

**MINUTES OF THE FOWLER CITY COUNCIL
SPECIAL MEETING
MAY 14, 2007**

Mayor Simonian called the meeting to order at 7:00 p. m.

Councilmembers present: Simonian, Shaw, Aguayo, Cardenas, & Zadourian

City staff present: City Manager Elias, City Clerk Davis, Finance Director Wong, Police Chief Jamgochian, City Attorney Wolfe, Community Development Director Deaver, Public Works Supervisor Weisser, Senior/Recreation Director Monis

The Flag Salute and the Pledge of Allegiance were followed by an invocation given by Mayor Pro-Tem Shaw.

COMMUNICATIONS

City Manager Elias mentioned the upcoming kick-off for the Fresno County Fruit Trail on Thursday, May 17, 2007 and the groundbreaking for the new Fresno County Juvenile Court the following day, May 18, 2007. He announced that reservations were being made for attending the upcoming League of California Cities Annual Conference, September 5 - 8, 2007 in Sacramento.

STAFF REPORTS

A) DISCUSSION REGARDING TREE SCAPE CHOICE FOR MERCED STREET IMPROVEMENT PROJECT

City Manager Elias explained that the Council had discussed the treescape for the Merced Street improvement project several months ago, and staff had been directed to provide more information on choices for appropriate trees. After some research, Mr. Elias recommended that Chinese Pistache trees be planted since they provide good shade, are not prone to disease, and have been planted in several other areas of town with good results. The Council discussed the pros and cons of tree varieties such as Bradford Pear, Sycamore, and Camphor, including problems such as heavy maintenance, invasive roots and falling tree limbs. It was noted that several of the Modesto Ash trees in town have been removed due to mistletoe and breakage of limbs. It was stated that the priority for choosing trees should be safety, practicality and good shade, and that they should provide an attractive entrance into town. One suggestion was to use several different tree varieties that would coordinate with the landscape plan for the new hotel. Councilmember Aguayo circulated pictures from an attractive treescape in the City of Lodi. City Manager Elias stated that he would check with the City of Lodi regarding the types of trees they had planted.

B) CITY MANAGER'S REPORT

City Manager Elias mentioned that he and Councilmember Zadourian would be attending the League of California Cities Legislative Days in Sacramento during the week. He briefly

reported on the Governor's revised budget. The State may suspend the Williamson Act tax incentive to agricultural landowners.

C) COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Community Development Director Deaver reported that the site plan review had been received for the new Carl's Jr. restaurant. The Union 76 expansion should begin by the summer.

D) PUBLIC WORKS SUPERVISOR'S REPORT

◆ Discussion Regarding Installation of Handicap Access Parking - Fowler Physical Therapy facility

Public Works Supervisor Weisser reported that Fowler Physical Therapy had requested that the City install a handicap access parking stall in front of their facility at 108 N. 6th Street. He explained that approximately three parking spaces would have to be eliminated to accommodate this stall, and the concrete work alone would cost \$2,500. City Manager Elias stated that parking in the downtown was already insufficient, and comments made by citizens at the recent design charette reflected this concern. Pictures were circulated showing a large paved area in the back of the facility that would be very adequate for handicap access parking, however, Fowler Physical Therapy stated that clients preferred not to park in the back because they did not like to drive through the alley to get to it.

The Council discussed the matter, noting the available parking area behind the building that would provide sufficient handicap access parking. City Manager Elias added that there is an existing large section of pure white Sierra Nevada hand-laid granite in the front of the facility, which is very rare, and if any parking modifications were done, the granite should be preserved. The consensus of the Council was to review other parking options and work with the business and property owners for solutions.

Councilmember Cardenas left the meeting at 8:05 pm.

POLICE AND FIRE REPORT

Chief Jamgochian announced that the Annual Peace Officer Memorial would be held the following day, May 15, 2007 at 9:00 a. m. A new police officer, Ray Cortez, will begin duty on May 16, 2007.

CITY ATTORNEY'S REPORT

City Attorney Wolfe attended the League of California Cities Spring City Attorney's Conference. One issue discussed was the recent legal challenges to the telephone utility users tax regarding cell phone and long distance usage, which is not included in Fowler's utility users tax. Another discussion concerned group homes. If more than one group home is in the same neighborhood and is run under

the same ownership, a city can link them together and require a Conditional Use Permit, based on there being more than 6 residents.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - May 1, 2007; and B) Approve Minutes of the City Council Meeting - May 1, 2007. Mayor Pro-Tem Shaw made a motion to approve the Consent Calendar, seconded by Councilmember Aguayo. The motion carried on a 4-0-1 roll call vote, with Councilmember Cardenas absent.

COMMITTEE REPORTS

Mayor Simonian attended a COG High Speed Rail Committee meeting where it was mentioned that the rail project is expected to be the largest construction project next to the Panama Canal. Construction would begin in 2020-2025. He also mentioned the upcoming Mayor's Prayer Breakfast on May 24th at Jocy's Restaurant.

Mayor Pro-Tem Shaw announced that he would not be able to attend the June 5th, July 3rd, or August 7, 2007 Council meetings.

Councilmember Aguayo attended a Land Buffer Task Force meeting, a Fowler Library Committee and a Recreation Commission meeting. He reported on a discussion at a recent Highway 99 Beautification meeting concerning partnering with CalTrans for landscaping and maintenance near the highway. He thanked everyone for their support of the recent Springfest event.

City Manager Elias reported on a recent S. K. F. meeting on behalf of Councilmember Cardenas, who had left the meeting. There was a discussion on the will-serve letters that had been requested by property developers for their future projects. The developers asked that the District utilize reserve funds for needed sewer infrastructure, rather than S. K. F. requiring the developers to provide money in advance. Meetings have been scheduled with the various cities, S. K. F. representatives and the developers on Monday, May 21, 2007, to further discuss the will-serve letters.

ADJOURNMENT

Having no further business, Councilmember Aguayo made a motion to adjourn, seconded by Councilmember Zadourian. The meeting adjourned at 8:30 p. m.