

**MINUTES OF THE FOWLER CITY COUNCIL MEETING**  
**April 6, 2021**

Mayor Cardenas called the meeting to order at 7:11 p. m. Roll call was taken.

Councilmembers Present: Cardenas, Rodriquez, Kazarian, Mejia, and Parra

City Staff Present: City Manager Quan, City Attorney Cross, Police Chief Alcaraz, Public Works Director Dominguez, Fire Chief Lopez, City Planner Marple, City Engineer Peters, Deputy City Clerk Vasquez, Rebecca Molina

**PUBLIC PRESENTATIONS**

Fowler resident, Steve Barela, expressed his concerns regarding City Hall and council chambers being closed to the public. Mayor Cardenas stated this is being looked into and will be addressed soon. Mr. Barela also recommended a new sound system for council meetings.

**COMMUNICATIONS**

Proclamation “Recognizing United Health Center (UHC) for 50 Years of Service and Honoring Dr. Shankerman.”

UHC staff members: Justin Preas, David Phillips, Brian Petree were present to accept on behalf of United Health Center. Mr. Peetre mentioned a large drive-thru vaccination event will be held, Saturday, April 17, 2021.

**STAFF REPORTS**

**Presentation of the Audit Report for the City of Fowler Zoning Code Update**

City Planner Marple shared the audit report and audit report outlines with the council. Last year the city was awarded \$160,000 from SB2 grant. Funds were used to purchase a new server, update permit tracking system, and to update zoning code. The last comprehensive zoning code update was done in 2009. The audit report serves as a road map and highlights areas needing improvement.

Ms. Marple explained the updated zoning code would be consistent with the general plan policies that exist now and the general plan update. It would also be consistent with state and legislative updates; as well as improve the organization, streamline the permit process, and reflect the current city practice. The audit report addresses code usability and accessibility; the existing permitting process and administration of those processes; the different zone districts; general development regulations; specific use regulations; and compliance with state and federal law as well as making it more user friendly.

Ms. Marple stated the recommendations are to establish the zone districts that are called out in the general plan, but not in the zone ordinance and make those consistent. Staff would also review and amend the allowed use listing. Economic development elements will be incorporated into the ordinance as well. Staff is currently drafting the code and expects to have an administrative draft completed this summer, a public review draft in early fall, and brought back to council for final adoption in December of this year.

Ms. Marple reported the item was taken to the Planning Commission March meeting; they did have some concerns about the minor and major conditional use process as well as tiny home villages. Staff is looking into proposing a consistent zone district to be able to facilitate a smaller lot development. Currently our zoning code doesn't allow us to create a lot smaller than 5,000 sq. ft.; it's been difficult for staff to implement the general plan densities that are outlined. Staff is looking at proposing in certain areas of the city allowing a consistent zone district to be able to facilitate a smaller lot development and getting higher density uses and meeting the general plan densities.

City Planner Marple reported staff has been contacting a list of stakeholders for interviews. Staff would like to learn what their experience has been navigating the existing zoning codes to be sure any challenges are addressed. Staff is meeting with developers as well to get their input.

Mayor Cardenas asked the council if they had any questions for City Planner Marple in regard to her report. Councilmember Kazarian agreed this is long overdue and appreciates the work on the streamline process to be able to compete with our neighbors to the north. Councilmember Mejia inquired if the tiny homes would meet the higher density areas we're trying to fill. Ms. Marple stated as part of the general plan update there are some areas in the city that will have a higher density designation and we have to be able to facilitate that through the zoning ordinance. By creating a new zone district it will be easier to implement the general plan densities. The tiny home concept could be a way to facilitate those densities. Ms. Marple introduced her colleagues, Sarah Allinder and Wyatt Czeshinski, who are working on the project with her.

Ms. Marple briefed the council regarding the CDBG program meeting with Fresno County on March 20, 2021. Staff is working with the county. Our annual allocation for the Fiscal Year 2021-22 was \$51,438 which is combined with left over money from previous allocations for a total of \$59,819. There is an available advancement of \$48,000 as well. This money has helped pay for building the Panzak Park bathrooms. This will all help pay down the over-run. The remaining amount owed will be just under \$100,000 using the advancement amount and available funding for this fiscal year.

## **CITY ENGINEER'S REPORT**

City Engineer Dave Peters reported bids were opened today for the Adams' Ave. project. Six bids were received. The low bid was \$1.2 million from Don Berry Construction. Will bring back soon to the council for consideration.

## **CITY ATTORNEY'S REPORT**

City Attorney Cross reported on the special meeting items. Pursuant to government code section 54957: public employee-appointment, Community Development Director.

Councilmember Parra made a motion to approve; seconded by Mayor Pro-Tem Rodriquez. Approved unanimously 5 – 0. The council authorized City Manager to hire and appoint Thomas Gaffery as the new Community Development Director of the City of Fowler and authorized to begin at the E step in the city's salary schedule, which is approximately \$117,000 annually with a \$500 per month car allowance consistent with other directors.

Mr. Cross also reported there was no action taken on the real property item regarding the old fire station property at 127 S. 6<sup>th</sup> Street. Direction was given to staff, but there was no action taken.

City Attorney Cross noted the Deputy City Clerk's posting of the agenda certification needs to be updated to Thursday, April 1, 2021.

## **CITY MANAGER'S REPORT**

City Manager Quan thanked the Council for their support in bringing in Mr. Gaffery as the Community Development Director. He will be working on items that need be rectified immediately, such as: impact fees, entitlement fees, and Provost & Pritchard's contract. Councilmember Kazarian noted the Community Development Director position is not a new position, but a vacant position.

Ms. Quan reported the Finance Director recruitment closed on March 26. We received over 25 applications; the current Finance Director and other internal staff reviewed the applications and chose 4 candidates to be interviewed on April 14. Ms. Quan would like to bring the final candidate(s) to Council in a closed session meeting on April 20. City Manager Quan also welcomed new Deputy City Clerk, Vasquez, as this is her first council meeting.

City Manager Quan reported staff started holding quarterly meetings with Fowler Unified's Superintendent and Assistant Superintendent. Ms. Quan also reported staff met with CalTrans District 6 staff a few weeks ago and will continue to meet every other

month; working with them for grant opportunities, freeway interchanges, and homelessness on the freeways.

### **COVID-19 Update**

Ms. Quan reported the City is currently at 977 total positive cases. As of April 1, fifty years of age and older, vaccines are available. Beginning April 15, those 16 and older can get the Pfizer vaccine. We are working with the Fresno County Department of Health as they would like to have a permanent vaccine site in Fowler. Staff is working on identifying potential sites.

### **PUBLIC WORKS REPORT**

Public Works Director Dominguez reported unfortunately the City of Fowler wasn't chosen for the water smart program grant through the Bureau of Reclamation. Mr. Dominguez will continue to look for other opportunities. Director Dominguez announced the parks were open on Easter weekend; families were enjoying themselves. Lastly, the sidewalk repair program is in full effect. The program was launched last summer and is relatively inexpensive; property owners provide the materials and the city provides the labor. Councilmember Kazarian inquired about tree removal issues when repairing the sidewalks. Mr. Dominguez stated staff has an arborist review any possible tree removal issues.

### **FINANCE DIRECTOR'S REPORT**

**Approve a consultant services agreement with Price Paige & Company, Accountancy Corporation (Price Paige), to provide professional consulting services for the City of Fowler's Finance Department in an amount not to exceed \$80,000.**

**Approve Budget Amendment Resolution No. 2496 to appropriate \$80,000 to Price Paige for the FY 2018-19 year-end close of the City of Fowler's financial records and assistance with the preparation of the June 30, 2019 audit.**

City Manager Quan reported the city's financial statements have not been reconciled or audited since fiscal year 2018. We've left a lot on the table; most notable is the over \$500,000 of TDA monies at Fresno COG. The benefit of getting someone in to do our books right away is we get to recoup that money very quickly which is a great return on investment. It will be \$80,000 for FY 2018-19 and we anticipate the work will be done by the end of May 2021.

A motion was made by Councilmember Parra to approve a consultant services agreement with Price Paige & Company Accountancy Corporation (Price Paige), to provide professional consulting services for the City of Fowler's Finance Department in an amount not to exceed \$80,000, seconded by Mayor Pro-Tem Rodriguez. The motion carried by roll call vote: Ayes: Parra, Rodriguez, Cardenas, Kazarian, and Mejia. Noes: None. Abstain: None. Absent: None.

A motion was made by Mayor Pro-Tem Rodriguez to approve Budget Amendment Resolution No. 2496 to appropriate \$80,000 to Price Paige for the FY 2018-19 year-end close of the City of Fowler's financial records and assistance with the preparation of the June 30, 2019 audit, seconded by Councilmember Mejia. The motion carried by roll call vote: Ayes: Rodriguez, Mejia, Cardenas, Kazarian, and Parra. Noes: None. Abstain: None. Absent: None.

## **POLICE DEPARTMENT REPORT**

Police Chief Alcaraz announced a virtual business watch forum will take place for corporate businesses owners based on some concerning trends the department has been notified of recently. Civilian groups have been targeting corporate business owners with the hopes of trying to elicit a response from their employees to maybe ensue some civil litigation to that corporation. Chief Alcaraz reported these trends are not only increasing in our city, but all over the state. This forum will be used as an educational tool to maintain safety within the City of Fowler. Chief Alcaraz will notify council when the date has been set.

## **FIRE DEPARTMENT REPORT**

Fire Chief Lopez provided information on year to date call statistics and trainings. Councilmember Kazarian verified any calls related to COVID-19 would fall under the medical category. Chief Lopez stated COVID-19 calls are on the down trend.

## **CONSENT CALENDAR**

The consent calendar consisted of: A) Ratification of Warrants – April 6, 2021; B) Approve Minutes of the City Council Special Meeting – March 16, 2021, and City Council Meeting – March 16, 2021; C) Approve Resolution No. 2497 Approving Final Tract Map No. 6188 and Subdivision Agreement for Tract No. 6188; D) Approve Resolution No. 2498, "A Resolution before the City Council of the City of Fowler County of Fresno, State of California Authorizing Application for and Receipt of Regional Early Action Planning (REAP) Grand Program Funds"

Mayor Cardenas inquired on the Fowler Ace Hardware finance charges. Chief Lopez explained the charges were split up into different departments for better tracking. Chief Lopez reported he will look into this further.

Councilmember Kazarian made a motion to approve the consent calendar, seconded by Mayor Pro-Tem Rodriguez. The motion carried by roll call vote: Ayes: Kazarian, Rodriguez, Cardenas, Mejia, Parra. Noes: None. Abstain: None. Absent: None.

## **COMMITTEE REPORTS**

Mayor Pro-Tem Rodriguez thanked the Rec Committee for the fantastic job they did organizing the Easter Egg Scavenger Hunt event; it was a huge success. It was well

coordinated and well attended. The 16 participating organizations did a great job. Councilmember Mejia echoed Mayor Pro-Tem Rodriguez's comments. Councilmember Mejia went on to say the event was over-due, well received, and much needed for our city.

Councilmember Kazarian recommended staff consider looking into Zoom or another platform for council meetings for better audio/visual and easier access for public participation. City Manager Quan stated American Rescue Funds can possibly be used for this upgrade and will look into this further.

Councilmember Mejia reported he is working with Travis Feaver of Young Life and Chief Alcaraz to organize a graffiti clean-up community event. More details to come.

Councilmember Parra also thanked the Rec Committee for the amazing Easter Egg Scavenger Hunt. He also announced on April 15, 2021 there will be a South San Joaquin Valley League of Cities meeting via Zoom at 6:00 p.m. to discuss the American Rescue Plan. All are welcome to participate. City Manager Quan will share the link with the rest of the council members.

Mayor Cardenas reported he, City Manager Quan, Chief Alcaraz, and Councilmember Parra met with Congressman David Valadao this morning. The Congressman came to visit to learn more about the city's needs. Staff expressed the areas needing assistance. It was a positive meeting. Mayor Cardenas complimented the Rec Committee, all of the volunteers, and Councilmember Mejia for the outstanding Easter Egg event as well.

## **ADJOURNMENT**

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