

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
NOVEMBER 5, 2019**

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

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

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

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

PUBLIC PRESENTATIONS

Tomas Carrasco, Fowler resident, asked the Council to recognize five Fowler students who sold lemonade to raise money to purchase a television and blinds for the Fowler Senior Center and made a donation to a local pantry.

INTRODUCTION OF NEW OFFICER AND BADGE PINNING CEREMONY

Police Chief Alcaraz gave an introduction and badge pinning of new police officer Karl Kulow.

Mayor Cardenas called a recess for a brief reception in honor of the newly sworn in police officer.

PUBLIC HEARING

VESTING TENTATIVE SUBDIVISION MAP NO. 6274 (WOODSIDE HOMES)

City Planner Marple stated that the item being presented is to consider Vesting Tentative Subdivision Map No. 6274, Zoning Ordinance Amendment No. 2019-04, annexation to the City of Fowler and adoption of a Mitigated Negative Declaration submitted by Woodside homes. In May 2019 Woodside homes submitted a tentative map application proposing to subdivide 19.25 acres on the northwest corner of East Sumner Avenue and South Sunnyside Avenue into 100 single family lots. The site is within the City's Sphere of Influence but is not currently within the City limits. She said the applicant is proposing to change the zone district from the AE-20 (Fresno County Zone District) to R-1-5 (One family residential – 5,000 square foot minimum lot size). The proposed lots sizes range between 5,000 and 8,900 square feet, which is consistent with the General Plan. At 3.2 persons per household, the 100-unit project will accommodate approximately 320 people. Development of VTSM No. 6274 is expected to occur over a 2.5 year period with project construction beginning in 2020 and completed by 2022-23. 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. She stated streets connections to the west are proposed to allow for future circulation.

Ms. Marple said the General Plan policy requires the project include 5 percent open space policy, this is in addition to any required development fees. Ms. Marple opened for any questions from City Council. Councilmember Kazarian commented on the inconsistency of the zoning for the project location. The Council discussed the project layout that showed one access point at Sunnyside Avenue, expressing concerns on the traffic issues it may create. Ms. Marple said staff worked with the City's Engineer and it was decided that this was the best layout for access points. The Mayor opened the duly noticed public hearing on the matter at 7:42 p.m.

Steve Barela, Fowler resident, expressed his concerns regarding traffic accessing out of the subdivision and possibly adding another access point to avoid traffic congestion.

Kerry Medellin, Controller for Woodside Homes, said they have been trying to accommodate the conditions for the project. The challenge with the map was the density blending of zoning; they tried to get the largest lot to stay within the General Plan. Ms. Medellin said they provided a map that was in compliance to the requirements and recommendations of the General Plan for this project. The public hearing closed at 7:48 p.m.

The consensus of the Council is for the developer to make a good faith effort to add an additional access to Sumner Avenue within the project by possibly removing the access roads at Dustin and Walter Avenues. If the changes and feasibility cannot be accommodated, than the existing map shall be approved.

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

Councilmember Parra made a motion to adopt 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", with the stipulation that a concerted effort be made to incorporate an additional access to Sumner Avenue by closing Dustin and Walter Avenues. If unable to make changes, then the existing map shall be approved, seconded by Councilmember Kazarian. The motion carried by voice vote: Ayes: Cardenas, Hammer, Kazarian, Parra, Rodriquez. Noes: None. Abstain: None. Absent: None.

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

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

COMMUNICATIONS

City Manager Davis said the Council has been invited to attend the Dedication Ceremony for State Route 269 bridge project, Tuesday, November 12, 2019, 10:00 a.m. in Huron.

Ms. Davis mentioned the upcoming Veteran's Day Ceremony is Monday, November 11, 2019 at 11:00 a.m.

STAFF REPORT

CITY MANAGER'S REPORT

City Manager Davis said a South Kings GSA workshop is scheduled for Tuesday, November 19, 2019 at 5:30 p.m. She mentioned there was a bid opening today for the Temperance and Walters Avenues Pedestrian Improvements.

PUBLIC WORKS REPORT

Public Works Director Dominguez said he will be applying for the Public Safety Power Shutoff Grant. These funds are appropriated and made available for California incorporated cities to prepare for and respond to Public Safety Power Shutoff events. Funds appropriated may be used to procure fixed, long term emergency electrical generation equipment, continuity plans, risk assessments for critical infrastructure, post event reports, public education materials or supplies to prepare for electric disruption.

FINANCE DIRECTOR'S REPORT

◆ Preliminary Financial Results for Fiscal Year 2018-19

Finance Director Uyeda provided information on the financial results for fiscal year 2018-19. He said the pre-audit report shows the City is on a positive trend for both the General Fund and the Water Enterprise fund. The Utility tax fund is self-funding and the large expenditures are the results of the Fire Station Project. He has been keeping transfers into the General Fund at a minimum and only as needed.

◆ Discussion on Capital Projects – Water Storage Tanks

Mr. Uyeda expressed that the City is in need of 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, which would reduce electrical costs. He recommends two tanks, one on either side of the 99 highway. Mr. Uyeda said the City needs a Water Plan before he can pursue grant/loan options with the USDA, California Water Board. Peter's Engineering has estimated this initial cost to be \$50,000.

Mr. Uyeda said the on Tuesday, October 29th, Sally Tripp, USDA Agent, performed her regularly schedule inspection of the Fire station construction project, a few minor administrative matter were addressed and the inspection was approved.

POLICE DEPARTMENT REPORT

No report was given.

FIRE DEPARTMENT REPORT

No report was given.

CITY ATTORNEY'S REPORT

No report was given.

CONSENT CALENDAR

The consent calendar consisted of: 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”.

Councilmember Kazarian pulled Item C. His question was what the bids for this project were since they were not included in the staff report and it was awarded to Peter's Engineering. City Manager Davis said she reviewed the two proposals received, which were evaluated on experience and other factors, including costs. City Attorney Wolfe mentioned a revised contract agreement has been provided to the Council.

Councilmember Parra made a motion to approve consent calendar items A, C and D, seconded by Councilmember Kazarian. The motion carried by voice vote: Ayes: Cardenas, Hammer, Kazarian, Parra, Rodriquez. Noes: None. Abstain: None. Absent: None.

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

COMMITTEE REPORTS

Mayor Cardenas said he will be attending the dedication ceremony as master of ceremonies for the State Route 269 Bridge in Huron.

Mayor Pro Tem Hammer said the Fowler Trunk or Treat was a huge success; there were nearly 2,000 in attendance this year.

Councilmember attended the truck or treat event.

Councilmember Parra attended the League of California Cities conference in Long Beach, CA.

Councilmember Rodriguez attended the Trunk or Treat event, and commented on the participation of the community.

CLOSED SESSION

The meeting adjourned to a closed session at 8:34 p.m. pursuant to

- ◆ Government Code Section 54956.9(d)(1) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION David Weisser v. City of Fowler (Public Records Act Case)

- ◆ Government Code Section 54956.9(d)(1) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION David Weisser 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.

On motion by Councilmember Kazarian seconded by Mayor Pro Tem Hammer, the Council on a 5-0 vote authorized the initiation of litigation. The details will be available once the case is filed.

The meeting reconvened to open session at 9:00 p.m. with no reportable action taken.

ADJOURNMENT

Having no further business, Councilmember Kazarian made a motion, seconded by Councilmember Rodriguez to adjourn. The motion carried and the meeting adjourned at 9:01 p.m.