

**MINUTES OF THE FOWLER CITY COUNCIL MEETING  
MAY 4, 2004**

Mayor Simonian called the meeting to order in the Council Chambers at 7:04 p.m.

Councilmembers present: Simonian, Shaw & Zadourian

Councilmembers absent: Cardenas & Fernandez

City staff present: City Manager Elias, City Clerk Davis, Finance Director Wong,  
Police Chief Jamgochian, City Attorney Wolfe, Community  
Development Director Deaver

The Flag Salute and the Pledge of Allegiance were followed by an invocation given by Mayor Pro-Tem Shaw. There were no public presentations.

**PRESENTATION BY CONSOLIDATED IRRIGATION DISTRICT - UPPER KINGS  
RIVER BASIN WATER FORUM**

Gene Branch and Randy McFarland of Consolidated Irrigation District gave a presentation on the upcoming Upper Kings River Basin Water Forum. Mr. McFarland explained that the purpose of the forum was to plan for major water issues affecting the state and local water districts, specifically the Fresno, Consolidated, and Alta Irrigation Districts who receive water from the Kings River Basin. The topics of discussion will include: the declining ground water levels; the problem of being in the 6th year of a series of “dry years”; water quality; and planning for the long-term water supply of agriculture and urban areas. The forum will be taking a regional approach to addressing these issues through education, developing a cooperative process for resource planning, and developing strategies to provide water reliability for future generations. The goal is to develop an integrated plan with the cities, counties, water districts and other agencies to establish a clearer vision, develop projects, and seek funding for necessary improvements. The kick-off meeting for this forum is scheduled for June 18, 2004 at a location that will be later determined. Mr. Branch and Mr. McFarland invited the Council to attend.

**COMMUNICATIONS**

Mayor Simonian announced that the Council received an invitation to a luncheon at the Victor P. Lopez Center, in Orange Cove on May 14, 2004, where the State of California Secretary of Food and Agriculture, A.G. Kawamura, will be the guest speaker.

**STAFF REPORTS**

**A. ADOPTION OF RESOLUTION NO. 1953**

City Manager Elias stated that Resolution No. 1953 was an annual resolution preparing for the levy and collection of assessments for the City’s landscape and storm drainage maintenance district. City Attorney Wolfe recommended that the last three sentences in paragraph 4 and all

of paragraph 6 of the resolution, pertaining to protest procedures, be removed. He explained that since there would be no increase to the assessments from the prior year the protest provisions would not apply.

It was moved by Mayor Pro-tem Shaw and seconded by Councilmember Zadourian to adopt Resolution No. 1953, "A Resolution of Intention to Levy and Collect the Annual Assessment for the 2004-2005 Landscaping and Storm Drainage Facilities Maintenance District No. 1," with the removal of a portion of paragraph 4 and all of paragraph 6. The motion carried on a 3-0-2 roll call vote, with Councilmember Cardenas and Councilmember Fernandez absent.

**B. DESIGNATE VOTING DELEGATE - LEGISLATIVE DAYS**

City Manager Elias stated that the League of California Cities has requested that all cities designate a voting delegate and alternate to vote on any League business during the Local Legislative Action Days, to be held on May 12 - 13, 2004 in Sacramento.

Mayor Simonian made a motion to appoint Councilmember Zadourian as the Voting Delegate and City Manager Elias as the Alternate. The motion was seconded by Mayor Pro-tem Shaw, and passed by a 3-0-2 roll call vote.

**C. SECOND READING - ORDINANCE NO. 2004-01**

City Manager Elias explained that Ordinance No. 2004-01, pertaining to a tax sharing agreement with Fresno County, was before the Council for the second reading and adoption. Pursuant to the terms of the agreement, the County has determined that the City's sales tax revenue increased enough during the last fiscal year to require an adjustment of the City's share, currently .9550, to .9500, effective July 1, 2004.

It was moved by Mayor Pro-Tem Shaw and seconded by Councilmember Zadourian to waive the second reading and approve Ordinance No. 2004-01, "An Ordinance of the City Council of the City of Fowler Amending the Municipal Code as it Relates to Local Sales and Use Tax." The motion carried on a 3-0-2 roll call vote.

**D. POLICE REPORT**

Police Chief Jamgochian reported that in January 2004 the Police Department handled 10 assaults, 12 thefts, 2 stolen vehicles, and issued 39 citations. A radar survey has been completed and the results will be brought before the Council at a future meeting. Chief Jamgochian also reported that the Police Department is now handling code enforcement duties such as weed abatement and checking to make sure that businesses are adhering to their Conditional Use Permits. The Fire Department had a total of 34 calls in January; 1 fire call, 1 Hazmat call, 22 medical calls, 1 motor vehicle accident and 9 other calls.

## **CITY ATTORNEY'S REPORT**

City Attorney Wolfe reported that he will be attending the League of California Cities City Attorney's Conference in San Diego and will report back on any new information that he receives.

## **CONSENT CALENDAR**

The consent calendar consisted of: A) Ratification of Warrants - May 4, 2004; B) Approve Minutes of the City Council Meeting - April 20, 2004; C) Approve Successor AB 939 Memorandum of Understanding between Fresno County and the 15 Cities; and D) Adoption of Resolution No. 1954, a Resolution of the City Council of the City of Fowler Authorizing and Providing for the Incurrence of Indebtedness for the Purpose of Providing a Portion of the Cost of Constructing Two Municipal Water Wells and Extending its Water Distribution Pipelines to Serve an Area Lawfully Within its Jurisdiction to Serve." Mayor Pro-Tem Shaw made a motion, seconded by Councilmember Zadourian, to approve the consent calendar. The motion carried on a 3-0-2 roll call vote.

## **COMMITTEE REPORTS**

Mayor Simonian reported that he attended the Central California Mayors Conference. It was discussed that 2005 will be a very rough budget year for cities. He also stated that Fresno Mayor Alan Autry has been talking about forming a group of the central San Joaquin Valley cities to collectively represent themselves in Sacramento, since all of the cities are grappling with the same issues. He commented that one of the guest speakers, Richard Lehman, said that in the past, most of the industry, banking and trade businesses who chose Los Angeles and San Francisco as their business location are now becoming more interested in the Valley. As a result, the Valley cities are growing. The League's November ballot measure was also discussed.

## **ADJOURNMENT**

Having no further business, Mayor Pro-Tem Shaw made a motion, seconded by Councilmember Zadourian, to adjourn. The motion carried unanimously and the meeting was adjourned at 8:28 p. m.