

FOWLER CITY COUNCIL MEETING AGENDA JANUARY 7, 2020 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. Public Hearing: To Consider Supplemental Action Related to the Sunnyside-South Southwest Reorganization

A. Consider Adoption of Resolution No. 2456, "A Supplemental Resolution Before the City Council of the City of Fowler County of Fresno, State of California Requesting that the Local Agency Formation Commission Undertake Proceedings for The Sunnyside-South Southwest Reorganization"

7. Presentations:

- A. Voter's Choice Act Update Brandi L. Orth, County Clerk/Registrar of Voters
 - 1. Consideration of Approval Resolution No. 2457, "A Resolution of the City Council of the City of Fowler, California, in Support of the Voter's Choice Act"
- B. FIA Restoration Project Fowler Improvement Association
- 8. Communications
- 9. Staff Reports
 - A) City Engineer's Report
 - B) City Manager's Report
 - C) Public Works Report
 - D) Finance Department Report
 - 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 <u>single</u> vote should be taken. If a Councilmember <u>objects</u> to an item, <u>then</u> it should be removed and acted upon as a separate item.
 - A) Ratification of Warrants January 7, 2020
 - B) Approve Minutes of the City Council Meeting December 3, 2019
 - C) Consider Approving Staff's Recommendation to Reject Late Claim Application Jennie Klapperich, Claimant, vs. City of Fowler
 - D) Approve Resolution No. 2458, "A Resolution of the City Council of the City of Fowler Approving Development and Planning Fees for 2020"

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:

- Pursuant to Government Code Section 54956.8 <u>Conference with Real Property Negotiators</u>: Property: 130 S. 6th Street. <u>Agency Negotiators</u>: City Manager. <u>Negotiating Party</u>: United Health Centers. Under Negotiation: <u>Price</u>, terms.
- Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiators: Property: 119 S. 6th Street. Agency Negotiators: City Manager. Negotiating Party: Alex Sheriffs and Joan Rubinstein. Under Negotiation: Price, terms.
- Pursuant to Government Code Section 54956.9(d)(1) Conference with Legal Counsel Existing Litigation
 Name of Case: City of Fowler v. The Dow Chemical Co. et al.
 San Francisco Superior Court Case No. CGC 18-567967

14. Adjournment

Next Ordinance No. 2020-01

Next Resolution No. 2459

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, January 3, 2020.

Corina Burrola Deputy City Clerk



TO:

City of Fowler City Council

FROM:

Dawn E. Marple, City Planner

Jeffrey O'Neal, AICP, Deputy City Planner

SUBJECT:

Public hearing to consider supplemental action related to the Sunnyside-South Southwest

Reorganization

DATE:

January 7, 2020

I. RECOMMENDATION

Staff recommends that the City Council initiates proceedings to detach approximately 67.17 acres at the southwest corner Sumner Avenue and Sunnyside Avenue and the northeast corner of Parlier Avenue and Sunnyside Avenue from the Kings River Conservation District as part of the Sunnyside-South Southwest Reorganization.

II. BACKGROUND & PROJECT DESCRIPTION

On May 7, 2019 the City Council took several actions to approve a proposal from RJ Hill to subdivide, prezone, and initiate annexation of lands associated with Vesting Tentative Tract Map No. 5952 at the southwest corner of Sunnyside and South Avenues (APN 345-100-19S). Also included in the approved prezoning ordinance and annexation initiation was APN 345-100-07 at the northeast corner of Parlier Avenue and Sunnyside Avenue. From the May 7, 2019 staff report:

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

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

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

At the conclusion of the May 7, 2019 public hearing, the City Council adopted the following:

- 1. Resolution No. 2426, adopting the Initial Study/Mitigated Negative Declaration prepared for the project;
- 2. Resolution No. 2427, denying a General Plan Amendment;
- 3. Ordinance No. 2019-02, prezoning the subject properties R-1-6 and R-1-7, respectively;
- 4. Resolution No. 2428, approving VTTM No. 5952; and
- 5. Resolution No. 2429, initiating reorganization proceedings.

Specifically, Resolution No. 2429 requests that Fresno LAFCo "undertake proceedings for the Sunnyside-South Southwest Reorganization," which consists of "annexation to the City of Fowler and the Selma-Kingsburg-Fowler County Sanitation District and detachment from the Consolidated Irrigation District and the Fresno County Fire Protection District." However, upon annexing to the City of Fowler, the lands must also detach from the Kings River Conservation District (KRCD), which staff inadvertently omitted from the resolution.

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

III. ANALYSIS

In order to move the project forward, the City must request that LAFCo detach the project site from KRCD. The attached resolution will serve as a supplement to Resolution No. 2429 and will be submitted to LAFCo with the application package.

IV. CEQA

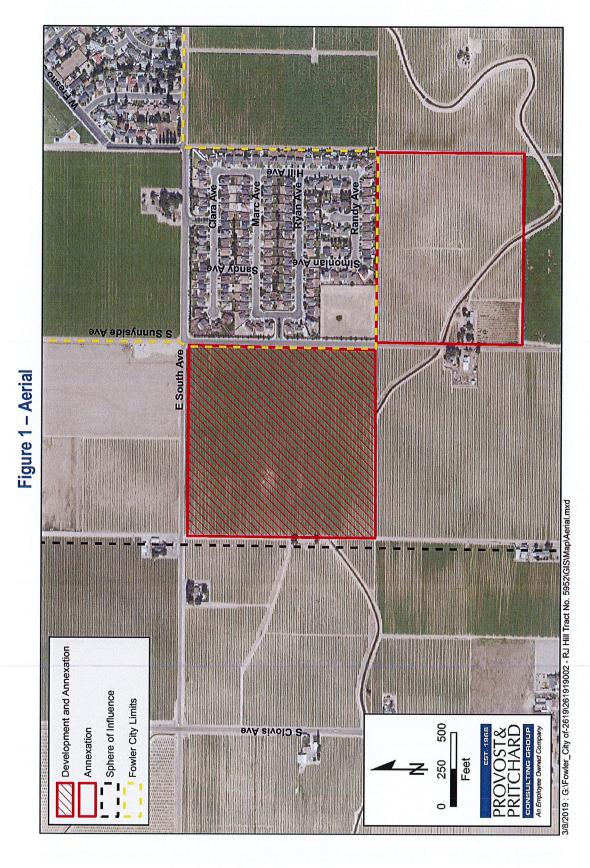
As mentioned above, the City Council adopted Resolution No. 2426, adopting a mitigated negative declaration. The request to detach from KRCD, which should have been included in the original resolution initiating the reorganization and was accidentally omitted, does not change any of the analysis contained within the adopted IS/MND.

Attachments:

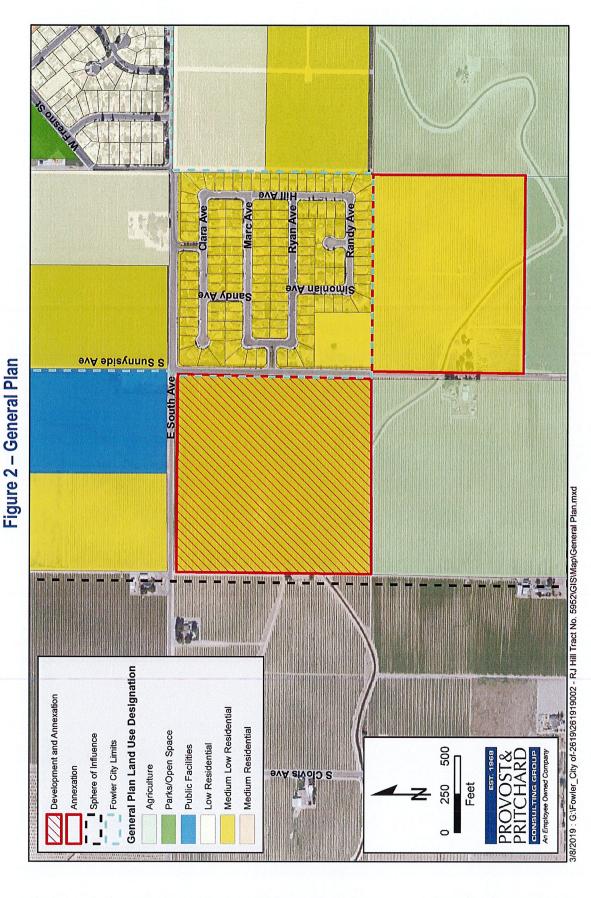
Figure 1 – Aerial

Figure 2 – General Plan

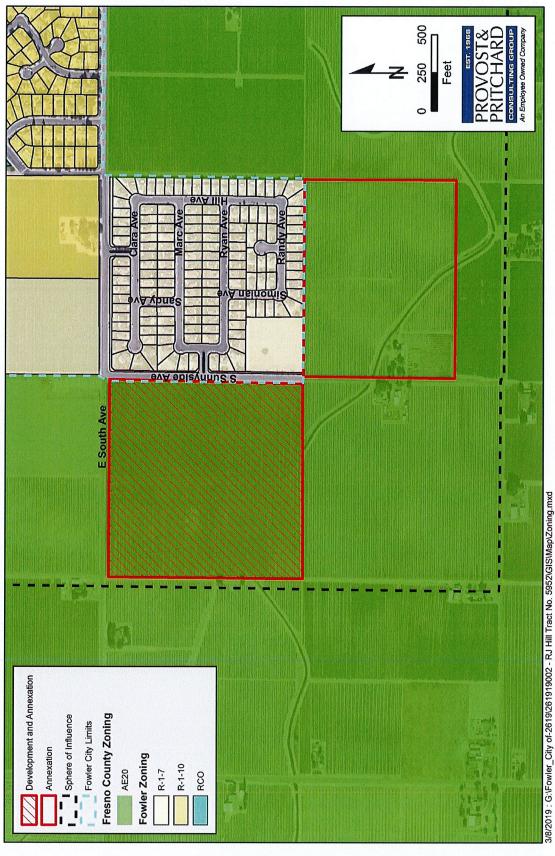
Figure 3 – Zoning



Fowler City Council



Fowler City Council



Fowler City Council

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RESOLUTION NO. 2456 RESOLUTION BEFORE THE CITY COUNCIL OF THE CITY OF FOWLER COUNTY OF FRESNO, STATE OF CALIFORNIA

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

WHEREAS, via adoption of Resolution No. 2429, incorporated herein by reference; the City of Fowler requested that the Fresno Local Agency Formation Commission 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 requested in Resolution No. 2429 consisted of "annexation to the City of Fowler and the Selma-Kingsburg-Fowler County Sanitation District and detachment from the Consolidated Irrigation District and the Fresno County Fire Protection District;" and

WHEREAS, the Project Site is situated within the Kings River Conservation District and must be detached from that District as well; and

WHEREAS, on January 7, 2020 the City Council did conduct a duly noticed public hearing to consider said detachment; and

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

WHEREAS, the City Council finds that detachment from the Kings River Conservation District does not materially change any of the description or analysis, nor change any of the determinations, contained within the adopted mitigated negative declaration.

NOW THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE COUNCIL HEREBY ADOPTS this Supplemental Resolution of Application and the Local Agency Formation Commission of Fresno County is hereby requested to initiate proceedings for the Sunnyside-South Southwest Reorganization in the manner prescribed by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

I hereby certify the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the City Council of the City of Fowler at a meeting held on the 7th day of January 2020 by the following vote:

AYES:	
NAYS:	
ABSTAIN:	
ABSENT:	
Attest:	David Cardenas, Mayor
Jeannie Davis, City Clerk	

RESOLUTION NO. 2457

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOWLER, CALIFORNIA, IN SUPPORT OF THE VOTER'S CHOICE ACT

WHEREAS, on March 12, 2019, the Fresno County Board of Supervisors voted to transition to the Voter's Choice Act ("VCA") election model in March 2020, rather than continuing with the current precinct model; and

WHEREAS, the VCA model increases voter's opportunity to receive service by increasing the days and opportunities for voters to vote, and reduces the total number of staff that must be recruited and trained for elections, resulting in well-trained, experienced staff; and

WHEREAS, the County held five community outreach meetings regarding the transition, and the majority of attendees favored the VCA model over the current precinct mode; and

WHEREAS, the VCA requires participating counties to file and follow an education and outreach plan to prepare their citizenry for the voting method change; and

WHEREAS, the City of Fowler supports the County's change to the VCA model and wishes to participate in the citizen outreach.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fowler as follows:

- 1. The City of Fowler supports Fresno County's transition to the VCA election model in March 2020.
- 2 The Council hereby requests to participate in education and outreach meetings required by the VCA.
- 3. The Council hereby requests the County Clerk provide notice to the Council regarding the date, time, and location of all future community meetings regarding the transition and any public hearings held in compliance with the VCA.
- 4 As allowed within federal and state grant requirements, City staff will work with the County Clerk to provide free or reduced price rides using City buses on days ballots are being accepted during the voting period. City Staff will also work with the County Clerk to ensure that voting centers are placed along or near City bus routes.

NOES: ABSTAIN:	
ABSENT:	
	——————————————————————————————————————

Jeannie Davis, City Clerk

The foregoing resolution was duly approved by the Fowler City Council at a regular meeting held on the 7th day of January 2020 by the following vote, towit:



DEC 1 8 2019

CITY OF FOWLER AGENDA REQUEST FORM

ITEM 7B

Check one:	
Please place the following item on the ne	xt regular agenda for discussion:
I would like to report on the following suit FIA restoration proj	bject:
Requested by: JAN KINNEX Name Fowler Improvement Assoc.	$\frac{12/18/19}{Date}$
Fowler Improvement Assoc. Organization	Phone number
Address Fowler	Fax number
Reports/attachments to be included: Yes	_No _

<u>Please note:</u> A request to be placed on the City Council agenda must be received no later than 12:00 noon on the Wednesday preceding the Council meeting. The City Council meets on the first and third Tuesdays of the month at 7:00 p. m.

AMOUNT	\$ 145,553.16	\$ 145,553.16		91,354.69	88,817.23	\$ 180,171.92	\$ 325,725.08	1 1 A
CHECK DATES	Dec 10 thru Jan 3			December 15, 2019	December 31, 2019			
CHECK NUMBERS	35890-35951							
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CITY OF FOWLER CHECK REGISTER - BY FUND

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CITY OF FOWLER CHECK REGISTER - BY FUND

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CITY OF FOWLER CHECK REGISTER - BY FUND

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CITY OF FOWLER CHECK REGISTER - RV F11

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FUND - 211 - STREET	1 - S1	FREET PROJECTS					
CASH ACCT CHEC	NO X	CASH ACCT CHECK NO ISSUE DT VENDOR	NAME DI	DEPT A	ACCNT	DESCRIPTION	SALES TAX
1001 35	903	35903 01/02/20 12359	SEAL RITE PAVING AN 211		5708	ADAMS AVE	00.0
TOTAL CASH ACCOUNT	TNUO						0.00

AMOUNT

4,256.95

4,256.95

0.00

TOTAL FUND

7

CITY OF FOWLER CHECK REGISTER - BY FUND

'35951'	
and	
35890	
between	
check_no	
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SUPERION DATE: 01/03/2020 TIME: 17:11:25

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ACCNT	\$170 \$170 \$170 \$170 \$170 \$170 \$170 \$170		
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CITY OF FOWLER CHECK REGISTER - BY FUND

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PAGE NUMBER: 9 ACCTPA21			DESCRIPTION SALES TAX AMOUNT	EMPLOYEE BENEFITS 0.00 229.22	EMPLOYEE BENEFITS 0.00 10.60	EMPLOYEE BENEFITS 0.00 4.94	0.00 244.76	0.00 244.76	0.00 145,553.16
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CITY OF FOWLER CHECK REGISTER - BY FUND	SELECTION CRITERIA: transact.check_no between '35890' and '35951' ACCOUNTING PERIOD: 7/20		NAME DEPT	KEENAN & ASSOCIATES 8500	SUN LIFE FINANCIAL 8500	VISION SERVICE PLAN 8500			
	transact.check_no 7/20	FUND - 850 - SUCESSOR AGENCY	CASH ACCT CHECK NO ISSUE DT VENDOR	12/16/19 13496	12/16/19 13647	12/16/19 11335			
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MINUTES OF THE FOWLER CITY COUNCIL MEETING DECEMBER 3, 2019

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

Councilmembers Present:

Hammer, Kazarian, Parra

Councilmembers Absent:

Cardenas, Rodriquez

City Staff Present:

City Manager/City Clerk Davis, City Attorney Cross, Finance

Director Uyeda, Police Chief Alcaraz, Public Works Director

Dominguez, City Engineer Peters, Deputy City Clerk Burrola

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

PUBLIC PRESENTATIONS

Suzie Rico-Vasquez, Fowler resident and employee with the Fresno County Public Health Advocates said she submitted an application to California Walks. The Community Pedestrian and Bicycle Safety Training (CPBST) program is a joint project of UC Berkeley SafeTREC and California Walks. The CPBST includes training and skill building in pedestrian and bicycle safety and creates opportunities for collaboration among communities, local officials and residents. The goal is to help make communities safer and more pleasant for walking and biking. A grant was awarded to the City to perform a walk and bike audit.

Marlon Dick, Fowler resident, said he has been attending monthly meetings at the Fresno County Registers of Voters Office. He said starting in March 2020; you have 3 choices for how to vote: by mail, drop box, or vote center, 10 vote centers will be open for 11 days and 40 Voter Centers will be open 4 days including weekends. He said Fowler may likely have a voter center located at the Fresno County Library in the City.

SPECIAL RECOGNITION

Mayor Pro-Tem Hammer presented certificates of recognition to five elementary students from Fowler. They were honored and recognized for their hard work to raise funds by selling lemonade. Karina Cleveland, Gavin Martin, McKenna Garcia, Delilah Ayon, and Audrina Ayon raised \$3200 and decided to use the money to support the Fowler Senior Citizens Center and Kids Closet at Marshall Elementary School.

FOWLER COMMUNITY LANDSCAPE PLAN 2019 – TREE FRESNO

City Manager Davis introduced Mona Cummings, Lee Ayres, and Bruce O'Neal from Tree Fresno. Mona Cummings, CEO with Tree Fresno provided a PowerPoint presentation on the Fowler Community Landscapes Plan. Ms. Cummings said the overall purpose of the Community Landscapes Plan is to reduce emission, and increase the absorption of greenhouse gases and to improve the environment with trees and green vegetation. There were two community events that took place at Sutter Middle School which included input from the community.

A consultant team used their expertise to provide knowledge into the landscape plan. The Fowler Community Landscapes Plan will build upon the legacy of trees in the San Joaquin Valley's environment history and result in cleaner air; thanks to the larger tree canopy, less asphalt, and more public open space, greenways and beautiful landscapes. Ms. Cummings said Fresno County communities are currently at 10% urban tree canopy coverage, the average for the State of California is 15%, studies show that 25% to 35% is where we need to be. Trees planted along transportation thoroughfares will not only filter pollutants from the air, but also mitigate noise pollution from passing automobiles and trains, thereby improving environmental conditions for Fowler's residents. Planting the right trees in the right places in the future will build upon Fowler's agricultural history. Ms. Cummings said a resolution has been submitted for approval for the acceptance of the document and to approve forwarding to staff and general plan consultants for consideration.

Bruce O'Neal, Chair of the Board with Tree Fresno, said they worked with Fresno COG on this project and they intend to present it to the COG policy board. Lee Ayes, former CEO, with Tree Fresno presented this plan last year.

Councilmember Kazarian made a motion to approve Resolution No. 2452, "A Resolution of the City Council of the City of Fowler County of Fresno, State of California Accepting the City for Fowler Community Landscapes Plan", seconded by Councilmember Parra. The motion carried by voice vote: Ayes: Hammer, Kazarian, Parra. Noes: None. Abstain: None. Absent: Cardenas, Rodriquez.

COMMUNINCATIONS

City Manager Davis said the Christmas Tree Lighting event is Saturday, December 7, 2019 from 2:00 p.m. to dusk and the Children's Shopping Day is Saturday, December 14, 2019 from 11:00 a.m. to 1:00 p.m.

STAFF REPORTS

CITY ENGINNER'S REPOT

City Engineer Peters said the applicant, K. Hovanian CA Land Holding, LLC is proposing to develop a 74 lot subdivision. The subdivision is in the second phase approved under TTM 5834 in 2007. The applicant has complied with condition of approval of the approved tentative map. The applicant has submitted the public improvements plans and the final map to the City, both of which have been reviewed and approved by the City Engineer. Following acceptance of this map by the City, the City Engineer shall deliver the final map to the Fresno County Recorder.

Councilmember Parra made a motion to approve Resolution No. 2453, "A Resolution of the City Council of the City of Fowler Approving Final Tract Map No. 6259 and Accepting Street Dedications and Easements", seconded by Councilmember Kazarian. The motion carried by voice vote: Ayes: Hammer, Kazarian, Parra. Noes: None. Abstain: None. Absent: Cardenas, Rodriquez.

CITY MANAGER'S REPORT

City Manager Davis said City staff is currently busy working with current development projects.

PUBLIC WORKS REPORT

Public Works Director Dominquez said the Christmas decorations are up and the Christmas tree is currently being set up.

He said cleanup has been completed on southbound Golden State Blvd between Adams and Manning Avenues.

FINANCE DIRECTOR'S REPORT

Finance Director Uyeda said as discussed and approved in previous Council meetings, he proposed to enroll the City into the Fresno County Teeter Program, where the City receives all property taxes billed on a fixed schedule rather than collected. He recommends the Council approve resolution requesting the Fresno County Board of Supervisors authorize the Fresno County Auditor-Controller/Treasurer- Tax Collector to apportion property taxes to the City of Fowler according to the Teeter Plan.

Councilmember Kazarian made a motion to approve Resolution No. 2454, "A Resolution of the City Council of the City of Fowler Requesting Inclusion into the Alternative Method of Property Tax Distribution Known as the Teeter Plan", seconded by Councilmember Parra. The motion carried by voice vote: Ayes: Hammer, Kazarian, Parra. Noes: None. Abstain: None. Absent: Cardenas, Rodriquez.

Approval of Purchase of Water Meter Reader/Transmitters

Finance Director Uyeda said the City installed a new water meter reading system due to equipment failure. The new system features the ability to read water meters and transmit data directly via cell phone to the City's water usage/billing system with having to cone into the office. Each device costs \$2,650 and he is recommending the purchase of 3 totaling \$8,663.51. The cell phones are free and would only cost the City the minimum monthly usage fee.

Councilmember Kazarian made a motion to approve the purchase of Water Meter Readers/Transmitters, seconded by Councilmember Parra. The motion carried by voice vote: Ayes: Hammer, Kazarian, Parra. Noes: None. Abstain: None. Absent: Cardenas, Rodriguez.

POLICE DEPARTMENT REPORT

Police Chief Alcaraz said the department received a \$500 donation from an anonymous donor for the Explorer Program. He said on November 22, 2019 the Explorers were taken to the Museum of Tolerance.

He mentioned the department will be hosting "Coffee with a Cop" on Thursday, December 12th, from 8:00 a.m. to 10:00 a.m. and 5:00 p.m. to 7:00 p.m. at the Fowler Starbucks.

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 – December 3, 2019; B) Approve Minutes of the City Council Special Meeting and City Council Meeting – November 19, 2019; C) Approve Resolution No. 2454, "A Resolution of the City Council of the City of Fowler in the Matter of Federal Transportation Project Selection and Implementing Timely Use of Funding"

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

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

COMMITTEE REPORTS

Mayor Pro Tem Hammer said he attended the Sikh Parade; attendance was low due to the rain. The Christmas Tree Lighting is scheduled for Saturday, December 7th rain or shine.

Councilmember Kazarian attended the Sikh Parade. He said he met with the representative of the Danish American Museum to look at sites for the proposed project.

Councilmember Parra attended the Sikh parade.

CLOSED SESSION

The meeting adjourned to a closed session at 8:05 p.m. pursuant to Government Code Section 54956.8 – <u>Conference with Real Property Negotiators</u>: 130 S. 6th Street. <u>Agency Negotiators</u>: City Manager. Negotiating Party: Untied Health Centers. Under Negotiation: Price, terms.

The Council reconvened into open session at 8:14 p.m. with no reportable action taken.

ADJOURNMENT

Having no further business, Councilmember Parra made a motion, seconded by Councilmember Kazarian to adjourn. The motion carried and the meeting adjourned at 8:14 p.m.

CITY OF FOWLER 128 S. 5TH STREET FOWLER, CA 93625 (559) 834-3113 (559) 834-0185 FAX

ITEM 11C

CLAIM FORM

FORM B

		(Please Type Or Pri	int)	BY:	0 0 0 0 0 0 0 0 0 0
CLAIM AGAINST	City of Fowler				
Claimant's name:	Jennie Klappe	(Name of Entity rich	·) 		
SS#:	DOB:	b		Female	X
Claimant's address:					
Address where notices about	claim are to be sent, if di	fferent from above:			
Date of incident/accident:	03/11/19	Approximatel	y 10:30 a.m.		
Date injuries, damages, or los	sses were discovered: 03	3/11/19 Appı	roximately 11:00 a.m	l	
			/e		
What did entity or employee			D		
			to answer this question in detail.)		
What are the names of the ent			age, or loss (if known)?		
•	e & Jeremy Klapp		. ```		
What specific injuries, damag	es, or losses did claimant	receive? See	e attached document	<u>t</u>	
(Use	e back of this form or separa	ite sheet if necessary	to answer this question in detail.)		
What amount of money is c jurisdiction. Note: If Superio Government Code 910(f)]	r and Municipal Courts a	re consolidated, yo	ou must represent whether it is a	a "limited civil ca	court of see [see
How was this amount calculate	ed (please itemize)?	See attached			
(Use	back of this form or separa	te sheet if necessary t	answer this question in detail.)		
Date Signed:	Signatur	e:	M		
If signed by representative:		//0			
Representative's Nan	ne Jennie Ķ	Japperich Ad	dress		
Telephone#					
Relationship to Clain					



October 17, 2019

Response to the Form B from the City of Fowler

Good afternoon,

My Name is Jennie Klapperich. I would like to request to be reimburse for \$874.98 for the cost to replace my rim on the right front side of my 2004 Lexis. My car rim was damage on March 11th at 10:30 a.m. by a pothole. I was preceded to drive down Manning Ave and just as I was crossing Golden State Hwy going west down on Manning Ave approximately 65 feet after the railroad. I hit a large pothole about three feet wide and five feet long that damage my front right rim. (Please see attached) The nearest cross road is De Wolf Ave and is still within the City of Fowler.

I called Fresno County to report the pothole and the woman said that it was within the City of Fowler city limits, and that a large amount of people has been reporting the potholes and that people had been calling regarding pothole in Fowler. The next day, I called the City of my damage rim due to the pothole. She said that I can turn in a clam form for the cost of the rim. She said she was new to the job and did not have too much information as she was new to the position. Please see attached for the amount for the cost of my rim to my car.

The pothole just keeps getting filled with asphalt and you still have the same problem next winter and spring during the rains, and the holes just get large and large with asphalt and is not getting correctly repaired and not being repaired properly, which causes damage to many car rims and vehicles to become damaged.

Thank you.

Jennie Klapperich

NOV 1 5 2019

November 15, 2019

Dear: City Clerk

I'm requesting for the claims to be reconsidered as a late claim under the government code 910.6 in not meeting the specified time present within six months of the claim that was originally submitted and returned within the Six months' time frame but needed addental information that was originally summited. I was sure that is the statement was drop off with all information needed explaining how the damage was done and locations. I am asking for my claim to reconsider as to mistakenly misplaced information (statement) needed. If you need addental information, please contact me at

Thank you.

Jennie Klapperich

in Hypa

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOWLER APPROVING DEVELOPMENT AND PLANNING FEES FOR 2020

WHERAS, pursuant to Government Code Sections 66000 and 66014 et seq. the City is authorized to impose development impact and planning fees on new development projects; and

WHEREAS, pursuant to Ordinance No. 2000-06 and Resolution No. 1805 (adopted by the City Council on July 18, 2000), Ordinance No. 2002-09 and Resolution No. 1895 (adopted by the City Council on December 2, 2002), and Ordinance No. 2206 (adopted by the City Council on October 19, 2010), and the City adopted development impact after finding a reasonable relationship between each fees use and the type of development project on which the fee is imposed and as to how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed; and

WHEREAS, the development impact fee ordinances, as reflected in Section 3-8.06 of the Fowler Municipal Code, allow for an annual inflationary adjustment in the development impact fees to reflect increases in construction costs. The measure used is the National Average Construction Cost Index according to the Engineer News Record; and

WHEREAS, Resolution No. 2206 allows for the Planning Fees to be increased at the same rate as the Development Impact Fees annually; and

WHEREAS, such inflationary adjustments do not increase the basis of the development impact or planning fees and are therefore not considered increases in development impact or planning fees pursuant to Government Code section 66001; and

WHEREAS, the inflationary index for 2020 is 2.6%; and

WHEREAS, the rates set forth in Exhibit A and Exhibit B reflect a 2.6% inflationary adjustment.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Fowler as follows:

1. Approve the rates, fees and charges set forth in **Exhibit A** as the development impact fees and in **Exhibit B** for the planning fees for the City of Fowler effective January 1, 2020.

PASSED AND ADOPTED by the City Council of the City of Fowler at a regular meeting held on the 7th day of January 2020 by the following vote:

AYES: NOES: ABSTAIN: ABSENT:	
	ATTEST
David Cardenas, Mayor City of Fowler	Jeannie Davis, City Clerk

STAFF REPORT

TO:

MAYOR & CITY COUNCIL

FROM:

DAVID PETERS, CITY ENGINEER

SUBJECT:

2020 DEVELOPMENT AND PLANNING FEES

DATE:

JANUARY 2, 2020

CC:

JEANNIE DAVIS, CITY MANAGER

REQUESTED ACTION:

Adopt Resolution 2020-___ approving development and planning fees for calendar year 2020.

DISCUSSION / RECOMMENDATION:

The Municipal Code allows for development and planning fees to be increased annually based on the Engineering News Record (ENR) Construction Cost Index. The ENR construction cost index for 2020 is 2.6%. Staff has developed proposed development and planning fees for 2019, increasing the 2019 fees by 2.6% to accommodate increased costs in processing and mitigating impacts generated by proposed development projects.

Exhibit A City of Fowler Development Fees 2020

	2019	2020	2020	
Fee Category	ł	Fee	New	Units
l cc category	Fees	Increase	Fees	Oint3
	Dollars	Percent	Dollars	
City Management and General S	Services			
Low Density	\$264.05	2.6%	\$270.92	Dollars Per Equivalent Unit
Medium Density	\$202.55	2.6%	\$207.82	Dollars Per Equivalent Unit
High Density	\$202.55	2.6%	\$207.82	Dollars Per Equivalent Unit
Commercial	\$264.05	2.6%	\$270.92	Dollars Per Equivalent Unit
Industrial	\$264.05	2.6%	\$270.92	Dollars Per Equivalent Unit
Institution & Parks	\$264.05	2.6%	\$270.92	Dollars Per Equivalent Unit
				·
Law Enforcement				
Low Density	\$848.26	2.6%	\$870.31	Dollars Per Equivalent Unit
Medium Density	\$652.94	2.6%	\$669.92	Dollars Per Equivalent Unit
High Density	\$652.94	2.6%	\$669.92	Dollars Per Equivalent Unit
Commercial	\$848.26	2.6%	\$870.31	Dollars Per Equivalent Unit
Industrial	\$848.26	2.6%	\$870.31	Dollars Per Equivalent Unit
Institution & Parks	\$848.26	2.6%	\$870.31	Dollars Per Equivalent Unit
Fine Buckestian				
Fire Protection	C1 000 FT	2 (8)	č1 130 00 l	Dellare Day Facilitation (1975)
Low Density	\$1,092.57	2.6%	\$1,120.98	Dollars Per Equivalent Unit
Medium Density	\$841.01	2.6%	\$862.88	Dollars Per Equivalent Unit
High Density	\$841.01	2.6%	\$862.88	Dollars Per Equivalent Unit
Commercial	\$1,092.57	2.6%	\$1,120.98	Dollars Per Equivalent Unit
Industrial	\$1,092.57	2.6%	\$1,120.98	Dollars Per Equivalent Unit
Institution & Parks	\$1,092.57	2.6%	\$1,120.98	Dollars Per Equivalent Unit
Storm Drainage				
Low Density	\$4,883.38	2.6%	\$5,010.35	Dollars Per Acre
Medium Density	\$5,064.24	2.6%	\$5,195.91	Dollars Per Acre
High Density	\$6,511.17	2.6%	\$6,680.46	Dollars Per Acre
Commercial	\$7,777.20	2.6%	\$7,979.41	Dollars Per Acre
Industrial	\$8,500.68	2.6%	\$8,721.70	Dollars Per Acre
Institution & Parks	\$3,979.04	2.6%	\$4,082.50	Dollars Per Acre
Golf Course	\$2,893.85	2.6%	\$2,969.09	Dollars Per Acre
Gon Course	\$2,055.05	2.070	\$2,505.05	Dollars Fer Acre
Water Supply				
Low Density	\$2,622.56	2.6%	\$2,690.75	Dollars Per Equivalent Unit
Medium Density	\$2,615.55	2.6%	\$2,683.55	Dollars Per Equivalent Unit
High Density	\$2,622.56	2.6%	\$2,690.75	Dollars Per Equivalent Unit
Commercial	\$2,622.56	2.6%	\$2,690.75	Dollars Per Equivalent Unit
Industrial	\$2,622.56	2.6%	\$2,690.75	Dollars Per Equivalent Unit
Institution & Parks	\$2,622.56	2.6%	\$2,690.75	Dollars Per Equivalent Unit
	•		·	
Recreational Facilities			T	
Low Density	\$3,013.23	2.6%	\$3,091.57	Dollars Per Equivalent Unit
Medium Density	\$2,329.56	2.6%	\$2,390.13	Dollars Per Equivalent Unit
High Density	\$2,329.56	2.6%	\$2,390.13	Dollars Per Equivalent Unit
Water Connection Charges				
Residential	\$823.48	2.6%	\$844.89	Dollars Per Equivalent Unit
Multi-Family	\$191.70	2.6%	\$196.68	Dollars Per Equivalent Unit Dollars Per Equivalent Unit
Commercial / Industrial	\$0.85	2.6%	\$0.87	Dollars Per Equivalent Offit Dollars Per Square Foot
Commercial / Industrial	\$0.65	2.0%	۷۰.۵/	Dollars Per Square Foot
na:				
Miscellaneous Charges				
Miscellaneous Charges Residential Water Meter	\$510.30	2.6%	\$523.57	Dollars Per Equivalent Unit* (as of 8/29/02)
	\$510.30 \$54.27	2.6%	\$523.57 \$55.68	Dollars Per Equivalent Unit* (as of 8/29/02) Dollars Per Equivalent Unit
Residential Water Meter Construction Water	\$54.27	2.6%	·	
Residential Water Meter	\$54.27 and Pump Stat	2.6% tions	\$55.68	Dollars Per Equivalent Unit
Residential Water Meter Construction Water	\$54.27	2.6%	\$55.68	Dollars Per Equivalent Unit Dollars Per Equivalent Unit
Residential Water Meter Construction Water Wastewater Interceptor Sewer a Low Density Medium Density	\$54.27 and Pump Star \$2,914.81 \$2,914.81	2.6% tions	\$55.68 \$2,990.60 \$2,990.60	Dollars Per Equivalent Unit Dollars Per Equivalent Unit Dollars Per Equivalent Unit
Residential Water Meter Construction Water Wastewater Interceptor Sewer a Low Density	\$54.27 and Pump Star \$2,914.81	2.6% tions 2.6%	\$55.68	Dollars Per Equivalent Unit Dollars Per Equivalent Unit
Residential Water Meter Construction Water Wastewater Interceptor Sewer a Low Density Medium Density	\$54.27 and Pump Star \$2,914.81 \$2,914.81	2.6% tions 2.6% 2.6%	\$55.68 \$2,990.60 \$2,990.60	Dollars Per Equivalent Unit Dollars Per Equivalent Unit Dollars Per Equivalent Unit
Residential Water Meter Construction Water Wastewater Interceptor Sewer a Low Density Medium Density High Density	\$54.27 and Pump Star \$2,914.81 \$2,914.81 \$2,914.81	2.6% tions 2.6% 2.6% 2.6%	\$55.68 \$2,990.60 \$2,990.60 \$2,990.60	Dollars Per Equivalent Unit Dollars Per Equivalent Unit Dollars Per Equivalent Unit Dollars Per Equivalent Unit

Exhibit B Planning Fee Schedule 2020

Type of Application	2019 Fee	2020 Increase %	2020 Fee	Notes
Abandoned Residential Property Registration	\$281.61	2.6%	\$288.93	
Abandonment of Right-of-Way	\$2,252.87	2.6%	\$2,311.44	
Administrative Review	\$831.31	2.6%	\$852.92	See Notes 1, 2
Administrative Review - Sidewalk Displays	\$140.81	2.6%	\$144.47	
Annexation / Pre-zone (0-6 acres)	\$5,885.64	2.6%	\$6,038.67	See Notes 1, 2
Annexation / Pre-zone (6 plus acres)	\$8,625.13	2.6%	\$8,849.38	See Notes 1, 2
Annexation Extension	\$563.22	2.6%	\$577.86	
Appeal to the City Council	\$29.28	2.6%	\$30.04	
Appeal to the Planning Commission	\$143.06	2.6%	\$146.78	
Building Demolition Permit	\$457.33	2.6%	\$469.22	
Building Moving Permit	\$535.06	2.6%	\$548.97	
Deferral Agreement	\$744.03	2.6%	\$763.37	
Density Bonus Request	\$531.45	2.6%	\$545.27	See Notes 1, 2
Finding of EIR Conformity	\$1,594.35	2.6%	\$1,635.80	See Note 3
Health and Safety Inspection	\$95.66	2.6%	\$98.15	
In Lieu Parking Fee (at least 75% of parking requirement must be met, per space)	\$4,783.04	2.6%	\$4,907.40	
Out of Area Service Agreement	\$1,062.90	2.6%	\$1,090.54	See Notes 1, 2
Temporary Sign/Banner	\$31.89	2.6%	\$32.72	
Water Well Demolition	\$441.11	2.6%	\$452.58	
Conditional Use Permit				
Conditional Use Permit	\$2,007.31	2.6%	\$2,059.50	See Notes 1, 2
Conditional Use Permit - Amendment	\$2,079.40	2.6%	\$2,133.46	See Notes 1, 2
Conditional Use Permit - Extension	\$992.39	2.6%	\$1,018.19	
Conditional Use Permit - Major (greater than 1 acre site)	\$1,971.68	2.6%	\$2,022.94	See Notes 1, 2
Conditional Use Permit - Minor (less than 1 acre site/or use within structure)	\$988.49	2.6%	\$1,014.19	See Notes 1, 2
Temporary Use Permit	\$152.07	2.6%	\$156.02	
Development Agreement	\$4,505.75	2.6%	\$4,622.90	See Notes 1, 2
Development Agreement - Amendment	\$1,408.05	2.6%	\$1,444.66	
Environmental Review				
Categorical Exemption	\$415.66	2.6%	\$426.47	
Environmental Review - Negative Declaration	\$5,180.48	2.6%	\$5,315.17	See Notes 1, 2, 3
Environmental Review - Mitigated Negative Declaration	\$6,474.76	2.6%	\$6,643.10	See Notes 1, 2, 3
Environmental Review - EIR	\$11,738.60	2.6%	\$12,043.80	See Notes 1, 2, 3
Environmental Notice of Determination - Negative Declaration				See Note 4
Environmental Notice of Determination - EIR				See Note 4
General Plan Amendment				
Major (greater than 5 acre sites)	\$4,304.73	2.6%	\$4,416.65	See Notes 1, 2
Minor (5 acre or less sites)	\$2,152.37	2.6%	\$2,208.33	See Notes 1, 2
General Plan Amendment with Concurrent Rezoning				
Major (greater than 5 acre sites)	\$6,377.38	2.6%	\$6,543.19	See Notes 1, 2
Minor (5 acre or less sites)	\$3,188.69	2.6%	\$3,271.60	See Notes 1, 2
Garage Sale Permit (after 2 sales)	\$29.28	2.6%	\$30.04	
Home Occupation Permit	\$42.52	2.6%	\$43.63	

Land Division Applications				
Lot Line Adjustment	\$1,656.99	2.6%	\$1,700.07	See Notes 1, 2
Tentative Parcel Map	\$4,354.81	2.6%	\$4,468.04	See Notes 1, 2
Final Parcel Map	\$4,055.17	2.6%	\$4,160.60	See Notes 1, 2
Revised Parcel Map	\$1,640.09	2.6%	\$1,682.73	See Notes 1, 2
Tentative Subdivision Map - Small (5-10 lots)	\$8,714.12	2.6%	\$8,940.69	See Notes 1, 2
Tentative Subdivision Map - Greater than 10 lots	\$10,366.60	2.6%	\$10,636.13	See Notes 1, 2
Final Subdivision Map - Small (5-10 lots)	\$2,893.81	2.6%	\$2,969.05	
Final Subdivision Map - Greater than 10 lots	\$4,461.81	2.6%	\$4,577.82	
Revised Tentative Subdivision Map	\$5,934.06	2.6%	\$6,088.35	See Notes 1, 2
Tentative Tract Map Extension	\$992.39	2.6%	\$1,018.19	
Landscaping / Conservation Review - Residential	\$593.63	2.6%	\$609.06	
Landscaping / Conservation Review - Commercial	\$1,217.68	2.6%	\$1,249.34	
Manufactured Housing Permit	\$404.39	2.6%	\$414.90	
Sign Review	\$119.40	2.6%	\$122.50	
Site Plan Review				
Major (greater than 1 acre sites)	\$2,359.63	2.6%	\$2,420.98	See Notes 1, 2
Minor (1 acre or less sites)	\$1,179.82	2.6%	\$1,210.50	See Notes 1, 2
Preliminary Map/Site Plan Review (after 1 review)	\$750.00		\$750.00	
Variance				
Major (commercial, industrial, multifamilyl)	\$1,636.86	2.6%	\$1,679.42	See Notes 1, 2
Minor (single family residential)	\$818.43	2.6%	\$839.71	See Notes 1, 2
Minor Deviation	\$118.28	2.6%	\$121.36	
Zoning				
Classification of Zoning Use	\$563.22	2.6%	\$577.86	
Rezoning				
Major Change (map change greater than 5 acres)	\$4,246.28	2.6%	\$4,356.68	See Notes 1, 2
Minor Change (map change 5 acres or less/or text amendment)	\$2,125.79	2.6%	\$2,181.06	See Notes 1, 2
Zone Map Amendment	\$4,324.39	2.6%	\$4,436.82	See Notes 1, 2
Zone Text Amendment	\$4,188.09	2.6%	\$4,296.98	See Notes 1, 2

Notes:

- 1. More Complex projects require a consultant proposal for estimated cost.
- 2. Should a project require additional study, staff time, public hearings, or notification, then additional funds shall be
- 3. For Negative Declarations and EIRs prepared by qualified consultants under contract to the City, the fee shall be cost + 15%.
- 4. CEQA filing fees shall be as required by the California Department of Fish and Wildlife website and shall include filing fees for the Fresno County Clerk. Checks in the required amount shall be deposited with the City prior to the final public hearing

Refunds

- 1. If an application is withdrawn or returned before it is deemed complete or within two weeks of submittal, whichever
- 2. If an application is withdrawn or returned after the initial period described above, but no later than six months after
- 3. After six months from application submittal, or once an application has been scheduled for a public hearing or