

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
MARCH 18, 2014**

Mayor Cardenas called the meeting to order at 7:03 p. m.

Councilmembers Present: Cardenas, Parra, Hammer, Monis & Simonian

City Staff Present: City Manager Elias, City Clerk Davis, Finance Director Wong, Public Works Director Weisser, City Attorney Wolfe, City Engineer Peters

The Flag Salute and Pledge of Allegiance were followed by an invocation given by Reverend Raul Moreno. Roll call was taken.

PUBLIC PRESENTATIONS.

Mayor Cardenas asked that Consent Calendar item E, a resolution that honors the Sikh religious celebration of Vaisakhi, be removed for consideration since representatives of the Sikh Community were present. City Manager Elias added that the resolution had been updated from the version in the agenda packet to add language requested by Sikh Coalition representative Simran Kaur, acknowledging the issue of cultural bullying being experienced by the Sikh Community. Mayor Pro-Tem Parra made a motion to pull item E from the Consent Calendar, seconded by Councilmember Monis. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis, & Simonian. Noes: None. Abstain/Absent: None.

Ms. Kaur spoke of the ongoing problem of bullying and discrimination that Sikh communities are experiencing due to lack of awareness about their faith, which is why it was requested to add related language to the Vaisakhi resolution. Mayor Pro-Tem Parra suggested that the Council approve the resolution in its original form acknowledging just the Vaisakhi holiday, and to bring forth a separate resolution at a later date that addresses bullying. Ms. Kaur agreed and said that a resolution on the bullying issue will be provided for future Council approval.

Councilmember Simonian made a motion, seconded by Mayor Pro-Tem Parra, to approve Resolution No. 2294 (corrected from No. 2293), "A Resolution of the City Council of the City of Fowler Honoring the Sikh Community's Celebration of Vaisakhi." The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis, & Simonian. Noes: None. Abstain/Absent: None.

COMMUNICATIONS

City Manager Elias mentioned an upcoming SSJV Division of the League of California Cities general membership meeting in Dinuba on April 10, 2014.

STAFF REPORTS:

APPROVAL OF RESTATED COOPERATIVE AGREEMENT WITH CONSOLIDATED IRRIGATION DISTRICT (CID)

City Manager Elias said that for several years staff has been negotiating a cooperative agreement with CID that addresses groundwater recharge, and the use of CID facilities for recharge and storm water discharge in the City. The proposed agreement, similar to the agreements CID has entered into with three other local cities, is intended to mitigate environmental impacts on groundwater supply caused by new development in the City. It calls for setting aside funds to pay for groundwater recharge facilities, and will help the City and CID avoid CEQA litigation related to development impacts.

Some of the terms include: The agreement is for 20-years with possible one year annual renewals; the City will maintain a separate Groundwater Fund which will be used to pay for groundwater recharge projects in and outside the City limits; City will make an annual payment to the Groundwater Fund, calculated at \$130 per Acre Foot of groundwater pumped, subject to annual increase based on a CPI factor; 12% of the annual payment must be paid from the Fund to CID to cover administrative fees for recharge projects, and \$18 per acre foot of the annual payment is paid from the Fund to CID to cover their costs of maintaining its facilities. If Fund balance reaches \$1 million, the City need not make annual payment to the Fund, but the administrative fee and District facilities charge may still need to be paid to CID.

For storm water recharge, the City will pay CID \$150 per acre for total acres of land within the City that drain storm water to CID facilities. The City can develop a storm water elimination plan during the term of the agreement. The City will identify three existing storm basins in within the City that will be proposed as the initial recharge projects to be improved with funds from the Groundwater Fund to be available for groundwater recharge.

Councilmember Hammer made a motion, seconded by Councilmember Monis, to approve the Restated Cooperative Agreement between the City of Fowler and CID. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis, & Simonian. Noes: None. Abstain/Absent: None.

DIRECTION ON PROPOSED IMPROVEMENTS AT THE 10TH STREET/MERCED STREET INTERSECTION

City Engineer Peters gave a recap on actions related to proposed traffic improvements for the 10th and Merced Street intersection. In 2012, the City was awarded a Highway Safety Improvement Program (HSIP) grant for construction of a roundabout. At the Council's direction, staff submitted a request with Caltrans to allow the HSIP funds to be applied toward a traffic signal at the intersection as an alternative, and Caltrans

responded that it would allow a signal if traffic signal warrants are met. After receiving information on traffic counts and warrant information, Caltrans determined that signals cannot be installed using HSIP funds because the intersection does not meet signal warrants.

Mr. Peters asked for the Council's direction on the options: 1) to begin preliminary engineering for the construction of a roundabout project as described in the HSIP grant application; 2) to submit a request to Caltrans to cancel the project; or 3) such other action as deemed appropriate. Caltrans Deputy District Director John Liu and representative Charles Garabedian answered questions and gave further information on how traffic mitigation projects for the intersection were analyzed. Due to the City not meeting project delivery time lines for the approved roundabout project, they are requesting that the project either move forward or that notice be given to cancel the project.

After discussion, Mayor Pro-Tem Parra made a motion, seconded by Councilmember Hammer, to approve Option 2 - cancel the project. The motion failed on a 2-3-0 roll call vote: Ayes: Parra & Hammer. Noes: Monis, Simonian & Cardenas. Abstain/Absent: None.

Councilmember Simonian made a motion to approve submitting authorization to proceed with preliminary engineering for the project as described in the HSIP application, construction of a roundabout. The motion was seconded by Councilmember Monis and carried on a 3-2-0 roll call vote: Ayes: Monis, Simonian & Cardenas. Noes: Parra & Hammer. Abstain/Absent: None.

CITY MANAGER'S REPORT

— Approve Participation in Fresno County's Urban County Community Development Block Grant (CDBG) Program

City Manager Elias explained that Fresno County is asking if the City wants to join their Urban County CDBG Program for Program Years 2015/16, 2016/17, and 2017/18. It will provide approximately \$60,000 annually that can be used for projects such as replacing sidewalks or installing ADA compliant ramps. Since the City does not have an updated Housing Element it is currently ineligible to apply directly to the State's CDBG entitlement program, so it is recommended to join with Fresno County.

Mayor Pro-Tem Parra made a motion, seconded by Councilmember Simonian, to approve participation in Fresno County's Urban County CDBG Program for Program Years 2015/16, 2016/17, and 2017/18, and authorizing the City Manager to sign the Joint Powers Agreement. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis, & Simonian. Noes: None. Absent/Abstain: None.

City Manager Elias also mentioned that the City recently launched a City of Fowler mobile phone app that has contact information for elected officials, information on local businesses, restaurants, and schools, and activity calendars.

PUBLIC WORKS DIRECTOR'S REPORT

Public Works Director Weisser reported on a bid opening held for the Neighborhood Park Project that received good results. The Manning Avenue intersection improvements are almost complete.

FINANCE DIRECTOR'S REPORT

No report was given.

POLICE DEPARTMENT REPORT

No report was given.

FIRE DEPARTMENT REPORT

No report was given.

CITY ATTORNEY'S REPORT

City Attorney Wolfe said that electronic cigarettes are becoming a topic of interest, with some cities treating them as traditional cigarettes by banning them from parks and public areas.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - March 18, 2014; B) Approve Minutes of the Fowler City Council Meeting - March 4, 2014; C) Approve Addendum No.1 to Memorandum of Understanding Between the City of Fresno, City of Clovis, Cities of Huron, Coalinga, Parlier, Reedley, Selma, Sanger, Kerman, Kingsburg, Orange Cove, Firebaugh, Fowler, Mendota, and County of Fresno - Board of State and Community Corrections (BSCC); and D) Approve Agreement for Connection to City Water - Melvin Lee & Frances E. Pursell. Item E was approved separately. Mayor Pro-Tem Parra made a motion, seconded by Councilmember Monis, to approve the Consent Calendar. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis, & Simonian. Noes: None. Abstain/Absent: None.

COMMITTEE REPORTS

Mayor Cardenas attended a Consolidated Mosquito Abatement District meeting where it was noted that mosquitos that carry Yellow Fever have survived the unseasonably warm winter season. He attended an S.K.F. meeting where they discussed the

upcoming fiscal year budget.

Mayor Pro-Tem Parra reported on a water rally he attended in Firebaugh.

Councilmember Monis said that she has been working with Anna Cardenas to plan the Annual Employee Appreciation dinner, to be held on Thursday, May 1, 2014.

ADJOURNMENT

Having no further business, Mayor Pro-Tem Parra made a motion, seconded by Councilmember Simonian, to adjourn. The motion carried and the meeting adjourned at 9:17 p. m.