

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
JANUARY 3, 2006**

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

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

City staff present: City Manager Elias, City Clerk Davis, Police Chief Jamgochian,
Community Development Director Deaver, Senior/Recreation
Director Monis, Planning Consultant O'Neal, City Attorney Wolfe

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

PUBLIC HEARING:

CONSIDER AND APPROVE FIRST READING OF ORDINANCE NO. 2006-01

Planning Consultant O'Neal stated that a rezoning amendment for a vacant lot at 411 S. 7th Street had recently been approved by the Planning Commission, who recommended Council approval of an ordinance amending the City's Zone Map. The property is currently surrounded by single family homes zoned R-1-6, and some industrial property. The applicant, Middleton Financial, Inc., had requested a rezone of the property to the R-2-A District to allow a duplex project.

Roger Smith of Fresno, a representative of the project, showed the Council drawings of the proposed duplex. Mr. Smith assured the Council that he would have one of the duplex owners or property managers attend the next Council meeting, when the second reading of the ordinance would take place, to answer some of the other questions they had.

Mayor Simonian opened the duly noticed public hearing on the matter at 7:13 p. m. There were no public comments and the hearing was closed at 7:13 p. m.

After a discussion, Councilmember Aguayo made a motion to waive the first reading and approve Ordinance No. 2006-01, "An Ordinance of the City Council of the City of Fowler Amending the Official Zone Map: Zoning Amendment No. 05-03 (411 S. 7th Street, Middleton Financial, Inc.)." The motion was seconded by Councilmember Nagata and carried on a 5-0-0 roll call vote.

COMMUNICATIONS

City Manager Elias stated that due to some changes with Public Utilities Commission requirements, the Kings River Conservation District had requested a meeting with staff and the Mayor to discuss the proposed Community Choice Aggregation matter.

STAFF REPORTS

A) CITY MANAGER'S REPORT

City Manager Elias reported on City staff's efforts to prevent severe flooding during the recent heavy rainstorms in the San Joaquin Valley. The staff provided sandbags and assisted residents with placing them around their homes.

B) COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Community Development Director Deaver introduced businessman Doug Cockrell, whose lease agreement for office space in the old Fowler Hospital building was on the Consent Calendar. Mr. Cockrell stated that his company designs and engineers dry utilities, such as gas and electricity, for construction projects.

C) FINANCE DIRECTORS REPORT

No report was given.

D) POLICE AND FIRE DEPARTMENT REPORT

Police Chief Jamgochian reported on a recent ABC decoy operation at local restaurants and liquor stores. Two citations were issued for selling alcohol to a minor. Also, during the month of December, Fresno and Madera Counties had special units looking for DUI drivers in local communities. The Fowler Police Department issued 12 citations for DUI drivers during the special detail.

CITY ATTORNEY'S REPORT

City Attorney Wolfe said that the Attorney General's office has determined that Brown Act agenda posting requirements could be met by a touch screen electronic kiosk. Also, he reported that building permit and plan review fees are not subject to protest and hearing requirements as are fees based on impacts to city services, such as development fees.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - January 3, 2006; and B) Approve Minutes of the City Council Meeting December 6, 2005; C) Adoption of Resolution No. 2025, "A Resolution of the City Council of the City of Fowler Increasing Existing Development Fees Authorized by Ordinance No. 2000-06"; D) Approve lease agreement for office space (in the old Fowler Hospital building) between the City of Fowler and Doug Cockrell; and E) Approve and authorize City Manager to sign Program Supplement Agreement No. 006-M1 to Administering Agency-State Agreement No. 06-5173 (Merced St. Sidewalk

Improvements). Councilmember Aguayo made a motion to approve the Consent Calendar, seconded by Mayor Pro-Tem Shaw. The motion carried on a 5-0-0 roll-call vote.

COMMITTEE REPORTS

Upon the recommendation of Mayor Simonian, Councilmember Aguayo made a motion to reappoint Sandie Monis and Astine Zadourian to another term on the Planning Commission. The motion carried on a 5-0-0 roll call vote.

Mayor Pro-Tem Shaw expressed gratitude to the City Manager and Public Works/Public Safety staff for working long hours under difficult conditions during the recent rainstorm.

Councilmember Aguayo attended a Recreation Commission meeting and assisted with some Christmas events. He also attended a Planning Commission meeting.

Councilmember Cardenas attended an S. K. F. meeting, noting that he would be attending the upcoming annual CASA Conference.

ADJOURNMENT

Having no further business, Councilmember Cardenas made a motion to adjourn, seconded by Councilmember Aguayo. The meeting adjourned at 8:10 p.m.