

**MINUTES OF THE FOWLER CITY COUNCIL
AND FOWLER REDEVELOPMENT AGENCY
JOINT MEETING
MARCH 1, 2005**

Mayor/Chairman Simonian called the meeting to order in the Council Chambers at 7:00 p. m.

Councilmembers/Directors present: Simonian, Shaw, Cardenas, Aguayo, Nagata

City/Agency Staff present: City Manager/Executive Director Elias, City Clerk/Secretary Davis, Finance Director/Treasurer Wong, Police Chief Jamgochian, Community Development Director Deaver, Senior/Recreation Director Monis, City Attorney Wolfe

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

PRESENTATION BY PROTEUS INC. - MENTORING CHILDREN OF PRISONERS PROGRAM

Sofia Segura, of Proteus, Inc., presented information regarding the Mentoring Children of Prisoners Program. The program calls for recruiting 187 volunteer mentors and matching them up with 187 children in the Fresno County area who have incarcerated parents. She said that children of incarcerated parents are more than likely to continue in the prison cycle, and the program will help these children to break the cycle. The program is funded by a three year grant. She noted that there are 12 children residing within the Fowler area that have incarcerated parents, and they hope to recruit volunteer mentors from Fowler to work with these children. She explained the criteria for becoming a mentor. The program requires a commitment of at least one hour per week for one year.

REDEVELOPMENT AGENCY

PRESENTATION BY ROGER ANTHONY REGARDING PLANS TO DEVELOP 42 ACRES NEAR TEMPERANCE AVENUE AND HIGHWAY 99

Developer Roger Anthony circulated information regarding developing 42 acres into a business park. He introduced Fowler resident Christopher Collins to the Board. Mr. Collins owns 7.5 acres in the area, located near Temperance Avenue and Highway 99, where he plans to relocate his existing trucking business. Executive Director Elias explained that Mr. Collins is willing to donate one acre of his property to the City for street improvements, if needed. Mr. Anthony said that he is seeking approval and financial support for this venture, since it proposes to bring tax revenue and jobs to the City. The area for the proposed business park extends from Temperance Avenue and

Golden State Boulevard to behind the Texaco Truck Stop on Manning Avenue. He gave some background information about the area and showed a map of proposed street improvements. Possible financing mechanisms were discussed. Redevelopment tax increment funds were mentioned as a possible source. Community Development Director Deaver said that the City could apply for Community Development Block Grant (CDBG) funds on the basis of job creation, which would be approximately \$35,000 per job created. A CDBG Over-the-Counter grant or infrastructure grant for up to \$2,000,000 may be feasible.

Executive Director Elias stated that if the Board wished, staff would look into the various funding options and obtain engineer's estimates for improvements. He suggested holding a study session to discuss proposed projects for the Redevelopment Project Area to determine whether funds might be available for Mr. Anthony's project. The consensus of the Board was to move forward in investigating the project.

APPROVAL OF MINUTES OF THE REDEVELOPMENT AGENCY MEETING - OCTOBER 19, 2004

Director Cardenas made a motion to approve the Minutes of the October 19, 2004 Redevelopment Agency Meeting, seconded by Vice-Chairman Shaw. The motion carried on a 3-0-2 roll call vote, with Directors Aguayo and Nagata abstaining.

COMMUNICATIONS

City Manager Elias mentioned the upcoming Chamber of Commerce Mixer and Favorito's Restaurant Ribbon Cutting Ceremony on March 15, 2005. He said that the upcoming South San Joaquin Division of the League of California Cities Executive Board Meeting would be held on March 9, 2005. The date of March 10, 2005 would be the next meeting of the Upper Kings River Water Forum in Fresno. He mentioned the Briefing on Economic Development and Redevelopment in Monterey on March 24, 2005.

City Clerk Davis reminded everyone about turning in their FPPC forms as they are due by April 1, 2005.

STAFF REPORTS

A) CONSIDER ADOPTION OF RESOLUTION NO. 2005-1997

City Manager Elias said that as discussed at the special meeting session held earlier, the matter of formally approving an MOU with Kings River Conservation District (KRCD) was before them. Mr. Randy McFarland, a representative of KRCD, was present to answer questions. Mr. Elias conveyed that the main concern was that only four cities have approved the MOU and that \$20,000 is a large sum for the City of Fowler to contribute. He told Mr. McFarland that the Council is in support of the program, but they

want to be sure that all cities are participating. Mr. McFarland stated that six cities have now approved the MOU and three more have stated that they will approve it.

A motion was made by Councilmember Aguayo to continue the matter to the March 15, 2005 meeting, seconded by Mayor Pro-Tem Shaw. The motion carried on a 5-0-0 roll call vote.

B) DISCUSSION ON APPOINTING AN INDIVIDUAL TO SERVE ON THE BOARD OF THE CONSOLIDATED MOSQUITO ABATEMENT DISTRICT (CMAD)

Mayor Simonian reported that Councilmember Nagata had offered to serve on the CMAD Board to fill the unexpired term of Marcia Dennis, if another Councilmember would take his position on the Five Cities Economic Development Authority Board. Councilmember Aguayo offered to serve on the Five Cities Board. Councilmember Cardenas made a motion to appoint Councilmember Nagata to the CMAD Board. The motion was seconded by Mayor Pro-Tem Shaw, and carried on a 5-0-0 roll call vote.

C) DISCUSSION REGARDING THE CITY'S PARTICIPATION IN FUNDING THE FOWLER CHAMBER'S 4TH OF JULY CELEBRATION.

City Manager Elias stated that the Fowler Chamber of Commerce had asked the City to take over their annual Fourth of July celebration as it had become increasingly difficult for them to afford the cost of the fireworks. He suggested that the City instead participate by funding the cost of the fireworks. This would allow the Chamber to continue to raise revenue through their concession booths. City Manager Elias also suggested that there be no gate charge if the City purchases the fireworks.

Fowler resident Kelly Crutchfield, who is in charge of the fireworks display at Fowler High School, said that he currently has a contract on hold with Fireworks of America. A decision must be reached soon since they only allot 30 fireworks contracts. He explained options for payment, noting that the company may provide a discount if the City paid for the fireworks in advance. He estimated that \$12,000 would provide funding for a show comparable to those in the past, and \$15,000 would provide a show of about 10 minutes longer in duration.

Councilmember Cardenas made a motion to approve the City's participation in funding the fireworks for the Fowler Chamber's 4th of July Celebration, up to \$15,000. The motion was seconded by Mayor Pro-Tem Shaw, and carried on a 5-0-0 roll call vote.

D) CITY MANAGER'S REPORT

There was no report given.

E) COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Community Development Director Deaver circulated a report on current building activity. City Manager Elias reported on the status of refurbishing the Fowler sign.

F) FINANCE DEPARTMENT REPORT

There was no report given.

G) POLICE AND FIRE DEPARTMENT REPORT

There was no report given.

CITY ATTORNEY'S REPORT

There was no City Attorney's report given.

CONSENT CALENDAR

The consent calendar consisted of: A) Ratification of Warrants - March 1, 2005; B) Approve Minutes of the City Council Meeting - February 15, 2005. Mayor Pro-Tem Shaw made a motion to approve the Consent Calendar, seconded by Councilmember Cardenas. The motion carried on a 5-0-0 roll-call vote.

COMMITTEE REPORTS

City Attorney Wolfe stated that because there is an existing Memorandum of Understanding with the Five Cities Economic Development Authority, the appointment of Councilmember Aguayo should be added to the next agenda for approval. Mayor Simonian asked the City Clerk to also place an item on the next agenda for Councilmember Aguayo to report on his recent trip to Washington, D. C.

CLOSED SESSION

The meeting was adjourned to a closed session at 9:07 p. m. to discuss three separate items as noted by City Attorney Wolfe:

Fowler Redevelopment Agency: Pursuant to Government Code (GC) Section 54956.8 Conference with Real Property Negotiators: Property: Located near Golden State Blvd. between South and Temperance Avenues, A.P.N. #345-110-775, Agency Negotiators: David Elias, Randy Deaver, Negotiating Parties: Ronald and Nancy Carlston, Under Negotiation: Price and terms of payment.

City Council:

Pursuant to GC Section 54957 - Public Employee Performance Evaluation - Title: City Manager.

Pursuant to GC Section 54956.9(b) Conference With Legal Counsel - Anticipated Litigation, Significant Exposure to Litigation, *1 case - Consideration of a claim for damages received on 2/11/05, Claimant: John T. Moreno.

Prior to the third closed session item, pursuant to GC 54956.9(b), the Council adjourned into open session at 9:40 p.m. so that Councilmember Nagata could disclose a common law conflict of interest due to a longtime relationship with the claimant. Council member Nagata noted that he has not and will not participate in this matter for that reason, and Council member Nagata left the meeting. The Council then reconvened to closed session to discuss item number 3. The meeting reconvened to open session at 10:05 p. m. with no reportable action taken.

ADJOURNMENT

Councilmember/Director Cardenas made a motion to adjourn, seconded by Mayor Pro-Tem/Vice-Chairman Shaw. The motion carried and the meeting adjourned at 10:06 p. m.