

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
MAY 15, 2018**

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

Councilmembers Present: Cardenas, Parra, Hammer, Kazarian, Rodriquez

City Staff Present: City Manager/City Clerk Davis, Public Works Supervisor/Fire Chief Lopez, Finance Director Uyeda, City Attorney Wolfe, Police Chief Alcaraz, City Engineer Peters, City Planner Marple, Deputy City Clerk Burrola

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

PUBLIC PRESENTATIONS

There were no public presentations.

COMMUNICATIONS

City Manager Davis mentioned an invitation to the Fresno County Fruit Trail Opening Ceremony at Simonian Farms, near Clovis and Jensen Avenues, Friday, May 25, 2018 at 10:00 a.m.

The June 5th Primary Election polling locations in Fowler will be at St. Lucy's Church, Fowler Baptist Church and the Fowler Library. Assigned polling place information is listed on the back of the sample ballots and online at the Fresno County Elections Office website.

STAFF REPORTS

CITY ENGINEER'S REPORT

- ◆ **Provide Direction Regarding the Alignment Changes to Golden State Boulevard (GSB) between Adams Avenue and South Avenue**

City Manager Davis stated that the City had recently hosted meetings for the public, and for business owners along 8th Street, regarding the Golden State Boulevard Improvement Project. Several comments and concerns on the proposed GSB realignment were expressed by the public and by business owners. Staff has considered the comments and wanted to review the project with the Council, and discuss possible alternatives.

City Engineer Peters provided a Powerpoint presentation and gave background information on the multi-jurisdictional project, which involves Fresno COG, the County of Fresno and the cities of Fowler, Selma and Kingsburg. The agencies have been working

collaboratively for a number of years to maximize the economic development potential of the Golden State Corridor. The project spans more than 14 miles, with a budget of \$47,000,000, of which Fowler will be receiving \$17,000,000 for its segment. Construction is scheduled to begin in 2020. The design includes new traffic signals at South and Temperance Avenues, along with improvements and upgrades to the other traffic signals along GSB. The main improvement of this project is to reconstruct the pavement, improve drainage facilities, and add safety features such as guardrails and bike lanes along the Corridor. As part of the improvements in Fowler, it has been proposed to realign the portion of GSB between Adams Avenue and South Avenue. The southbound lanes of GSB will shift to 8th Street, and the northbound lanes of GSB will be realigned to the current southbound lanes. The abandoned northbound lanes of GSB will create parcels for the City for future development. Plans for the GSB shift originate back to the early stages in 2002.

Planning Consultant Dawn Marple gave a detailed history of the project. In 2002, Fresno COG took the initiative to hold some roundtable discussions with the three cities along the Corridor. In 2003, Fowler hosted community visioning workshops and the ideas that resulted from the workshops included creating the GSB shift to help draw people into the downtown area. The parcels created by the shift would be intended for mixed-use development. In 2007, a design consultant provided a revitalization plan, which focused on the area between Vine and Mariposa Streets utilizing the land that would be given back to the City from the GSB shift. In 2009, the City Council took action to develop a Form Based Code Zone District in the downtown, from 5th Street all the way through the area targeted in the revitalization plan. In 2011, Quad Knopf Engineering was hired by Fresno COG to develop a design guideline manual, economic development and infrastructure plan, and 30 percent design plan for the Corridor. There was a reemphasis in the plan on utilizing the created parcels along the GSB corridor next to the railroad, from Mariposa and Vine Streets, to provide a more urban district and extending the downtown area.

In 2012, COG provided the environmental documents for the 30 percent design plans for the entire Corridor project, which included the shift between Adams and South Avenues. Ms. Marple said that since the project had gone on for such a long period of time, in 2013, the Council reduced the Form Base Code area to end it at GSB, and restored the zone districts of properties along 8th Street to their former commercial zone designations. In 2016, VRPA Technologies gave a presentation to the City Council on the 30 percent design progress of the plan and described the realignment. In 2017, an Economic Investment Strategy document was created that covered the GSB shift area.

Mr. Peters noted that some concerns from the recent public meetings were centered on the shifting of southbound GSB to 8th Street, resulting in a loss of diagonal parking, loss of access to the properties - particularly for businesses on the north end, negative effects to business operations, and safety concerns. Representatives from Mark Thomas, the engineering firm for the project, have been meeting with affected businesses, and are reviewing ways to mitigate these concerns without significantly changing the alignment.

Mr. Peters said that staff wanted to propose another alternative, particularly for those businesses impacted on the north end of 8th Street. He presented a rough sketch that showed a reduction to the proposed GSB shift. It would begin at Tuolumne Street, and end between Mariposa Street and Adams Avenue, where it would go back to the original alignment. Though it would reduce the amount of developable property created from the shift, it would still meet the intention of the design plans. Staff asked the Council to consider the various options for the realignment, and direct them to transmit the changes to Fresno COG based on the Council's consensus.

A discussion ensued on the realignment and how it would affect the truck routes and businesses, particularly on 8th Street. Councilmember Kazarian said that he attended the public meetings and there were a lot of concerns and comments provided that he wanted to be sure are adequately addressed. He asked staff to present a summarized report of comments from the meetings and to bring options that address the concerns back to the Council, before moving forward with direction on the realignment. Councilmember Hammer suggested looking at the possibility of eliminating the shift altogether, but keeping the other planned improvements. Mayor Pro-Tem Parra spoke of the history of the shift, stating that the intention to create development parcels was to contribute to economic growth in the City. The Council could consider shortening the shift, so as to not affect the 8th Street businesses. Councilmember Rodriguez stated that based on the comments of the businesses, 8th Street should remain as it is. Mayor Cardenas spoke of the community forums held in past years to help develop the design for the GSB improvements, but the full effects of the realignment may not have been fully comprehended at that time. He has recently spoken to businesses about their concerns, and though he is in favor of Fowler receiving its full share of funding for improvements, it should not be at the expense of the businesses, and 8th Street should stay as it is.

The consensus of the Council was to provide a revised option that would maintain the existing alignment of GSB for the project, along with other enhancements such as a Class I bike and pedestrian trail. The Council asked that staff investigate whether the City would retain the total budgeted allocation for the Fowler segment that could be used for other improvements if the realignment did not occur.

The Mayor opened the discussion for public comments on the matter.

Philip Boghosian, Boghosian Raisin Packing, expressed concerns on the realignment, and suggested keeping 8th Street as it is and improving and beautifying it as a service road.

Howard Sagaser, Attorney representing Boghosian Raisin Packing Company, expressed his concerns on the realignment damaging the access for his client's business and other businesses along 8th Street. He said that the Council is on the right track in wanting to look at other alternatives to the road shift.

John Kahaian, Fowler resident and 8th Street property owner, stated that the businesses on 8th Street would be adversely affected by the realignment, and that there are

businesses that have long been established and operating in the Fowler community. He noted that he had provided similar written comments to the Mayor.

Raul Cortez, Fowler resident and City employee, mentioned public safety concerns regarding the realignment. He has seen a lot of people riding bicycles along Golden State in an unsafe manner, and said that traffic problems would occur with the shift if there was an accident on Highway 99 and traffic is routed to GSB.

CITY MANAGER'S REPORT

City Manager Davis reminded the Council of the Employee Appreciation Dinner on Friday, May 18, 2018 at Cattleman's Restaurant in Selma. The City is also preparing a Park Dedication Ceremony for Donny Wright Park that will be held on May 24, 2018 at 10:00 a.m. at the park.

The City is preparing for the Summer Swim program, which will begin on Monday, June 18, 2018.

The City's website has been updated, and now has a new mobile phone friendly platform. The website was officially relaunched earlier that day. Further improvements to the site are planned.

PUBLIC WORKS REPORT

Public Works Supervisor Lopez circulated the well-site locations and the monthly water report for April. The repaving of 10th Street near the construction site for the medical facility has been completed.

FINANCE DIRECTOR'S REPORT

Finance Director Uyeda provided information on the HDL Quarterly Sales Tax Report. Sales taxes are up from last year mainly because of the gas tax increase. As summer vacation approaches the City will hopefully will see an increase, due to not only gas prices, but a forecasted increase in vacation traveling.

POLICE DEPARTMENT REPORT

Police Chief Alcaraz circulated Part 1 Crime Stats for the month of April. On April 24th, a multi-agency traffic operation was conducted, and 33 citations were issued. Traffic enforcement has been a priority on Merced Street due to illegal U-turns taking place.

FIRE DEPARTMENT REPORT

No report was given.

CITY ATTORNEY'S REPORT

City Attorney Wolfe reported that third party consultants are subject to the City's conflict of interest rules. The 1090 Prohibited Contract Rule was presented in past trainings where if a councilmember is interested in a contract, the council cannot enter into that contract; that rule also applies to consultants.

CONSENT CALENDAR

The consent calendar consisted of: A) Ratification of Warrants – May 15, 2018; B) Approve Minutes of the City Council Meeting – April 17, 2018; C) Adoption of Resolution No. 2399, "A Resolution of the City Council of the City of Fowler of Intention to Levy and Collect the Annual Assessment for Landscaping and Storm Drainage Facilities Maintenance" - District No. 1; D) Adoption of Resolution No. 2400, "A Resolution of the City Council of the City of Fowler Opposing the Tax Fairness, Transparency and Accountability Act of 2018"; E) Approve Cooperative Agreement Between Fresno County Fire Protection District and the City of Fowler.

Councilmember Kazarian commented on Item C regarding the storm drainage facilities maintenance and would like to make sure accountability will be implemented directly to this project. He would like staff to present to the Council a report on activities completed on this project. On Item D he would have preferred not to have on the Consent Calendar but to present it as a discussion item. He agrees with The Tax Fairness Ability Act, and believes the intent is good but feels this particular initiative is not necessarily the right package.

Councilmember Rodriguez made a motion to approve the Consent Calendar; seconded by Mayor Pro-Tem Parra. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Kazarian, Rodriguez. Noes: None. Abstain/Absent: None.

COMMITTEE REPORTS

Councilmember Hammer reminded everyone of the upcoming 4th of July event. He mentioned the Fowler Library will be celebrating their 10th Anniversary on Thursday, May 17, 2018.

He attended the Fowler High School's, "Beauty and the Beast" play, it was a great performance.

The boys' baseball league will be playing their quarter final game on Thursday, May 17th and the girls' league will play on Friday.

Councilmember Kazarian has been in contact with a solar company regarding possible cost savings for the City, the options would be a power purchase agreement or purchasing the solar array. He is looking for direction from Council as to which of the two they would like him to pursue in gathering more detailed information.

He was approached by someone who would like to open a possible Tap House located at the old City Hall building. He will work with staff regarding leasing options.

He has been working with the Lions Club and Yvonne Hernandez for possibly having a beer garden at the Farmers Market.

Councilmember Rodriquez attended an event staged by the Fowler High School students “Every 15 Minutes” at Fowler High School, a program showing teens the consequences of drinking and driving. His daughter participated in the event.

CLOSED SESSION

The meeting adjourned to a closed session at 8:28 p.m. to discuss, pursuant to Government Code Section 54956.9 – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation Pursuant to Paragraph (2) (3) of Subdivision 54956.9 – 1 Case; Claim for Damages Dated April 27, 2018 from David Weisser.

The meeting reconvened to open session at 9:13 p.m. with the following reportable action taken: Councilmember Rodriquez made a motion to reject the claim for damages against the City of Fowler filed by David Weisser. The motion was seconded by Mayor Pro-Tem Parra, and carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Kazarian, Rodriquez. Noes: None. Abstain/Absent: None.

ADJOURNMENT

Having no further business, Councilmember Kazarian made a motion, seconded by Councilmember Rodriquez to adjourn. The motion carried and the meeting adjourned at 9:14 p.m.