

**MINUTES OF THE FOWLER CITY COUNCIL MEETING  
NOVEMBER 19, 2019**

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

Councilmembers Present: Cardenas, Hammer, Kazarian, Rodriquez

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

There were no public presentations.

**COMMUNICATIONS**

City Manager Davis said the Council has been invited to celebrate Fresno Council of Governments 50<sup>th</sup> golden anniversary on November 21, 2019 from 3:00 p.m. to 5:30 p.m.

She mentioned the Sikh parade is scheduled for Sunday, December 1, 2019.

**STAFF REPORT**

**CONSIDER ACCEPTING THE 2016 AND 2017 ANNUAL PROGRESS REPORTS –  
IMPLEIMENTATION OF THE FOWLER GENERAL PLAN HOUSING ELEMENT**

City Planner Marple said the Housing Element (HE) is an important State-mandated requirement of the General Plan. The HE establishes comprehensive goals, policies, and programs to meet a jurisdiction's share of Regional Housing Needs Allocation (RHNA). General Plan State Law requires that cities provide an annual report to the City Council, the Office of Planning and Research, and the Department of Housing and Community Development (HCD). The determination of regional housing need begins with the HCD and California Department of Finance (DOF), which calculates statewide housing needs based on population and regional population forecasts used in preparing regional transportation permits. Fowler's RHNA for the current eight year projection period from December 2015 through December 2023 is 524 housing units and is equivalent to an annual production rate of 66 units. In April 2016 City Council approved joining a multiple jurisdictional effort for housing elements. The HE establishes as comprehensive policy framework to implement Fowler's residential strategies and outlines the City's plan for meeting community housing needs. HCD certified the HE in July 2016. Ms. Marple said staff has prepared the 2016 and 2017 Annual Housing Element Progress Reports describing the City's progress towards meeting its RHNA and progress towards implementing the programs outlined in the Fresno Multi-Jurisdictional Housing Element.

Councilmember Rodriquez made a motion to adopt Resolution No. 2448, "A Resolution before the City Council of the City of Fowler County of Fresno, State of California Accepting the 2016 Housing Element Annual Progress Report", seconded by Councilmember Kazarian. The motion carried by voice vote: Ayes: Cardenas, Hammer, Kazarian, Rodriquez. Noes: None. Abstain: None. Absent: Parra.

Councilmember Kazarian made a motion to adopt Resolution No. 2449, "A Resolution before the City Council of the City of Fowler County of Fresno, State of California Accepting the 2017 Housing Element Annual Progress Report", seconded by Mayor Pro Tem Hammer. The motion carried by voice vote: Ayes: Cardenas, Hammer, Kazarian, Rodriquez. Noes: None. Abstain: None. Absent: Parra.

### **AUTHORIZE THE CITY MANAGER TO SUBMIT AN APPLICATION FOR SB2 PLANNING GRANT FUNDS**

City Planning Marple said SB2 was signed in 2017 by Governor Brown enacting legislation to address the State's housing shortage and high housing costs. Part of this package established a recording fee on real estate documents to increase the supply of affordable homes in California. As part of accomplishing this task, the Department of Housing and Community Development (HCD) is providing funding and technical assistance to local governments to help cities and counties prepare, adopt, and implement plans and process improvements that streamline housing approvals and accelerate housing productions. The grant application allows the City the opportunity to apply for \$160,000 of grant funding; grant applications are due by November 30, 2019. Staff is preparing a grant application for submittal to the HCD to fund work resulting in an update to zoning codes, including specific amendments to implement adopted Housing Element programs. Part of the grant will also purchase a server for the City and software updates.

Councilmember Rodriquez made a motion to adopt Resolution No. 2450, "A Resolution before the City Council of the City of Fowler County of Fresno, State of California Authoring Application for, and Receipt of, SB2 Planning Grants Program Funds", seconded by Mayor Pro Tem Hammer. The motion carried by voice vote: Ayes: Cardenas, Hammer, Kazarian, Rodriquez. Noes: None. Abstain: None. Absent: Parra.

### **SECOND READING OF ORDINANCE NO. 2019-04**

Ms. Marple said this is the second reading of the pre-zone for the Woodside Home application map introduced at the November 5<sup>th</sup> Council meeting. The property would be pre-zoned from the County of Fresno zoning of Agriculture to the City's zoning of R-1-5. Ms. Marple provided an update on the map as to which the developer made a good faith effort to add an additional access to Sumner Avenue. A map was provided to Council with the changes made.

Mayor Pro Tem Hammer made a motion to waive the second 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 Nos. 343-020-15", seconded by Councilmember Rodriquez. The motion carried by unanimous voice vote: Ayes: Cardenas, Hammer, Kazarian, Rodriquez. Noes: None. Abstain: None. Absent: Parra.

## **CITY ENGINEER'S REPORT**

### **AWARD S. TEMPERANCE AND E. WALTERS PEDESTRIAN IMPROVEMENT PROJECT TO POWER DESIGN ELECTRIC IN THE AMOUNT OF \$62,407.00**

City Engineer Peters said on November 5, 2019 he City received 3 responsive bids. The project proposes to improve the safety of pedestrians crossing at the intersection of S. Temperance and E. Walters Avenue by installing a new crosswalk, solar flashing and warning beacon system, and a new curb ramp. The base bid ranged from \$62,407.00 to \$83,841.63, the Engineer's estimate for this project was \$81,000.00. Staff recommends awarding the base bid in the amount of \$62,407.00 to the lowest bidder, Power Design Electric. Councilmember Kazarian made a motion to award the S. Temperance and E. Walters Pedestrian Improvement Project to Power Design Electric in the amount of \$62,407.00, seconded by Mayor Pro Tem Hammer. The motion carried by voice vote: Ayes: Cardenas, Hammer, Kazarian, Rodriquez. Noes: None. Abstain: None. Absent: Parra.

## **CITY MANAGER'S REPORT**

City Manager Davis said staff met with Fowler Unified School District Superintendent, Paul Marietti, regarding future City and school projects.

## **PUBLIC WORKS REPORT**

Public Works Director Dominquez said population signs have been installed along the main entrances to the City.

Christmas decorations are going up and the tree will be set up after the Sikh parade on December 1, 2019.

## **FINANCE DIRECTOR'S REPORT**

No report was given.

## **POLICE DEPARTMENT REPORT**

Police Chief Alcaraz circulated the DOJ Part 1 Crime statistics for the month of October 2019. He mentioned the department will be meeting with other law enforcement agencies to prepare for the Sikh Parade.

## **FIRE DEPARTMENT REPORT**

Fire Chief Lopez said the department is staffing fire engines in preparation for the Sikh parade event.

He commended Captain Hurst and Captain Hernandez for their quick response to a structure fire at the 400 block of Adams Avenue which started out as a smoke alarm alert malfunction call.

## **CITY ATTORNEY'S REPORT**

No report was given.

## **CONSENT CALENDAR**

The consent calendar consisted of: A) Ratification of Warrants – November 19, 2019; B) Approve Minutes of the City Council Special Meeting and City Council Meeting – November 5, 2019; C) Approve Resolution No. 2451, “A Resolution of the City Council of the City of Fowler in the Matter of Federal Transportation Projects Selection and Implementing Timely Use of Funding; D) Accept the City of Fowler Adams Avenue Reconstruction STPL 5173 (028) Project Construction by Seal Rite Paving & Grading and Authorize the City Engineer to file the Notice of Completion.

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

## **COMMITTEE REPORTS**

Mayor Cardenas said he attended the dedication ceremony as master of ceremonies for the State Route 269 Bridge in Huron. He attended the Veteran’s Day ceremony event.

Councilmember Kazarian attended the Veteran’s Day ceremony event. He said he was approached by someone who is interested in setting up a Danish American Museum.

Councilmember Rodriquez attended the Veteran’s Day ceremony event and said it was a good gathering.

## **CLOSED SESSION**

The meeting adjourned to a closed session at 7:51 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.

The Council reconvened into open session at 8:24 with no reportable action taken.

Prior to any discussion on the third closed session item, Mayor Cardenas announced that he owned property within 500' of the property to be discussed, and left the meeting at 8:08 p.m. before discussion on the item commenced. The Mayor did not return to the meeting.

## **ADJOURNMENT**

Having no further business, Councilmember Kazarian made a motion, seconded by Councilmember Rodriguez to adjourn. The motion carried and the meeting adjourned at 8:25 p.m.