

MINUTES OF THE FOWLER CITY COUNCIL MEETING
Tuesday January 4, 2022

Mayor Cardenas called the meeting to order at 7:05 p. m.

Councilmembers Present: Cardenas, Rodriquez, Kazarian, Mejia, Parra (via teleconference)

City Staff Present: City Manager Quan, City Attorney Cross, Public Works Director Dominguez, Community Development Director Gaffery, Fire Chief Lopez, City Planner Marple, Finance Director Moreno, Deputy City Clerk Vasquez

5. PUBLIC COMMENT

Randy McFarland addressed the Council.

6. CONSENT CALENDAR

Mayor Pro-Tem Rodriquez made a motion to approve the consent calendar, seconded by Councilmember Kazarian. The motion carried by roll call vote: Ayes: Rodriquez, Kazarian, Cardenas, Mejia, Parra.

7. GENERAL ADMINISTRATION

7-A. FINANCE

i. ACCEPT the FY 2020/21 Development Impact Fee Annual Report

Finance Director Moreno reported the Mitigation Fee Act requires local agencies to submit an annual report detailing the status of development impact fees. She stated the City of Fowler's Development Impact Fees Annual Report provides information on the amount of development impact fees collected and expended, and the interest earned on unexpended funds for fiscal year ending June 30, 2021. Finance Director Moreno stated staff recommend City Council review, receive, and file the FY 2020/21 Development Impact Fee Annual Report. She stated the Reports are unaudited and upon the financial audit reports completion for FY 19/20 and 20/21 any changes made at that time will be reflected in next year's Development Impact Fees Report for FY 21/22.

Councilmember Kazarian inquired about how monies are allocated to each account and encouraged staff to place these funds in interest

bearing accounts. Finance Director Moreno stated she will present a treasurer's report that will include information on interest earnings with the mid-year report.

Councilmember Kazarian made a motion to ACCEPT the FY 2020/21 Development Impact Fee Annual Report, seconded by Mayor Pro-Tem Rodriquez. The motion carried by roll call vote: Ayes: Kazarian, Rodriquez, Cardenas, Mejia, Parra.

7-B. PLANNING

- i. **Consider INTRODUCTION of amendments to Sections 8-1.01, 8-1.02, 8-1.03, and 8-1.05 of the Fowler Municipal Code and the repeal of Sections 8-1.04.1 through Sections 8-1.04.4 related to the adoption of the California Building Code.**

Community Development Director Gaffery provided an overview of the proposed Code changes. He reported the amendments will specify the current edition of the California Building Code (CBC) is the version of the CBC adopted by the City. Community Development Director Gaffery stated this change will make the Fowler Municipal Code (FMC) consistent with the current CBC and will not require future updates to the FMC when the California Building Code changes.

Mayor Pro-Tem Rodriquez made a motion to consider INTRODUCTION of amendments to Sections 8-1.01, 8-1.02, 8-1.03, and 8-1.05 of the Fowler Municipal Code and the repeal of Sections 8-1.04.1 through Sections 8-1.04.4 related to the adoption of the California Building Code, seconded by Councilmember Kazarian. The motion carried by roll call vote: Ayes: Rodriquez, Kazarian, Cardenas, Mejia, Parra.

- ii. **Public Hearing to CONSIDER Planning Case No. 21-0015, a Tentative Subdivision Map (TSM), Prezone, Annexation, and Adoption of a Mitigated Negative Declaration, submitted by Sunshine Raisin Corporation for approximately 29.04 acres on the east side of South Armstrong Avenue between East Adams and East Hogan Avenues.**

Mayor Pro-Tem Rodriquez and Councilmember Kazarian recused themselves due to each owning interests in real property within 500' of the project. City Attorney Cross noted all three Councilmembers participating would need to vote in favor of this item to be considered approved.

City Planner Marple provided an overview of Tentative Tract Map No. 21-0015. She reported the applicant is requesting to subdivide the subject property into 74 lots, prezone the property to R-1-10, annex into the City of Fowler, and create a 1.4-acre park. City Planner Marple stated the proposed map is consistent with the General Plan and the design or improvement of the proposed subdivision is consistent with the plans and policies of the City of Fowler. She also reported the site is physically suitable for the development and proposed density. City Planner Marple stated staff prepared a proposed Mitigated Negative Declaration in accordance with CEQA requirements which was circulated for public review and comment. She also reported a public notice was placed in The Business Journal and staff did not received any letters or emails expressing opposition.

City Planner Marple reported the Planning Commission heard this item on November 7, 2021. She stated public testimony was received and as a result the Planning Commission added a condition for a walkway and recommended approval. Staff recommends the City Council approve Planning Case No. 21-0015.

Various Councilmembers shared their concerns regarding the city's water capacity and the need for a water model study. City Manager Quan stated staff will ask the city's water consultant to develop a scope and present options to Council in a workshop.

Fowler residents Lei Steele and Steve Barela addressed the Council.

The Council moved out of this item temporarily as Councilmember Parra lost connection.

Councilmember Parra regained connection.

Councilmember Mejia made a motion to ACCEPT Resolution No. 2529 requesting that the Local Agency Formation Commission undertake proceedings for the Annexation of Tentative Subdivision Map No. 21-0015, seconded by Councilmember Parra. The motion carried by roll call vote: Mejia, Parra, Cardenas.

Councilmember Parra made a motion to ADOPT Resolution No. 2530 APPROVING Tentative Tract Map No. 21-0015 with the stipulation this be the last map approved until a comprehensive water model study that Council approves before allowing anymore building to take place, seconded by Councilmember Mejia. The motion carried by roll call vote: Parra, Mejia, Cardenas.

Councilmember Mejia made a motion to ACCEPT Resolution No. 2531 ADOPTING a Mitigated Negative Declaration for Tentative Tract Map No. 21-0015, seconded Councilmember Parra. The motion carried by roll call vote: Mejia, Parra, Cardenas.

Councilmember Mejia made a motion to APPROVE First Reading of Ordinance 2022-02, 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. 340-130-14, seconded by Councilmember Parra. The motion carried by roll call vote: Parra, Mejia, Cardenas.

7-C. CITY MANAGER'S OFFICE

i. COVID-19 Update

City Manager Quan thanked staff for their work on the audio/visual upgrade and reported a contract change order will be presented for the Council's iPads. City Manager Quan reported the Fresno County Department of Public Health's data shows Fowler's vaccination rate is nearly 73% and staff continues to keep in close communication with FCDPH on any regulatory changes. She announced Fowler will be hosting this year's Blossom Trail opening ceremonies and more information will be shared at the next Council meeting.

8. STAFF COMMUNICATIONS – (CITY MANAGER)

8-A. CITY CLERK DEPARTMENT

Deputy City Clerk Vasquez announced a mandatory Harassment in the Workplace training is scheduled for January 12, 2022.

8-B. PUBLIC WORKS DEPARTMENT

Public Works Director Dominguez updated Council on the water meter replacement project. He also stated staff submitted grant applications under the Prop 69 Per Capita Program and an Arrearage Payment Program grant through the California Water Board. He reported Golden State Boulevard pothole repair work continues, and that staff will remove the Christmas decorations next week. He also stated staff is working with PG&E for corrections on Adams Avenue, and staff are researching the street signs in the Kb Home subdivision that are missing the City's seal. Mayor Pro-Tem Rodriguez thanked the Public Works staff for their hard work.

9. COUNCILMEMBER REPORTS AND COMMENTS

Mayor Cardenas announced he will not attend the next Council meeting as he will be out of town at a conference and requested Mayor Pro-Tem to lead the meeting.

10. CLOSED SESSION

No reportable action was taken on the item.

11. ADJOURNMENT

Having no further business, the meeting adjourned at 8:59 p.m.