed at locations where through-streets are not possible or practical. The interior circulation system will connect to the City's existing collector street system on South Sunnyside

Avenue, located on the east side of the subdivision. No access to either East Sumner Street or to the north is proposed. Street connections to the west are proposed to allow for future circulation.

Figure 1 contains an aerial photo showing the project site in relation to other facilities. Figure 2 shows the Fowler General Plan land use designations. Figure 3 illustrates the zoning of the site and vicinity. Figure 4 contains proposed Vesting Tentative Subdivision Map No. 6274.

Figure 1: Aerial Photo



Figure 2: General Plan

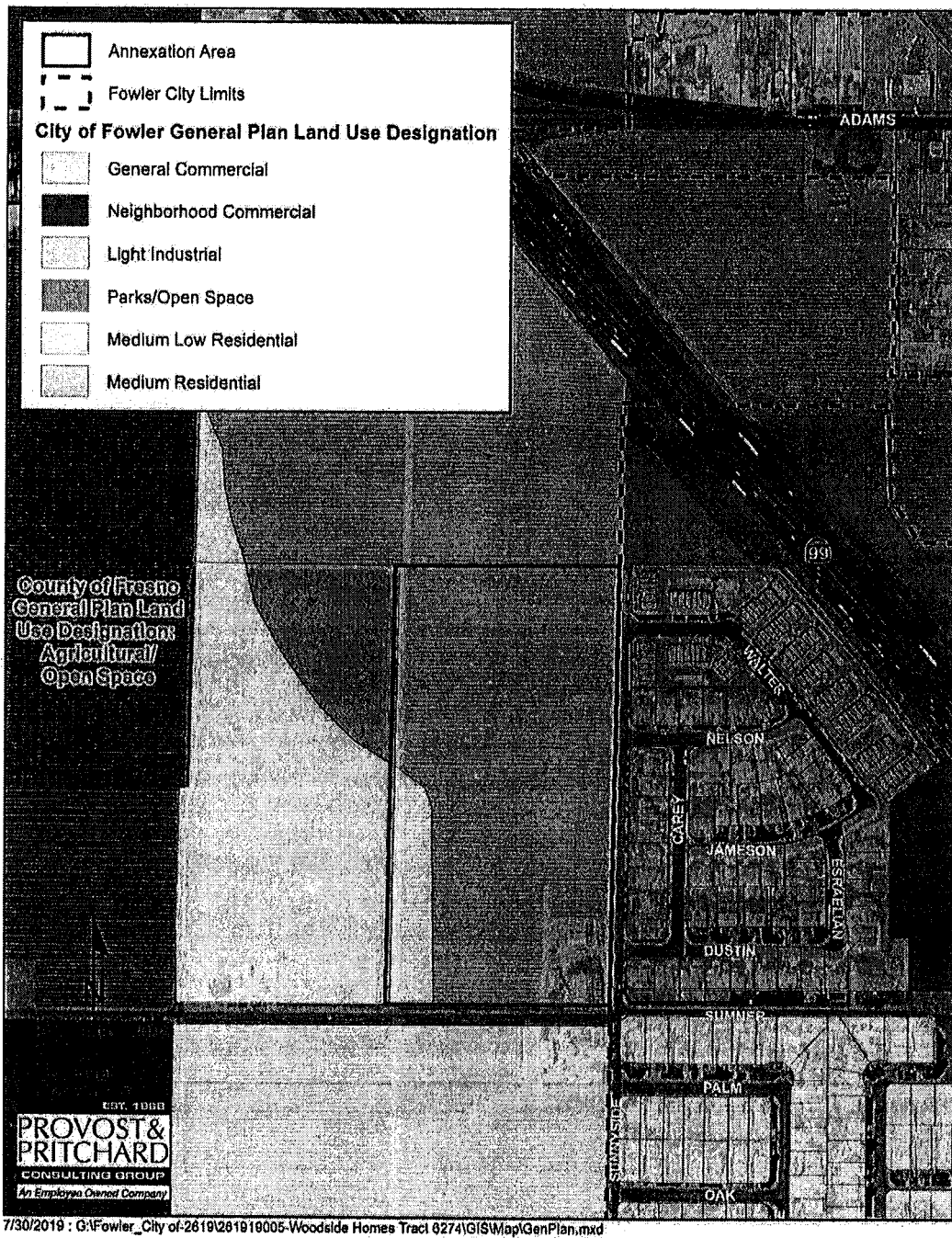


Figure 3: Zoning

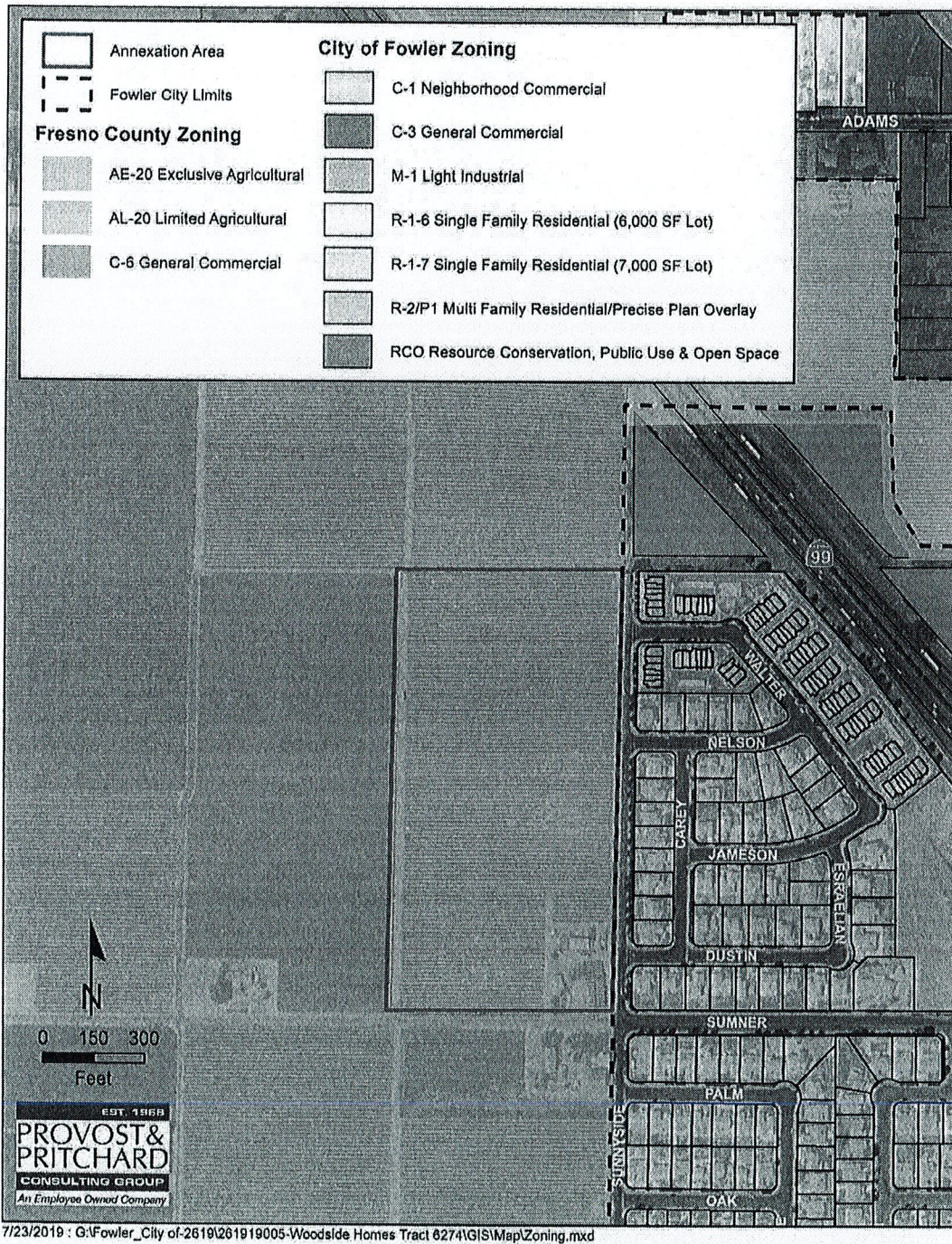
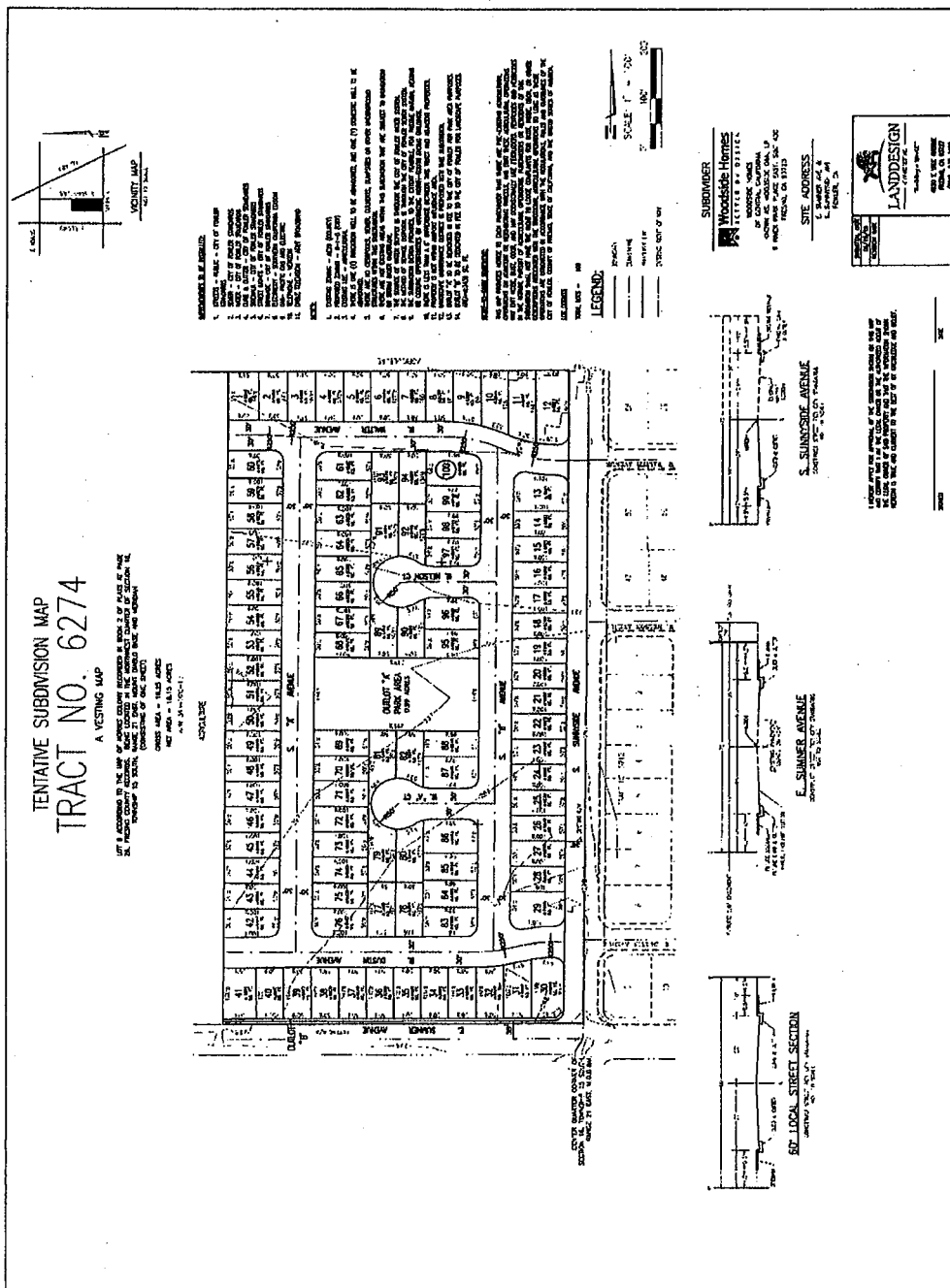


Figure 4: VTSM No. 6274



Adjacent land uses and zoning are:

North: Agriculture	AE-20 (County)
West: Agriculture	AE-20 (County)
South: Rural Residences, Agriculture	AE-20 (County)
East: Single-Family subdivision/condominiums	R-1-7, R-2/P1 (City)

Proposed Homes Within the Subdivision. The developer has not provided floor plans or elevations. If approved, the developer/builder will be required to comply with the provisions of Fowler Municipal Code (FMC) Section 9-5.1605 related to single-family design criteria. The developer/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.

III. ANALYSIS

3.1 *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. At the assumed rate of development mentioned above, the project is expected to contribute approximately 40 building permits towards the overall growth rate.

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 student generation factor within Fowler Unified has ranged between 0.5 and 0.6 students per household, indicating that the proposed project would generate 50 to 60 students.

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.

3.2 *Vesting Tentative Subdivision Map No. 6274*

VTSM No. 6274 proposes 100 single-family lots in a proposed R-1-5 zone district ranging from 5,000 square feet to 8,899 square feet. As previously discussed, this range of sizes results in a number of lots that is consistent with the General Plan designation.

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. Development of a collector street along the northern portion of the subdivision. The adopted circulation map shows the alignment of a collector street within the Project. The City of Fowler is in the process of updating its General Plan and local ordinances to gain consistency with the overall goals and needs of the city. Among these changes is correcting the Circulation Plan to reflect existing development patterns. The Circulation system envisioned for the General Plan update would form a complete street pattern having both motor vehicle traffic lanes and bicycle traffic lanes and would re-align the subject collector street to be located along the northern boundary of VTSM 6274. Walter Avenue runs east and west along the northern portion of VTSM 6274 and will be constructed as shown at a 60-foot right-of-way implementing the General Plan Circulation Element and forming a complete street pattern and satisfying the collector street requirement.
2. 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 tentative map provides a 0.99 acre park/open space area in conformance with the General Plan Policy.
3. Traffic Study: The City completed a traffic study for the southwest area including this parcel. 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. Installation of a southbound left right-turn pocket in S. Sunnyside Avenue is required, as indicated in the traffic study.

3.3 Prezone No. 19-01

The project proposes prezoning to the R-1-5 (One Family Residential – 5,000 square foot minimum lot) zone district, which would allow lots with a minimum area of 5,000 square feet and would facilitate development at a density consistent with the range prescribed in the Medium Low Density and Medium Density residential designations.

3.4 Annexation to the City of Fowler

If the project is approved by the City Council, an application for annexation can be submitted to LAFCo. However, recommendations for annexation are not within the purview of the Commission; annexation is acted upon independently by the Council.

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 has been 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. Comments received on the proposed Mitigated Negative Declaration and responses are attached for Commission 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.*

Based on the acreage of each General Plan Land Use within the project site, development must provide between 4.9 and 8.7 du/ga in order to maintain consistency; VTSM 6274 proposes a density of approximately 5.19 du/ga and thus meets the density provisions of the General Plan.

The proposed project is consistent with the 2004 Fowler General Plan

Because the rezoning and annexation request is for land located contiguous to existing development where public facilities and services are available, the requested annexation is consistent with the General Plan policies related to logical and efficient growth and prevention of premature conversion of agricultural land.

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 generally flat and level and is capable of supporting single-family development.

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

Infrastructure needed to serve the development is located within adjacent public rights-of-way, or its installation will be required as conditions of approval. The flat, level nature of the site in conjunction with the proximity of infrastructure and project conditions ensure that the site is physically suitable for the proposed density of development density of the project.

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.*

An initial study was prepared to evaluate the potential impacts of the subdivision on the environment. The initial study determined that, with incorporation of recommended mitigation, the subdivision would have a less than significant impact on the environment.

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.

RESOLUTION NO. 2445
RESOLUTION BEFORE THE CITY COUNCIL
OF THE CITY OF FOWLER
COUNTY OF FRESNO, STATE OF CALIFORNIA

RESOLUTION ADOPTING A MITIGATED NEGATIVE
DECLARATION FOR VESTING TENTATIVE
SUBDIVISION MAP NO. 6274 AND ZONING ORDINANCE AMENDMENT 19-
02 PURSUANT TO THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, an application for Vesting Tentative Subdivision Map No. 6274 and Zoning Ordinance Amendment No. 19-02 has been submitted for APN 343-020-15 located at the northwest corner of East Sumner and South 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 3 sections 15000, et seq.; and

WHEREAS, a duly noticed public hearing was held on this matter by the Planning Commission on October 3, 2019; and

WHEREAS, the Planning Commission adopted Resolution No. 645 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 Vesting Tentative Subdivision Map No. 6274 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 5th day of November 2019 by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Mayor

Attest:

City Clerk

Exhibit "A"
Mitigation Measures

Mitigation Measure Bio-1:

Prior to ground disturbance, a biological resources field survey shall be performed by a qualified biologist. The biological resources field survey shall be conducted no more than 30 days prior to the start of construction and shall be submitted to the Planning Department prior to issuance of grading permits.

Mitigation Measure Bio-2:

Prior to the start of construction, if active nests are discovered near work areas, the biologist shall determine and recommend appropriate construction setback distances based on applicable CDFW and/or USFWS guidelines and/or the biology of the species in question. The Project proponent shall ensure that construction buffers meeting the biologist's recommendations are identified with flagging, fencing, or other easily visible means, and shall ensure that the buffers are maintained until the biologist has determined that the nestlings have fledged.

Mitigation Measure CUL-1

Prior to submittal of a final map, the developer shall retain the services of a qualified professional to evaluate structures on-site for purposes of determining if the structures are eligible by the State Historical Resources Commission for listing in the California Register of Historical Resources (PRC Section 5024.1, Title 14 CCR, Section 4850, et seq.). If the structures are determined to be eligible for listing, said structures shall not be demolished and the final maps shall be revised to allow structures eligible for listing to remain intact. Final maps revised in accordance with this mitigation measure may be found to be in substantial conformance with the approved tentative map.

Mitigation Measure CUL-2:

If structures on the Project site are found by a qualified professional, to be eligible for listing in the California Register of Historical Resources, said structures shall be properly recorded with the SSJVIC.

Mitigation Measure CUL-3:

Should archaeological remains or artifacts be unearthed during any stage of Project activities, work in the area of discovery shall cease until the area is evaluated by a qualified archaeologist. If mitigation is warranted, the Project proponent shall abide by recommendations of the archaeologist.

Mitigation Measure CUL-4:

In the event that any human remains are discovered on the project site, the Fresno County Coroner must be notified of the discovery (California Health and Safety Code, Section 7050.5) and all activities in the immediate area of the find or in any nearby area reasonably suspected to overlie adjacent human remains must cease until appropriate and lawful measures have been implemented. If the Coroner determines that the remains are not recent, but rather of Native American origin, the Coroner shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours to permit the NAHC to determine the Most Likely Descendent (MLD) of the deceased Native American.

RESOLUTION NO. 2446
RESOLUTION BEFORE THE CITY COUNCIL
OF THE CITY OF FOWLER
COUNTY OF FRESNO, STATE OF CALIFORNIA

RESOLUTION APPROVING VESTING
TENTATIVE SUBDIVISION MAP NO. 6274

WHEREAS, an application for Vesting Tentative Subdivision Map No. 6274 has been submitted for APN 343-020-15 located on the northwest corner of East Sumner and South Sunnyside; and

WHEREAS, a duly noticed public hearing was held on this matter by the Planning Commission on October 3, 2019; and

WHEREAS, the Planning Commission adopted Resolution No. 647 recommending that the City Council approves Vesting Tentative Subdivision Map No. 6274; 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. 2445 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. 6274.

NOW THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE COUNCIL HEREBY APPROVES Vesting Tentative Subdivision Map No. 6274 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:

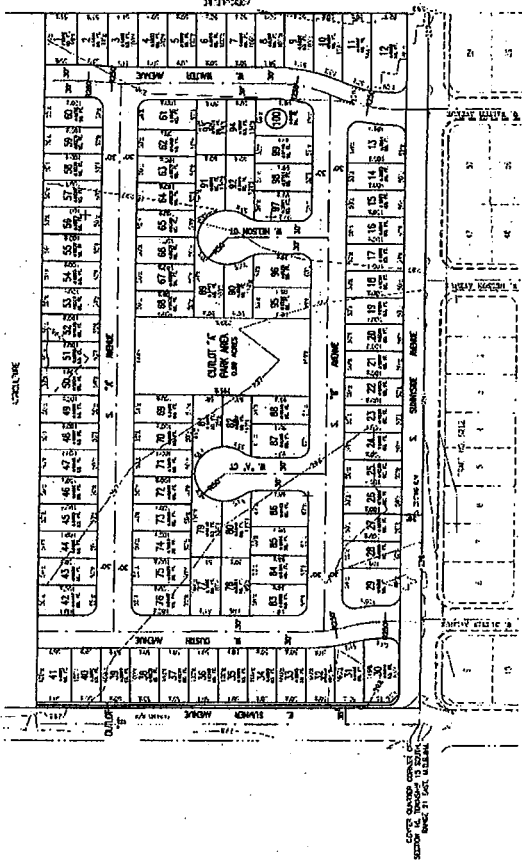
City Clerk

TENTATIVE SUBDIVISION MAP
TRACT NO. 6274
A VESTING MAP

LIT 9 ACCORDING TO THE MAP OF MORRIS COUNTY DESCRIBED IN BOOK 2 OF PLATS AT PAGE 26, FRANK CHERRY ACQUIRED LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 33 SOUTH, RANGE 21 EAST, MORRIS HILLS BLVD AND MCDONALD

STONY BROOK - 14.15 ACRES
CROOKS AVE. - 10.25 ACRES
(LITTLE AND 40 ACRESTON)

2011-12




CONFIDENTIAL
SECTION 12, TROUSERS 13 S2J14.

[illegible][illegible]


THE PRESIDENT OF THE UNITED STATES OF AMERICA
 DEPARTMENT OF JUSTICE
 OFFICE OF THE ATTORNEY GENERAL
 WASHINGTON, D. C. 20530
 MAY 19 1964
 MEMORANDUM FOR THE RECORD
 SUBJECT: [REDACTED]

LEGEND:



50' LOCAL STREET SECTION

SUBSCRIBER

 **Woodside Homes**
A C I T E D B Y D E S I G N

WOODSIDE HOMES
OF CENTRAL CALIFORNIA
4000 LAS WOODSIDE CIRCLE, LP
3 RANCH PARK PLACE, COST. SUITE 400
PESSEL, CA 93722

E. SWANER AVENUE
S. SUNNYSIDE AVENUE

STAINED ALUMINUM

1

18-00000

07/27/2015

1

Exhibit "B"
Conditions of Approval VTSM No. 6274

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. 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.
3. The applicant shall enter into a subdivision agreement with the City if the final map is recorded prior to completion of the off-site improvements.
4. The applicant shall pay all fees as required by existing ordinances and schedules.
5. All water wells and septic systems that served the property shall be abandoned pursuant to City, County, and State standards. The septic system shall be removed and the well capped.
6. The applicant shall pay all fees as required by existing ordinances and schedules.
7. All public infrastructure improvements must be deemed substantially complete by the City Engineer prior to the issuance of building permits.
8. 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.
9. 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.
10. Hours of construction shall be limited to the hours of 6:00 am to 7:00 pm, Monday through Saturday.
- ~~11. 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.~~
12. Crosswalks shall be provided across Street 'A' and Street 'B' to ensure pedestrian safety for access to the park area. A crosswalk shall also be provided at Sumner and Sunnyside Avenues. 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.
13. 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.
14. The developer shall annex to the City Lighting and Landscape Maintenance District.
15. Per Public Works Standard Drawing W-2, Fire hydrants shall be spaced at a distance not to exceed 400 300 feet on-center and shall be valved separately from the water main. Locations shall be approved by the City Engineer, and Fire Chief, and the City of Fowler.

16. The developer shall comply with the provisions of FMC Section 9-5.1605 related to single-family design criteria prior to recordation of a final map.

Final Map:

17. A right-to-farm covenant shall be recorded prior to recordation of the final map.
18. The minimum frontage of each lot shall comply with the City of Fowler Zoning Ordinance.
19. Lots adjacent to Sumner Avenue and Sunnyside Avenue shall have no direct access to said streets.
20. Street right of way and pedestrian/utility easements shall be dedicated to the City of Fowler as indicated on the tentative map.
21. 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

Circulation:

22. The developer shall mitigate the project's traffic impacts at the intersection of E. Sumner Avenue/ Sunnyside Avenue and the future unnamed collector street/Sunnyside Avenue, through payment of a fair share contribution to intersection improvements including the installation of traffic signal(s).
23. The intersection of Sumner Avenue and Sunnyside Avenue shall be improved to include a southbound right left turn pocket. Developer shall dedicate right of way necessary to construct this improvement, as shown on the tentative map.
24. ~~Avenue 'A' shall be extended to the north boundary of the subdivision as a stub street for development occurring to the north. A street barricade shall be placed at the north terminus of the street.~~
25. Developer shall construct curb, gutter and a 5-foot sidewalk, street lighting and public right of way landscaping along Sumner Avenue and Sunnyside Avenue frontages. 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.
26. Additional street right-of-way shall be dedicated such that a 72-foot right-of-way is provided along Sunnyside Avenue and a 70-foot right-of-way is provided along Sumner Avenue.
27. Developer shall construct curb extensions along A and B Avenues to calm traffic.
28. ~~LED~~ Street lights shall be constructed per City Standards along Sumner Avenue and Sunnyside ~~Street~~ Avenue along the frontage of the project. LED bulbs shall be installed in the City Standard street lights.
29. 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.
30. A geotechnical report shall be prepared to provide the recommended street pavement section on Sunnyside Avenue and Sumner Avenue. A traffic index of 6 shall be used in the pavement analysis.
31. Traffic and street signs shall be installed by the Owner/Developer per City requirements.
32. ~~Prior to submitting a final map, the developer shall submit a revised map for review and approval by the Planning Department and City Engineer.~~

33. E. Sumner Avenue and Sunnyside ~~Street~~ 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.
34. ~~Developer shall pave one-half width and construct curb, gutter and a 5-foot sidewalk on the future unnamed collector street/Sunnyside Avenue located along the northern boundary of the proposed tract. A temporary turnaround may be required to allow for return traffic while the remainder of the collector street is undeveloped. Subject to negotiation between the developer and the City, the developer may be allowed to bond for the construction of said improvements.~~

Water:

35. 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.
36. 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.
37. ~~Fire hydrants shall be installed at 300-foot intervals at the locations specified by the Fire Chief and City Engineer.~~
38. Two water sample stations shall be installed within the subdivision at the locations specified by the Public Works Director.
39. Applicant shall dedicate property (Lot 30) for placement of TCP water treatment facilities to treat water supplied by nearby Well 8A. Costs of the dedicated property will be eligible for reimbursement.

Sewer:

40. The developer shall comply with the conditions set forth by Selma-Kingsburg-Fowler County Sanitation District and pay all associated fees.

Grading and Drainage:

41. 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.
42. The developer's engineer shall provide drainage calculations for the subdivision. Developer shall direct drainage to the basin east of State Route 99 adjacent to 10th Street or another suitable location approved by the City Engineer. Any system upgrades, including upsizing of existing pipes and associated facilities, shall be constructed with the subdivision's infrastructure improvements and shall be the responsibility of the developer.
43. 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.
44. 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.
45. 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:

46. A landscape and irrigation plan shall be submitted for review and approval by the City Engineer for the park and areas along the frontage of South Sunnyside Avenue and ~~East South~~ Sumner Avenue.
47. Lots 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.
48. A 6-foot high decorative block wall shall be constructed ~~on~~ lots adjacent to Sunnyside Avenue and Sumner Avenue. Block walls shall be treated with an approved anti-graffiti coating and/or screened with vines as approved by the City Engineer.
49. Each lot shall have a street tree planted along its frontage.

Utilities:

50. All existing overhead utilities adjacent to and within the subdivision shall be undergrounded ~~including all areas continuously~~ including along the frontages of this VTSM along E. Sumner Avenue and Sunnyside Street Avenue to the western and northern boundaries of the proposed tract.
51. 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.
52. 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:

53. 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.
54. All abandoned irrigation lines serving the property shall be removed.

Hold Harmless and Indemnification Condition:

55. 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. 2447
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-SUMNER NORTHWEST 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 Kings River Conservation District, Consolidated Irrigation District and the Fresno County Fire Protection 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 Vesting Tentative Subdivision Map No. 6274, said map occupying Assessor's Parcel No. 343-020-15 and approved with conditions by the City of Fowler City Council via Resolution No. 2446 on November 5, 2019, which comprises approximately 19.25 acres; and

WHEREAS, the City Council, via Resolution No. 2445 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-Sumner Northwest 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 5th day of November 2019 by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Mayor

Attest:

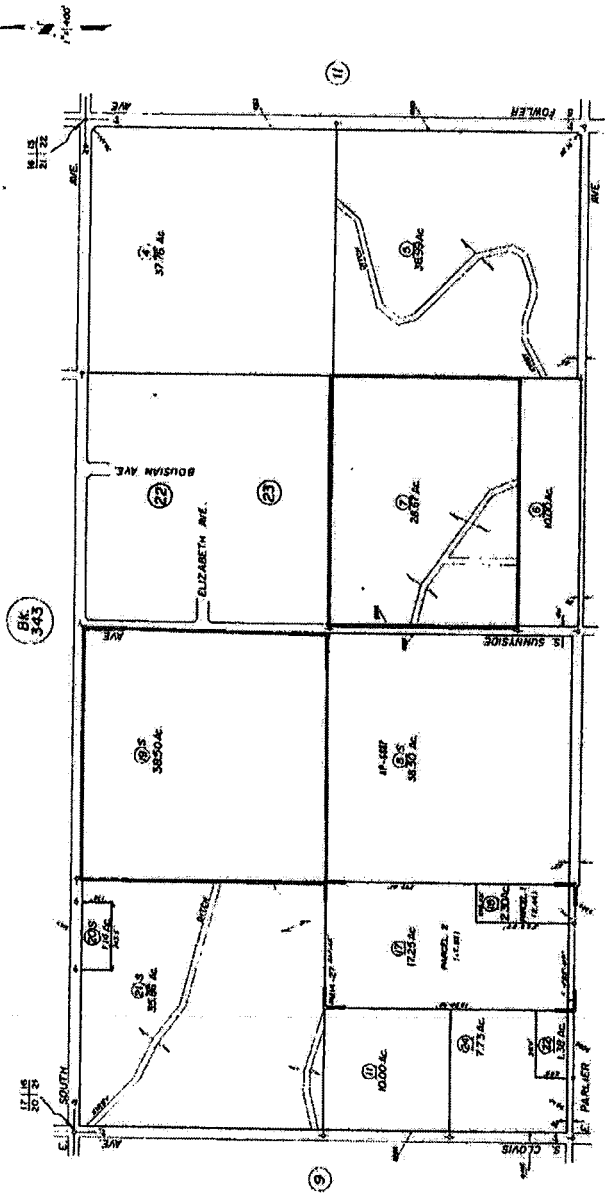
City Clerk

345-10

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

Total Area
51.400

NOTE:
This map is for assessment purposes only.
It is not to be construed as conveying legal
interests or interests of land for purposes
of zoning or subdivision law.



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

NOTE - Assessor's Block Number Shown in Ellipse
Assessor's Parcel Number Shown in Circle

Agricultural Preserve
Parcel Map No. 2015 - Blk. 14, Pg. 27

Proposed for Annexation

City of Fowler

Exhibit "A" to Resolution No. 2429



500079: C:\Fowler_City of 36102018\500079 - For the Tract No. 290205\Assessment_Embell.jpg

ORDINANCE NO. 2019-04

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. 343-020-15

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. 343-020-15 as R-1-5 (One Family Residential – 5,000 Square Foot Minimum Lot Size) as indicated in Exhibit "A" hereto.

SECTION 2. 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 5th day of November 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:

ATTEST:

Mayor, City of Fowler

City Clerk

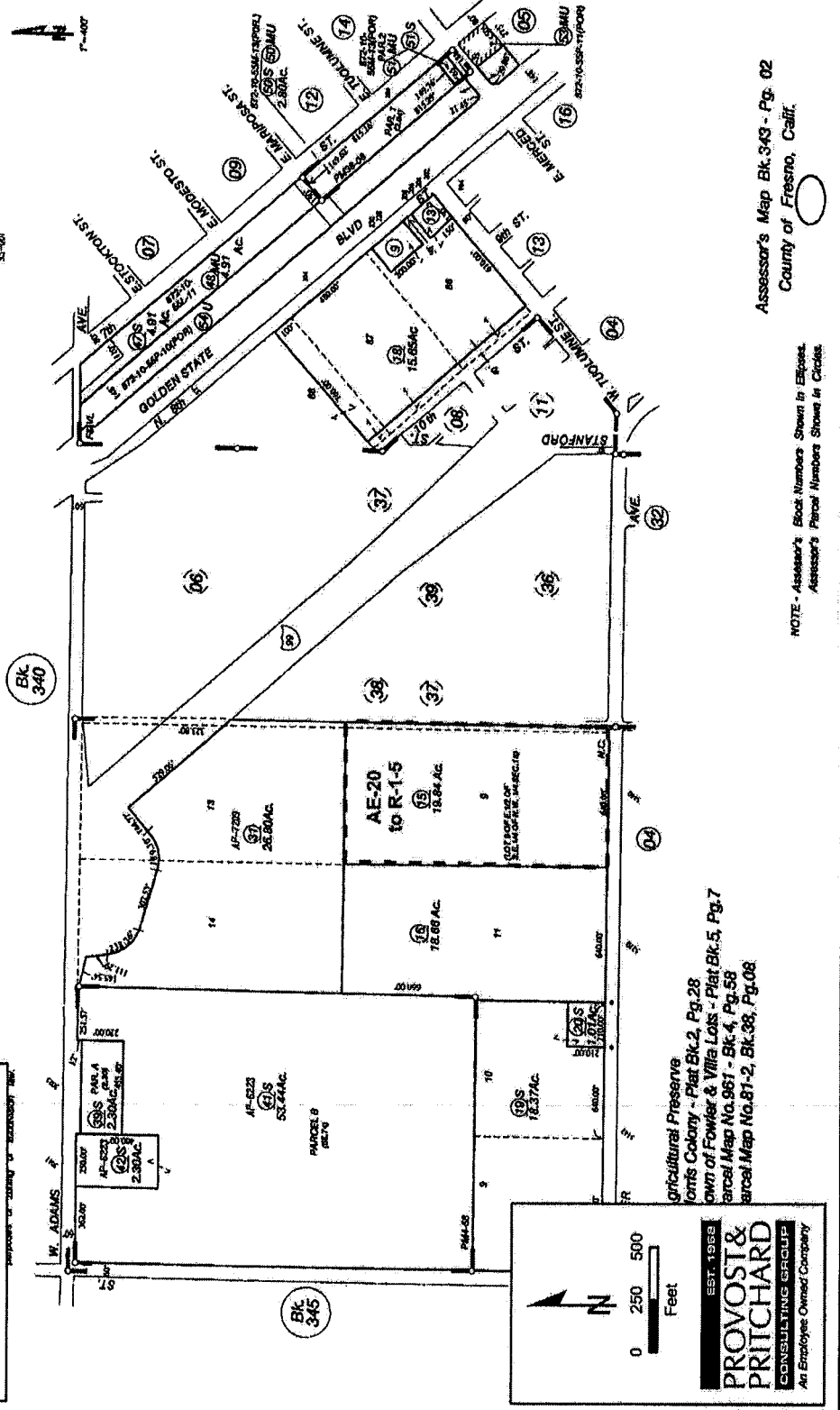
Exhibit "A"

343-02

Tax Rate Area
4-08
55-08

SUBDIVIDED LAND & POR. SEC.16, T.15S., R.21E., M.D.B.&M.

Prezone Area (VTM 6274)



Assessor's Map Bk.343 - Pg. 02
County of Fresno, Calif.

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

Agricultural Preserve
Loma's Colony - Plat Bk.2, Pg.28
Loma's Colony - Villa Lots - Plat Bk.5, Pg.7
Loma's Colony - Villa Lots - Plat Bk.4, Pg.58
Loma's Colony - Villa Lots - Plat Bk.3, Pg.58
Loma's Colony - Villa Lots - Plat Bk.2, Pg.58
Loma's Colony - Villa Lots - Plat Bk.1, Pg.58
Loma's Colony - Villa Lots - Plat Bk.0, Pg.58

EST. 1988
PROVOST & PRITCHARD
CONSULTING GROUP
An Employee Owned Company

9/6/2019 : G:\Fowler_City of 26191261919005-Woodside Homes Tract 6274\GIS\Map\PreZone.mxd



STAFF REPORT

DATE: 10/30/19
TO: Honorable Mayor and City Councilmembers
FROM: Randy Uyeda, Finance Director
SUBJECT: Preliminary Financial Results for F 2018 and 2019 – Information Only

The attached pre-audit financial results for FY 2018 and FY 2019 shows the City is on a positive trend for both the General Fund and the Water Enterprise Fund. Some important notes:

General Fund

1. Although budgeted as in prior years due to time constraints, certain revenues such as the Tax Increment, COPS grant, and the Recycle grant are no longer in the General Fund. Several new funds/restricted accounts have been created to correct this problem. As I noted in previous meetings non general fund revenues and expenditures were processed via the General Fund and never properly reviewed. Actual sales tax revenue is below projection due to CDTFA system problems, a positive adjustment is pending. Note: FY 2018 Revenues were significantly higher due to Building Permits.
2. Overall expenditures are significantly down due to the discontinuance of non-general expenditures such as street projects and other grant related expenditures being properly accounted for in the applicable grant fund. Implementation of tighter controls and required review of invoices by department supervisors and City management also played an important part of cost cutting process.

Water Fund

1. Slight increase in water revenues due to rate increase.
2. Reduction in expenditures due to non-allocation of certain General Fund expenses, mainly a portion of the finance department salary. I am reviewing the appropriate percentages of allocation to insure these allocations are appropriate for the work performed.
3. The creation of a Water Well Maintenance fund, said fund supported by Development/Permit fees which were specifically created for this purpose. In the past, these funds were comingled in the Water Fund and used to offset the deficit. Major well work during the year is now charged to the proper Fund thus reducing the Water Fund expenditures.
4. The final adjustment may cause the water fund to show a deficit but nowhere as large as previous deficits. I remind Council that I am trying to get an accurate cost of all City operations.

Utility Tax fund is self-funding and the large expenditures are the results of the Fire Station Project. I have been keeping transfers into the General Fund at a minimum and only as needed.

As always I am always available for further discussions in my office.

**Financial Summary
FY 2018-2019**

<u>Revenues</u>		<u>FY 2017-18 Pre Audit</u>	<u>FY 2018-19 Budget</u>	<u>FY 2018-19 Pre Audit</u>	<u>FY 2018-19 - Under/Over</u>
Total General Fund		\$4,564,447	\$4,666,290	\$4,150,860	-11.05%
<u>Department Expenditures</u>					
City Council		\$41,350	\$51,855	\$20,862	-59.77%
Administration		\$263,332	\$361,957	\$331,507	-8.41%
City Clerk		\$26,231	\$82,252	\$82,491	0.29%
Finance		\$266,525	\$321,647	\$393,815	22.44%
City Attorney		\$135,232	\$150,000	\$90,064	-39.96%
General Government		\$332,467	\$283,056	\$237,758	-16.00%
Police		\$1,581,569	\$1,888,415	\$1,670,731	-11.53%
Fire		\$96,017	\$119,950	\$89,545	-25.35%
Animal Control		\$12,227	\$16,000	\$10,728	-32.95%
Street Maintenance		\$410,750	\$656,831	\$442,991	-32.56%
Planning		\$298,245	\$176,148	\$278,819	58.29%
Building Dept		\$57,463	\$102,781	\$98,135	-4.52%
Park Maint		\$158,502	\$273,450	\$165,440	-39.50%
Recreation		\$64,987	\$79,497	\$68,534	-13.79%
Senior Center		\$67,397	\$67,942	\$59,660	-12.19%
Total G/F Expenditures		\$3,812,294	\$4,631,781	\$4,041,080	-12.75%
Net		\$752,153	\$34,509	\$109,780	218.12%
Water	Revenues	\$1,291,383	\$1,151,700	\$1,177,063	2.20%
Water	Expenditures	\$1,272,676	\$1,601,496	\$1,163,837	-27.33%
	Net	\$18,707	-\$449,796	\$13,226	102.94%
Utility Tax	Revenues	\$389,355	\$380,500	\$556,747	46.32%
Utility Tax	Expenditures	\$1,099,832	\$527,772	\$460,927	-12.67%
	Net	-\$710,477	-\$147,272	\$95,820	165.06%



STAFF REPORT

DATE: 10/25/19
TO: Honorable Mayor and City Councilmembers
FROM: Randy Uyeda, Finance Director
SUBJECT: Capital Projects – Water Storage Tanks

BACKGROUND: Council is aware that we are working on a 5 year Capital Improvement Plan initially concentrating on the City's data processing system, vehicles and equipment. Now that I am more familiar with Fowler's infrastructure there is a glaring need for Water Storage Tanks. These tanks would supply water for both residential and fire in times of power outages, assist in water pressure stabilization, and by pumping water at night into the tanks and letting them provide water during the day, reduce our electrical costs (the main well pump averages \$9K a month and is the highest of our electrical costs). Other outside reasons includes the State requiring the City to provide additional water storage or put a hold on the City's expansion such as they did to Orange Cove; insurance companies refusing new business insurance due to perceived inadequate water availability (Best Buy in Dinuba is a good example, required Dinuba to build the water tank seen behind the development). Initially I recommend two tanks, one on either side of the 99 Highway.

FISCAL IMPACT: We need a "Water Plan/Model" before I can pursue grant/loan options with the USDA, Sacramento, or the California Water Board. Peters Engineering has estimated this initial cost to be \$50,000.

RECOMMENDATION: To begin the process of finding outside funding for the initial Water Plan costs or failing that, utilize the Water Impact Fees to pay for same and begin the process of gathering information on grants/loans available for this project and design/engineering firms. I have already had talks with the USDA and they agree with my recommendation and they also stand ready to assist in funding the project.

CITY OF FOWLER
WARRANTS LIST
November 5, 2019

ACCOUNTS PAYABLE CHECKS	CHECK NUMBERS	CHECK DATES	AMOUNT
Regular checks	35691-35770	Oct 15 thru Nov 1	\$ 522,285.54
Fire Station checks	1018	November 1, 2019	\$ 29,850.00
TOTAL ACCOUNTS PAYABLE CHECKS			<u>\$ 552,135.54</u>
PAYROLL COSTS			
First October Bi-Monthly Payroll		October 15, 2019	93,697.00
Second October Bi-Monthly Payroll		October 31, 2019	92,598.17
TOTAL PAYROLL COSTS			<u>\$ 186,295.17</u>
TOTAL CASH DISBURSEMENTS			<u>\$ 738,430.71</u>

ITEM 11A

NOTE:

Check #35691

Void check

SUPERION
DATE: 11/01/2019
TIME: 16:43:18

CITY OF FOWLER
CHECK REGISTER - BY FUND

PAGE NUMBER: 1
ACCTPA21

SELECTION CRITERIA: transact.check_no between '35691' and '35770'
ACCOUNTING PERIOD: 13/19

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	35692	10/15/19	10551	PARRA, DANIEL	100	1605	MILEAGE LEAGUE OF C	0.00	271.44
1001	35693	10/17/19	10149	ICMA-RC 457 PLAN 3	100	1605	EMPLOYEE DEDUCTION	0.00	1,430.00
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	60.00
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	420.00
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	528.00
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	700.00
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	700.00
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	760.00
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	900.00
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	1,142.75
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	1,220.00
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	1,260.00
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	1,323.20
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	2,019.60
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	2,220.00
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	3,434.59
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	8,645.25
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	13,600.60
1001	35696	10/24/19	10194	LOZANO SMITH	100	1605	LEGAL SERVICES	0.00	38,933.99
TOTAL CHECK									
1001	35697	10/24/19	10237	P G & E - SACRAMENT	100	1605	UTILITIES	0.00	10.54
1001	35697	10/24/19	10237	P G & E - SACRAMENT	100	1605	UTILITIES	0.00	11.20
1001	35697	10/24/19	10237	P G & E - SACRAMENT	100	1605	UTILITIES	0.00	71.43
1001	35697	10/24/19	10237	P G & E - SACRAMENT	100	1605	UTILITIES	0.00	196.11
1001	35697	10/24/19	10237	P G & E - SACRAMENT	100	1605	UTILITIES	0.00	251.83
1001	35697	10/24/19	10237	P G & E - SACRAMENT	100	1605	UTILITIES	0.00	306.67
1001	35697	10/24/19	10237	P G & E - SACRAMENT	100	1605	UTILITIES	0.00	116.70
TOTAL CHECK									964.48
1001	35698	10/24/19	10725	VERIZON WIRELESS	100	1605	SERVICES	0.00	1,821.03
1001	35700	10/29/19	14187	LAW FIRM OF HERR, P	100	1605	CASE NO 18CECGO1646	0.00	2,555.00
1001	35701	11/01/19	13187	SECOND CHANCE ANIMA	100	1605	SERVICES	0.00	1,000.00
1001	35702	11/01/19	14066	A-C TECHNOLOGY SOLU	100	1605	TRBSHT IRRGTN PUMP	0.00	4,044.65
1001	35703	11/01/19	10995	ADT SECURITY SERVIC	100	1605	SERVICES	0.00	170.07
1001	35704	11/01/19	13450	ALERT ALL	100	1605	SUPPLIES	0.00	478.40
1001	35705	11/01/19	10007	ALERT-O-LITE, INC	100	1605	SUPPLIES	0.00	21.57
1001	35705	11/01/19	10007	ALERT-O-LITE, INC	100	1605	SUPPLIES	0.00	214.88
TOTAL CHECK									236.45
1001	35706	11/01/19	13729	ALLISON, MICHAEL	100	1605	REIMBURSEMENT	0.00	65.01
1001	35707	11/01/19	10549	AT&T MOBILITY	100	1605	SERVICES	0.00	270.23
1001	35708	11/01/19	12285	ATT	100	1605	SERVICES	0.00	519.53

SUPERION
DATE: 11/01/2019
TIME: 16:43:18

CITY OF FOWLER
CHECK REGISTER - BY FUND

PAGE NUMBER: 2
ACCTPA21

SELECTION CRITERIA: transact.check_no between '35691' and '35770'
ACCOUNTING PERIOD: 13/19

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	35712	11/01/19	10025	BUFORD OIL COMPANY	100	1605	FUEL	0.00	39.07
1001	35716	11/01/19	13894	COMCAST	100	1605	SERVICES	0.00	747.87
1001	35717	11/01/19	11226	COMMUNITY MEDICAL C	100	1605	SERVICES	0.00	175.00
1001	35717	11/01/19	11226	COMMUNITY MEDICAL C	100	1605	SERVICES	0.00	175.00
1001	35717	11/01/19	11226	COMMUNITY MEDICAL C	100	1605	SERVICES	0.00	350.00
TOTAL CHECK								0.00	700.00
1001	35719	11/01/19	14188	DATA TICKET	100	1605	DAILY CITATION PRCS	0.00	435.74
1001	35722	11/01/19	10103	EWING	100	1605	CLOCK REPAIR	0.00	105.07
1001	35723	11/01/19	10108	FIVE CITIES EDA - E	100	1605	EDA Q2	0.00	778.61
1001	35724	11/01/19	10758	FORENSIC NURSE SPEC	100	1605	SERVICES	0.00	2,000.00
1001	35726	11/01/19	12567	FRESNO MOBILE RADIO	100	1605	SERVICES	0.00	220.00
1001	35727	11/01/19	12810	GLOBAL CTI	100	1605	SERVICES	0.00	232.30
1001	35728	11/01/19	11116	GRAINGER	100	1605	SUPPLIES	0.00	551.62
1001	35730	11/01/19	11018	HOME DEPOT CREDIT S	100	1605	SUPPLIES	0.00	24.12
1001	35730	11/01/19	11018	HOME DEPOT CREDIT S	100	1605	SUPPLIES	0.00	43.26
1001	35730	11/01/19	11018	HOME DEPOT CREDIT S	100	1605	SUPPLIES	0.00	71.33
1001	35730	11/01/19	11018	HOME DEPOT CREDIT S	100	1605	SUPPLIES	0.00	197.23
TOTAL CHECK								0.00	335.94
1001	35731	11/01/19	10924	ITMC-RECERTIFICATIO	100	1605	ANNUAL MEMBERSHIP	0.00	135.00
1001	35732	11/01/19	13981	LEIST AND ASSOCIATE	100	1605	PD PERSONNEL MATTER	0.00	4,720.20
1001	35737	11/01/19	10201	METRO UNIFORM & ACC	100	1605	UNIFORM	0.00	18.42
1001	35737	11/01/19	10201	METRO UNIFORM & ACC	100	1605	UNIFORM	0.00	28.85
1001	35737	11/01/19	10201	METRO UNIFORM & ACC	100	1605	UNIFORM	0.00	46.80
1001	35737	11/01/19	10201	METRO UNIFORM & ACC	100	1605	UNIFORM	0.00	60.97
1001	35737	11/01/19	10201	METRO UNIFORM & ACC	100	1605	UNIFORM	0.00	87.13
1001	35737	11/01/19	10201	METRO UNIFORM & ACC	100	1605	UNIFORM	0.00	87.13
1001	35737	11/01/19	10201	METRO UNIFORM & ACC	100	1605	UNIFORM	0.00	187.98
TOTAL CHECK								0.00	517.28
1001	35738	11/01/19	11653	MUNICIPAL CODE CORP	100	1605	ONLINE CODE HOSTING	0.00	500.00
1001	35740	11/01/19	10215	NELSON HARDWARE & G	100	1605	SUPPLIES	0.00	23.85
1001	35740	11/01/19	10215	NELSON HARDWARE & G	100	1605	SUPPLIES	0.00	48.80
1001	35740	11/01/19	10215	NELSON HARDWARE & G	100	1605	SUPPLIES	0.00	62.89
TOTAL CHECK								0.00	135.54
1001	35741	11/01/19	10885	NELSONS POWER CENTE	100	1605	SERVICES	0.00	57.27
1001	35741	11/01/19	10885	NELSONS POWER CENTE	100	1605	SERVICES	0.00	60.47

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FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	35741	11/01/19	10885	NELSONS POWER CENTE	100	1605	SERVICES	0.00	68.00
1001	35741	11/01/19	10885	NELSONS POWER CENTE	100	1605	SERVICES	0.00	251.94
TOTAL	CHECK							0.00	437.68
1001	35742	11/01/19	10216	NEW ENGLAND SHEET M	100	1605	SERVICES	0.00	284.01
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	BUFORD	0.00	240.00
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	GOLDEN ST	0.00	240.00
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	SERVICES	0.00	1,000.00
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	WOODSIDE	0.00	1,228.38
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	BEDROSIAN	0.00	1,280.00
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	SERVICES	0.00	1,579.74
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	ENCRCHMNT PRMT	0.00	1,680.96
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	MAXCO	0.00	4,890.00
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	HOVLAN	0.00	5,298.57
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	SD SYSTEM MAPPING	0.00	1,770.00
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	PERMIT REV	0.00	1,884.95
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	HOVLAN	0.00	1,887.88
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	HEALTH CL	0.00	1,920.00
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	BUFORD	0.00	32,450.00
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	ADMIN	0.00	500.00
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	CHAV PROP	0.00	583.00
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	MAGTLL	0.00	133.34
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	JAG TRUCK	0.00	194.00
1001	35745	11/01/19	12060	PETERS ENGINEERING	100	1605	CHAV PROP	0.00	194.00
TOTAL	CHECK							0.00	58,954.82
1001	35746	11/01/19	13655	PROVOST & PRITCHARD	100	1605	ADMIN	0.00	132.30
1001	35746	11/01/19	13655	PROVOST & PRITCHARD	100	1605	ADMIN	0.00	310.50
1001	35746	11/01/19	13655	PROVOST & PRITCHARD	100	1605	BUFORD	0.00	653.86
1001	35746	11/01/19	13655	PROVOST & PRITCHARD	100	1605	WOODSIDE	0.00	4,537.23
TOTAL	CHECK							0.00	10,320.32
1001	35747	11/01/19	10251	R & R AUTO REPAIR S	100	1605	REPAIR	0.00	42.67
1001	35747	11/01/19	10251	R & R AUTO REPAIR S	100	1605	SERVICES	0.00	380.02
TOTAL	CHECK							0.00	422.69
1001	35749	11/01/19	11195	ROBERT V JENSEN INC	100	1605	FUEL	0.00	65.42
1001	35749	11/01/19	11195	ROBERT V JENSEN INC	100	1605	FUEL	0.00	89.78
1001	35749	11/01/19	11195	ROBERT V JENSEN INC	100	1605	FUEL	0.00	90.79
1001	35749	11/01/19	11195	ROBERT V JENSEN INC	100	1605	FUEL	0.00	94.60
1001	35749	11/01/19	11195	ROBERT V JENSEN INC	100	1605	FUEL	0.00	97.57
1001	35749	11/01/19	11195	ROBERT V JENSEN INC	100	1605	FUEL	0.00	177.28
1001	35749	11/01/19	11195	ROBERT V JENSEN INC	100	1605	FUEL	0.00	197.00
TOTAL	CHECK							0.00	812.44
1001	35752	11/01/19	14189	SARJA SINGH GILL	100	1605	REFUND	0.00	1,522.11
1001	35754	11/01/19	10789	SJVC INT CODE COUNC	100	1605	TRAINING	0.00	85.00
1001	35755	11/01/19	10289	SOUTH COUNTY VETERI	100	1605	SERVICES	0.00	15.00

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FUND - 100 - GENERAL FUND							AMOUNT
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	SALES TAX
----							----
1001	35756	11/01/19	10085	STATE OF CA	DEPARTM 100	1605	0.00
1001	35756	11/01/19	10085	STATE OF CA	DEPARTM 100	1605	0.00
TOTAL	CHECK						102.00
1001	35758	11/01/19	13728	SUPERION	100	1605	0.00
1001	35759	11/01/19	10303	SWANSON-FAHRNEY	FOR 100	1605	0.00
1001	35759	11/01/19	10303	SWANSON-FAHRNEY	FOR 100	1605	0.00
TOTAL	CHECK						677.28
1001	35762	11/01/19	10314	TOSHIBA AMERICA	INF 100	1605	0.00
1001	35763	11/01/19	13848	TPX	100	1605	0.00
1001	35764	11/01/19	13543	UNIFIRST CORPORATIO	100	1605	0.00
1001	35764	11/01/19	13543	UNIFIRST CORPORATIO	100	1605	0.00
1001	35764	11/01/19	13543	UNIFIRST CORPORATIO	100	1605	0.00
1001	35764	11/01/19	13543	UNIFIRST CORPORATIO	100	1605	0.00
1001	35764	11/01/19	13543	UNIFIRST CORPORATIO	100	1605	0.00
1001	35764	11/01/19	13543	UNIFIRST CORPORATIO	100	1605	0.00
1001	35764	11/01/19	13543	UNIFIRST CORPORATIO	100	1605	0.00
1001	35764	11/01/19	13543	UNIFIRST CORPORATIO	100	1605	0.00
TOTAL	CHECK						756.56
1001	35769	11/01/19	10346	ZOOM IMAGING	SOLUTI 100	1605	0.00
TOTAL	CASH ACCOUNT						163,042.68
TOTAL	FUND						163,042.68

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FUND - 225 - LTF - ARTICLE 8

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCT	DESCRIPTION	SALES TAX	AMOUNT
1001	35697	10/24/19	10237	P G & E - SACRAMENT	225	1605	UTILITIES	0.00	127.16
1001	35697	10/24/19	10237	P G & E - SACRAMENT	225	1605	UTILITIES	0.00	194.88
1001	35697	10/24/19	10237	P G & E - SACRAMENT	225	1605	UTILITIES	0.00	5,333.88
1001	35697	10/24/19	10237	P G & E - SACRAMENT	225	1605	UTILITIES	0.00	504.85
1001	35697	10/24/19	10237	P G & E - SACRAMENT	225	1605	UTILITIES	0.00	72.12
1001	35697	10/24/19	10237	P G & E - SACRAMENT	225	1605	UTILITIES	0.00	82.71
1001	35697	10/24/19	10237	P G & E - SACRAMENT	225	1605	UTILITIES	0.00	112.01
1001	35697	10/24/19	10237	P G & E - SACRAMENT	225	1605	UTILITIES	0.00	24.02
1001	35697	10/24/19	10237	P G & E - SACRAMENT	225	1605	UTILITIES	0.00	43.33
1001	35697	10/24/19	10237	P G & E - SACRAMENT	225	1605	UTILITIES	0.00	9.86
1001	35697	10/24/19	10237	P G & E - SACRAMENT	225	1605	UTILITIES	0.00	6,504.82
TOTAL	CHECK								
1001	35715	11/01/19	14131	CENTRAL VALLEY SWEE	225	1605	STREET SWEEPING	0.00	2,459.34
TOTAL	CASH ACCOUNT							0.00	8,964.16
TOTAL	FUND							0.00	8,964.16

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FUND - 235 - ROAD MTCE & REHAB ACT SBI

CASH ACCT	CHECK NO	ISSUE DT	VENDOR NAME	DEPT	ACCT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	35694	10/17/19	10608 ASPHALT MAINTENANCE	235	5708	FOWLER ST MAINT PRO	0.00	88,768.57
TOTAL CASH ACCOUNT								88,768.57
TOTAL FUND								88,768.57

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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	35697	10/24/19	10237	P G & E - SACRAMENT	500	1605	UTILITIES	0.00	575.12
1001	35697	10/24/19	10237	P G & E - SACRAMENT	500	1605	UTILITIES	0.00	4,942.40
1001	35697	10/24/19	10237	P G & E - SACRAMENT	500	1605	UTILITIES	0.00	10.51
1001	35697	10/24/19	10237	P G & E - SACRAMENT	500	1605	UTILITIES	0.00	13,049.01
TOTAL CHECK								0.00	18,577.04
1001	35698	10/24/19	10725	VERIZON WIRELESS	500	1605	SERVICES	0.00	38.01
1001	35699	10/28/19	11073	UNITED RENTALS	500	1605	MINI EXCAVATOR	0.00	33,111.22
1001	35702	11/01/19	14066	A-C TECHNOLOGY SOLU	500	1605	WELL UPGRADE	0.00	2,256.59
1001	35705	11/01/19	10007	ALERT-O-LITE, INC	500	1605	SUPPLIES	0.00	180.92
1001	35709	11/01/19	14182	AWAWDA, FATIMA	500	1605	UB REFUND	0.00	67.70
1001	35710	11/01/19	11314	BACKFLOW APPARATUS	500	1605	CALIBRATION CHECK	0.00	122.10
1001	35711	11/01/19	10024	BSK LABORATORIES	500	1605	SERVICES	0.00	21.00
1001	35711	11/01/19	10024	BSK LABORATORIES	500	1605	SERVICES	0.00	21.00
TOTAL CHECK								0.00	42.00
1001	35713	11/01/19	12492	CARLOS MAGANA	500	1605	ABPA CONFERENCE	0.00	90.00
1001	35714	11/01/19	14179	CARRASCO, MARIA	500	1605	UB REFUND	0.00	72.81
1001	35718	11/01/19	11163	COOK'S COMMUNICATIO	500	1605	RADIO REPAIR	0.00	93.37
1001	35718	11/01/19	11163	COOK'S COMMUNICATIO	500	1605	RADIOS	0.00	1,004.17
TOTAL CHECK								0.00	1,097.54
1001	35725	11/01/19	10114	FOWLER BUTANE SERVI	500	1605	PUMP OIL	0.00	71.37
1001	35729	11/01/19	10141	H & H TIRE SERVICES	500	1605	FLAT REPAIR	0.00	25.00
1001	35733	11/01/19	13430	LIWA, CLARK	500	1605	ABPA CONFERENCE	0.00	90.00
1001	35734	11/01/19	14175	LOFLIN, MIRANDA	500	1605	UB REFUND	0.00	7.71
1001	35735	11/01/19	14186	LY, DALA	500	1605	UB REFUND	0.00	19.56
1001	35736	11/01/19	14180	MARTINEZ, ANGELITA	500	1605	UB REFUND	0.00	39.95
1001	35739	11/01/19	14178	NAVARRETTE, CARLOS	500	1605	UB REFUND	0.00	21.68
1001	35743	11/01/19	14185	OMENS, GREGORY	500	1605	UB REFUND	0.00	11.36
1001	35748	11/01/19	12672	R&B COMPANY	500	1605	WRENCH AND METER LI	0.00	113.52
1001	35749	11/01/19	11195	ROBERT V JENSEN INC	500	1605	FUEL	0.00	127.91
1001	35749	11/01/19	11195	ROBERT V JENSEN INC	500	1605	FUEL	0.00	211.93
1001	35749	11/01/19	11195	ROBERT V JENSEN INC	500	1605	FUEL	0.00	406.98
1001	35749	11/01/19	11195	ROBERT V JENSEN INC	500	1605	FUEL WELLSITE 7&8A	0.00	1,199.85

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FUND - 500 - WATER

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCT	-----DESCRIPTION-----	SALES TAX	AMOUNT
TOTAL CHECK									
1001	35750	11/01/19	14183	ROMAN, MERVIN	500	1605	UB REFUND	0.00	1,946.67
1001	35753	11/01/19	14172	SERRATO, MOSES & JA	500	1605	UB REFUND	0.00	85.83
1001	35757	11/01/19	10763	SUNBELT RENTALS	500	1605	TAMPER	0.00	100.00
1001	35758	11/01/19	13728	SUPERION	500	1605	ANNUAL LICENSE FEE	0.00	234.00
1001	35760	11/01/19	13048	SWRCB ACCOUNTING OF	500	1605	ANNUAL ENFROMNT FEE	0.00	15,391.50
1001	35761	11/01/19	14007	TIRE HUB	500	1605	TIRES	0.00	396.00
1001	35765	11/01/19	10923	VALLEY COUNTIES WAT	500	1605	TRAINING	0.00	266.46
1001	35766	11/01/19	14174	VASQUEZ, OSWALDO	500	1605	UB REFUND	0.00	60.00
1001	35767	11/01/19	14181	VILLAR, KARINA	500	1605	UB REFUND	0.00	92.44
1001	35768	11/01/19	14184	WOODS INVESTMENTS,	500	1605	UB REFUND	0.00	79.09
TOTAL CASH ACCOUNT								0.00	85.13
TOTAL FUND								0.00	74,793.20
								0.00	74,793.20

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SELECTION CRITERIA: transact.check_no between '35691' and '35770'
ACCOUNTING PERIOD: 13/19

FUND - 790 - FIRE STATION PROJECT

CASH ACCT	CHECK NO	ISSUE DT	VENDOR NAME	DEPT	ACCT	DESCRIPTION	SALES TAX	AMOUNT
1001	35691	10/15/19	14087 KLASSEN CORPORATION	790	1890	JUNE CNSTRCTN PMT	0.00	180,338.12
1001	35691	V 10/15/19	14087 KLASSEN CORPORATION	790	1890	JUNE CNSTRCTN PMT	0.00	-180,338.12
TOTAL CHECK								
TOTAL CASH ACCOUNT								
TOTAL FUND								

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SELECTION CRITERIA: transact.check_no between '35691' and '35770'
ACCOUNTING PERIOD: 13/19

FUND - 900 - PUBLIC FINANCING AUTH

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	3770	11/01/19	10214	NBS	900	1605	PFA BOND ADMIN	0.00	4,250.00
TOTAL CASH ACCOUNT									4,250.00
TOTAL FUND									4,250.00
TOTAL REPORT									522,285.54

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ACCOUNTING PERIOD: 13/19

SELECTION CRITERIA: chkstat.check_no='1018'

DISTRIBUTION FUND: 790

CHECK NUMBER	ISSUE DATE	VENDOR	STATUS	TOTAL	DESCRIPTION
1018	11/01/2019	PETERS ENGINEERING GROUP	R	29850.00	ACCOUNTS PAYABLE CHECK
TOTAL FUND				29850.00	
TOTAL REPORT				29850.00	

**MINUTES OF THE FOWLER CITY COUNCIL
SPECIAL MEETING
OCTOBER 15, 2019**

Mayor Cardenas called the meeting to order at 6:30 p. m. Roll call was taken.

Councilmembers Present: Cardenas, Hammer, Parra, Rodriquez
Councilmembers Absent: Kazarian

City Staff Present: City Manager/City Clerk Davis, City Attorney Cross

PUBLIC PRESENTATIONS

There were no public presentations.

CLOSED SESSION

The meeting adjourned to a closed session at 6:32 p.m. pursuant to Government Code Section 54957: Public Employee Performance Evaluation, Title: City Manager and Government Code Section 54957.6; Conference with Labor Negotiator Agency Negotiator: City Attorney
Represented Employee: City Manager.

The meeting reconvened to open session at 6:57 p.m. with no reportable action taken.

ADJOURNMENT

Having no further business, Councilmember Rodriquez made a motion, seconded by Councilmember Parra to adjourn. The motion carried and the meeting adjourned at 6:57 p.m.

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
OCTOBER 15, 2019**

Mayor Cardenas called the meeting to order at 7:01 p. m. Roll call was taken.

Councilmembers Present: Cardenas, Hammer, Parra, Rodriquez
Councilmembers Absent: Kazarian

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

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

PUBLIC PRESENTATIONS

There were no public presentations.

APPROVE REQUEST TO CLOSE CITY STREETS FOR THE GURDWARA GUR NANAK PARKASH PARADE

Harpreet Binning, Gurdwara Gur Nanak Parkash representative, asked the Council to approve closing the streets for their annual parade on Sunday, December 1, 2019. Preparations and safety arraignments have been made with Caltrans, Highway Patrol and Fowler Police Department. Councilmember Rodriquez made a motion to approve the request to close City streets for the Gurdwara Gur Parkash Parade On Sunday, December 1, 2019; seconded by Councilmember Parra. The motion carried by unanimous voice vote: Ayes: Cardenas, Hammer, Parra, Rodriquez. Noes: None. Abstain: None. Absent: Kazarian.

APPROVE REQUEST TO USE PANZAK PARK FOR USTAD LAL CHAND YAMLA JATT MEMORIAL FAIR

Rajinder Brar, Fowler resident, asked the Council to approve the use of Panzak Park to celebrate a memorial fair with musical performances, in honor of the inventor of the Tumbi musical instrument. The event will be held on Sunday, October 20, 2019 from 1:00 p.m. to 6:00 p.m. Councilmember Rodriquez made a motion to approve the request to use Panzak Park for the Ustad Chand Yamla Jatt Memorial Fair on Sunday, October 20, 2019; seconded by Mayor Pro Tem Hammer. The motion carried by unanimous voice vote: Ayes: Cardenas, Hammer, Parra, Rodriquez. Noes: None. Abstain: None. Absent: Kazarian.

COMMUNICATIONS

City Manager Davis said the Council has been invited to attend the State of Reedley College and Community Award Ceremony, Wednesday, November 6, 2019, 7:30 a.m. to 9:00 a.m.

Ms. Davis mentioned the upcoming Lions Club Band Review this Saturday, October 19, 2019. The Household Hazardous Waste event will be held in Sanger at the Sanger City Hall parking lot.

STAFF REPORT

CITY MANAGER'S REPORT

City Manager Davis said a General Plan workshop is scheduled for Tuesday, November 5, 2019 at 6:00 p.m. She said the City Engineer will be scheduling a SKGSA workshop for Tuesday, November 19, 2019; discussion will also include development processing and City standards.

PUBLIC WORKS REPORT

Public Works Director Dominguez circulated the Outside District Assessment expenses for 2019 fiscal year.

FINANCE DIRECTOR'S REPORT

No report was given. He did mention he will have a preliminary report of 2019 fiscal year results to present for the next Council meeting.

POLICE DEPARTMENT REPORT

- ♦ **Approve Resolution No. 2441, "A Resolution Authorizing of Individual to Make Application for and Administer the New Alternative Fuel Vehicle Purchase Program through the San Joaquin Valley Air Pollution Control District"**
- ♦ **Approve Resolution No. 2442, "A Resolution of the City Council of the City of Fowler, Fresno County, Approving the Application for the San Joaquin Valley Air Pollution Control District Public Benefit Grant Program: New Alternative Fuel Vehicle Purchase"**

Police Chief Alcaraz said the department is addressing the needs for the community by identifying traffic as a serious concern in maintaining the safety of the children and community as a whole. He expressed the need to purchase a motorcycle to allow the ability to be much more flexible and efficient in enforcing traffic laws which will subsequently lower traffic collisions and ensure the safety of motorists and pedestrians. A grant would allow for the purchase of a motorcycle up to the amount of \$20,000. In addition to the purchase of the motorcycle, he is recommending the purchase of an electric Toyota Prius. The cost of this vehicle, which would meet the grant requirements, is quoted at \$30,225.56. The grant would cover up to \$20,000, if granted; he would work within the budget to meet the additional \$10,225.56 for the purchase of this vehicle. Chief Alcaraz said he is implementing a Volunteer in Policing program, which would create an opportunity for citizens to volunteer with the police department. The Vehicle would be used by the volunteers and staff as they perform their daily activities such as filing cases with the District Attorney's office and other support services.

Councilmember Rodriquez made a motion to approve Resolution No. 2441, "A Resolution Authorizing of Individual to Make Application for and Administer the New Alternative Fuel Vehicle Purchase Program through the San Joaquin Valley Air Pollution Control District"; seconded by Councilmember Parra. The motion carried by unanimous voice vote: Ayes: Cardenas, Hammer, Parra, Rodriquez. Noes: None. Abstain: None. Absent: Kazarian.

Mayor Pro Tem Hammer made a motion to approve Resolution No. 2442, "A Resolution of the City Council of the City of Fowler, Fresno County, Approving the Application for the San Joaquin Valley Air Pollution Control District Public Benefit Grant Program: New Alternative Fuel Vehicle Purchase" seconded by Councilmember Rodriquez. The motion carried by unanimous voice vote: Ayes: Cardenas, Hammer, Parra, Rodriquez. Noes: None. Abstain: None. Absent: Kazarian.

FIRE DEPARTMENT REPORT

No report was given.

CITY ATTORNEY'S REPORT

♦ Consider and Approve City Manager's Advancement to Step D on the Salary Schedule as Authorized in the City Manager's Employment Agreement

City Attorney Cross stated the Council has evaluated the City Manager and recommended moving City Manager Davis to Step D of the City Manager's Salary Schedule (\$12,224.61). Councilmember Rodriquez made a motion to approve City's Manager's Advancement to Step D of the City's Manager's Salary Schedule, seconded by Mayor Pro Tem Hammer. The motion carried by unanimous voice vote: Ayes: Cardenas, Hammer, Parra, Rodriquez. Noes: None. Abstain: None. Absent: Kazarian.

CONSENT CALENDAR

The consent calendar consisted of: A) Ratification of Warrants – October 15 2019; B) Approve Minutes of the City Council Meeting – October 1, 2019; C) Approve Agreement between County of Fresno and the City of Fowler to Administer and Implement the Community Development Block Grant (CDBG) Program – Fowler Panzak Park ADA Restrooms; D) Consider Approving Staff Recommendation to Reject Claim – (Mercedes Tovar), Claimant. Councilmember Parra made a motion to approve the consent calendar, seconded by Councilmember Rodriquez. The motion carried by voice vote: Ayes: Cardenas, Hammer, Parra, Rodriquez. Noes: None. Abstain: None. Absent: Kazarian.

COMMITTEE REPORTS

Mayor Pro Tem Hammer said the Fowler Farmer's Market has been a huge success; the last day will be Wednesday, October 30, 2019. The Christmas Tree Lighting is scheduled for December 7, 2019.

CLOSED SESSION

The meeting adjourned to a closed session at 7:48 p.m. Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiators: Property: 130 S. 6th Street. Agency Negotiators: City Manager. Negotiating Party: Untied Health Centers. Under Negotiation: Price, terms.

Mayor Cardenas left due to owning property near subject property of the closed session item.

The meeting reconvened to open session at 8:02 p.m. with no reportable action taken.

ADJOURNMENT

Having no further business, Mayor Pro Tem Hammer made a motion, seconded by Councilmember Rodriguez to adjourn. The motion carried and the meeting adjourned at 8:02 p.m.



STAFF REPORT

TO: Honorable Mayor and City Councilmembers
FROM: Jeannie Davis, City Manager
SUBJECT: CDBG Consultant Selection - Engineering Services
DATE: November 5, 2019

Requested action:

Award contract to Peters Engineering Group in the amount of \$48,790.00 to provide design and construction engineering services related to the Panzak Park Restroom Replacement Project.

Discussion / Recommendation:

The City has received Community Development Block Grant funds which have been designated to the Panzak Park Restroom Replacement Project. The project will replace the existing restroom building with a new modular pre-manufactured building and will include associated infrastructure upgrades to support the new building. As required by CDBG guidelines, the City issued a Request for Proposals to provide engineering services related to the project for both the design and construction phases. Proposals were received from the following firms:

- ◆ Peters Engineering Group (Clovis)
- ◆ 4-Creeks (Visalia)

Staff evaluated the proposals and determined Peters Engineering Group to be the most qualified to perform services on the project based on completion of similar projects and their vast knowledge of local conditions. The agreement is for a three-year fiscal year period beginning in 2019/20 and ending in 2021/22. Proposals are available for review in the office of the City Clerk.

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT is entered into on the ____ day of _____, 20 ___, by and between

"CLIENT"	"CONSULTANT"
City of Fowler	Peters Engineering Group
128 S. Fifth Street	A California Corporation
Fowler, California 93625	952 Pollasky Avenue
	Clovis, California 93612

as follows:

CLIENT engages CONSULTANT to perform professional services for a project known and described as ADA Compliant Restroom Facilities at Panzak Park (CDBG Project No. 19231) in Fowler, California hereinafter called the "PROJECT."

CLIENT and CONSULTANT, for mutual consideration, agree as follows:

1. **Scope of Services.** CONSULTANT agrees to provide and perform certain professional services for CLIENT in connection with the PROJECT as set forth in Exhibit "A" attached hereto and incorporated by this reference.
2. **Schedule.** CONSULTANT shall perform its services in accordance with the schedule set forth in Exhibit "A." CLIENT agrees that CONSULTANT shall not be responsible for delays which are due to causes beyond CONSULTANT's reasonable control. In the case of any such delay, the time for completion of CONSULTANT's services hereunder shall be extended accordingly.
3. **Compensation.**
 - a. **Fees.** CLIENT agrees to pay CONSULTANT as compensation for its services in accordance with the fee set forth in Exhibit "A". Additional services will be billed in accordance the most recent approved Hourly Rate Schedule. Fees and all other charges will be billed monthly as the work progresses, and the net amount shall be due at the time of billing. Should CLIENT dispute in good faith any portion of an invoice, CLIENT shall pay the undisputed portion as provided herein. Interest of 1% per month (but not exceeding the maximum rate allowable by law) will be payable on any amounts wrongfully withheld or not paid within thirty days of the billing date, payment thereafter to be applied first to accrued interest and then to the principal unpaid amount. Any attorneys' fees or other costs incurred in collecting any delinquent amount shall be paid by CLIENT.
 - b. **Retention.** If any portion of CONSULTANT's fee is held in retention, such amount shall be released within thirty days after completion of the corresponding services. Interest shall be paid on all retention amounts at the rate of 1% per month from the date retained.
4. **Standard of Care.** In the performance of its professional services, CONSULTANT will use that degree of care and skill ordinarily exercised under similar conditions in similar localities and no other warranties, express or implied, are made or intended in any of CONSULTANT's proposals, contracts or reports. CONSULTANT shall be entitled to rely upon the accuracy of data and information provided by CLIENT or others without independent review or evaluation unless provided otherwise in Exhibit "A." CONSULTANT shall perform its services in connection with applicable laws, rules, regulations and standards that are in effect as of the date of this agreement. If any changes occur in such laws, rules, regulations or standards that

materially affect the scope of work or schedule of this agreement, CONSULTANT'S compensation shall be renegotiated accordingly.

5. **Limitation of Liability.** In recognition of the relative risks and benefits of the PROJECT to the parties, CLIENT agrees to limit CONSULTANT'S liability for damages to CLIENT arising out of services performed hereunder to a sum not to exceed \$10,000 or CONSULTANT'S fee, whichever is greater.
6. **Instruments of Service.** All tracings, survey notes, machine-readable information and data ("CADD data") and other original documents are instruments of service and shall remain the property of CONSULTANT, except where by law or precedent these documents become public property.
7. **Reuse of Documents.** Documents, including drawings and specifications, prepared by CONSULTANT pursuant to this agreement are not intended or represented to be suitable for reuse by CLIENT or others on extensions of the PROJECT or on any other project.
8. **Fees and Permits.** CLIENT shall pay the cost of all fees, permits, bond premiums, title company charges, blueprints and reproductions in connection with the PROJECT and CONSULTANT'S services hereunder unless otherwise specified in Exhibit "A."
9. **Termination of Agreement.** In the event CLIENT fails to pay CONSULTANT within thirty days after an invoice is rendered, then CLIENT agrees that CONSULTANT shall have the right to consider said default a total breach of this agreement and the duties of CONSULTANT under this agreement terminated upon five days' written notice.
10. **Other Agreements.** There are no understandings or agreements except as herein expressly stated. Any purchase order issued by CLIENT for the services to be provided hereunder shall be deemed to have been issued for its own purchasing, accounting and other record-keeping purposes only and shall not be deemed to be a part of this agreement or to modify or amend this agreement in any way.
11. **Counterparts.** This agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
12. **Governing Law.** This agreement shall be governed by and construed in accordance with the laws of the state of California.
13. **Responsible Charge.** The engineering work related to this project will be prepared under the responsible charge of at least one of the following registered Civil Engineers in the State of California: David Peters, RCE 52685; John Rowland, RCE 52753.

IN WITNESS WHEREOF, the parties hereto have accepted, made and executed this agreement upon the terms, conditions and provisions above stated, the day and year first above written.

"CONSULTANT"

"CLIENT"

Peters Engineering Group

SER Jobs for Progress

By: _____

By: _____

Title: _____

Title: _____

Exhibit "A"

SCOPE OF SERVICES ADA Compliant Restroom Facilities at Panzak Park (CDBG Project No. 19231) Fowler, California

INTRODUCTION

Peters Engineering Group (Consultant) will provide City of Fowler (Client) with engineering services for the project as described herein. Consultant's services will prepare design plans for the replacement of restroom facilities at Panzak Park with a pre-manufactured unit. Work will include design engineering, project administration, construction administration, and inspection and materials testing.

WORK TASKS

The Consultant will perform the following work tasks:

Task 101 Kickoff Meeting & Site Visit

Consultant will attend a kickoff meeting with Client and Client's representatives to determine applicable design standards and other details applicable to the project.

Task 102 30% Design Plans

Thirty percent (30%) engineering design plans will be prepared for the subject improvements. Engineering plans will identify horizontal limits of construction and will provide preliminary vertical design information to identify impacts to existing facilities.

Three sets of preliminary plans will be submitted for City Review.

Task 103 70% Plans, Specifications & Estimate (PS&E)

Based upon City review of the 30% design plans, Consultant will prepare seventy percent (70%) construction plans, technical specifications and opinion of probable construction cost for the project improvements. Project construction document will be prepared to comply with County of Fresno and CDBG requirements. Three sets of the 70% PS&E documents will be submitted to the City for review. Two sets of the 70% PS&E documents will be submitted directly to the County of Fresno for review.

Task 104 100% PS&E

Based upon City review of the 70% PS&E, Consultant will prepare one hundred percent (100%) PS&E. Three sets of the 100% PS&E documents will be submitted to the City for review. Two sets of the 100% PS&E documents will be submitted directly to the County of Fresno for review.

Task 105 Construction Bid Documents

Upon approval of the 100% PS&E submittal by the City and County, Consultant will prepare final construction plans and opinion of probable construction cost for the project. One set of reproducible plans and specifications will be submitted to the City.

Task 106 Bidding Assistance

Consultant will assist Client in answering questions and preparing addendums (if necessary) during the bidding phase of the project. Consultant will also review the bids and provide recommendations regarding the bid award if so desired by the Client.

Task 107 Construction Phase Services

Consultant will provide necessary construction staking for the proposed project improvements, provide daily inspection, materials testing, and construction administration services such as labor compliance, review of submittals, coordination with the County, and general compliance.

CLIENT'S DUTIES AND RESPONSIBILITIES

The Client shall:

- a) Provide all criteria and full information concerning Client's requirements for the Project.
- b) Apply for and obtain all approvals and permits from all governmental agencies having jurisdiction over the project, and such approvals from other entities as may be necessary for the project, with the assistance from the Consultant or as additionally authorized.
- c) Client shall pay all fees and charges associated with securing permits and approvals not previously described.
- d) Give prompt notice to Consultant whenever Client observes or otherwise becomes aware of any development that affects the scope or timing of Consultant's services.
- e) At Client's discretion, authorize and direct Consultant to provide necessary Additional Services.

ADDITIONAL SERVICES

The Client may, at its sole discretion, request that Consultant perform Additional Services. Both parties, prior to proceeding with these services, shall execute a written amendment to this Agreement. Hourly rates for time and material work approved as Additional Services shall be in accordance with Exhibit "B."

RIGHT TO RELY

Consistent with the professional standard of care, Consultant shall be entitled to rely upon the accuracy of data and information provided by the Client or others without independent review or evaluation unless specifically required in the Scope of Services.

COMPENSATION

Consultant's fee for the services shall be as follows:

Design Engineering (Tasks 101-106) = \$29,274

Construction Engineering (Task 107) = \$19,516

Total = \$48,790

Compensation for Additional Services shall be in accordance with the most recent approved Hourly Rate Schedule.



PETERS ENGINEERING GROUP
A CALIFORNIA CORPORATION

Exhibit "B"

HOURLY RATE SCHEDULE
(Effective 1/1/19 to 12/31/19)

<u>CLASSIFICATION</u>	<u>RATE</u>
Principal Civil Engineer	\$180/hr
Senior Civil Engineer	\$165/hr
Civil Engineer	\$130/hr
Land Surveyor	\$120/hr
Staff Engineer	\$115/hr
Draftsperson/Technician/Inspector	\$90/hr
Clerical	\$68/hr
Robotic Total Station	\$35/hr
Litigation Support	\$350/hr

REIMBURSABLES SCHEDULE
(Effective 1/1/19 to 12/31/19)

<u>DESCRIPTION</u>	<u>RATE</u>
Mileage	\$0.64/mile
Travel Subsistence	Actual Cost + 10%
Postage	Actual Cost + 10%
Reproduction	Actual Cost + 10%
Subconsultant	Actual Cost + 10%

Work requiring an accelerated schedule is subject to a 25% labor surcharge. Peters Engineering Group will furnish monthly billing for work performed in accordance with previously authorized fees and the above fee schedule. Payments shall be due upon presentation and no later than 30 days from the date of original invoice. Finance charges will apply to unpaid balances.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOWLER
COUNTY OF FRESNO, STATE OF CALIFORNIA AUTHORIZING
INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND**

WHEREAS, the Local Agency Investment Fund is established in the State Treasury under Government Code Section 16429.1 et. Seq. for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the Fowler City Council hereby finds that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with Government Code Section 16429.1 et. Seq. for the purpose of investment as provided therein is in the best interests of the City of Fowler.

NOW THEREFORE, BE IT RESOLVED, that the Fowler City Council hereby authorizes the deposit and withdrawal of City of Fowler monies in the Local Agency Investment Fund in the State Treasury in accordance with Government Code Section 16429.1 et. Seq. for the purpose of investment as provided therein.

BE FURTHER RESOLVED, as follows:

Section 1. The following City of Fowler officers hold the title(s) specified herein below **or their successors in office** are each hereby authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purpose of this resolution and the transactions contemplated hereby:

Jeannie Davis
(Name)

Randy Uyeda
(Name)

David Cardenas
(Name)

City Manager
(Title)

Finance Director
(Title)

Mayor
(Title)

(Signature)

(Signature)

(Signature)

Section 2. This Resolution shall remain in full force and effect until rescinded by the Fowler City Council by resolution and a copy of the resolution rescinding this resolution is file with the State Treasurer's Office.

PASSED AND ADOPTED, by the Fowler City Council of the City of Fowler County of Fresno, State of California on November 5, 2019.

AYES:
NOES:
ABSENT:
ABSTAIN:

David Cardenas, Mayor

Jeannie Davis, City Clerk