

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
JUNE 20, 2006**

Mayor Simonian called the meeting to order in the Council Chambers at 7:12 p.m.

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

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

Chief Jamgochian led the Flag Salute and the Pledge of Allegiance. Mayor Pro-Tem Shaw gave the invocation.

ADJOURN TO REDEVELOPMENT AGENCY MEETING

Mayor Simonian adjourned the meeting to the Fowler Redevelopment Agency Meeting at 7:14 p.m. The meeting reconvened at 7:58 p.m. There were no public presentations.

PUBLIC HEARING:

ADOPTION OF RESOLUTION NO. 2048

City Manager Elias stated that Resolution No. 2048 was for the adoption of the annual levy for the Landscape Storm Drainage Facilities Maintenance District.

Mayor Simonian opened the duly noticed public hearing on the matter at 8:00 p.m. There were no comments and the hearing was closed at 8:00 p.m. Councilmember Aguayo made a motion to adopt Resolution No. 2048, "A Resolution of the City Council of the City of Fowler Confirming Diagram and Assessment Annual Levy 2006-2007 Landscaping and Storm Drainage Facilities Maintenance District No. 1" The motion carried on a 5-0-0 roll call vote.

COMMUNICATIONS

City Manager Elias stated that City of Sanger was hosting a Mayor's roundtable luncheon on Thursday, June 29, 2006. The Council received an invitation to the grand opening of City of Selma's skate park on Saturday, June 24, 2006. He also mentioned an invitation to a swearing in ceremony for the new Fowler Postmaster on June 30, 2006.

STAFF REPORTS

A) PRESENTATION OF 2ND ANNUAL GROWTH MANAGEMENT REPORT

Planning Consultant O'Neal presented the 2nd Annual Growth Management Report to the Council. The report details the total number of housing permits finalized in the previous year and those anticipated for the following year. In 2004 and 2005, there was a total of 195 single family residential, one duplex and and six multi-family building permits issued. Most of these were for projects that were not yet subject to the City's growth management policy. He said that it must be kept in mind that even though a certain amount of permits have been issued in a given year, far fewer are actually "finalled" in the same period. The actual number of finalled permits have been about 37 per year for the past six years on average. Currently there are four active subdivision maps in the City subject to the growth management policy. Mr. O'Neal showed a table of projected units from each of the maps along with time lines for construction, with approximately 40 homes or less projected to be built over the next five years.

Mr. O'Neal added that the report included actual and projected enrollment for the Fowler Unified School District. He said that the District wants to have a modest increase in enrollment, but have expressed that it should be kept at a level that does not cause adverse impacts. The Council's careful monitoring of the growth and making adjustments would be key, and at the beginning of the new school year in September 2006, estimated enrollment numbers could be verified.

The Council reviewed the report, noting that the averages over the past several years conformed to the growth policy, and that the housing market was already on the decline. Assistant School District Superintendent Eric Cederquist spoke on the school enrollment figures, and said he would provide more information at the beginning of the new school year in September.

B) ADOPTION OF RESOLUTION NO. 2049

City Manager Elias stated that as discussed at the prior meeting, a resolution had been prepared to provide for Planning Commissioner's to receive a \$25 stipend per meeting attended, effective July 1, 2006.

Councilmember Nagata made a motion, seconded by Councilmember Aguayo, to adopt Resolution No. 2049, "A Resolution of the City Council of the City of Fowler Approving a Stipend for the Attendance of Planning Commissioners at Planning Commission Meetings." The motion carried on a 5-0-0 roll call vote.

C) DISCUSSION REGARDING NON-CONFORMING DRIVEWAY APPROACH

City Manager Elias said that with recent improvements along Merced Street next to R & R Auto Repair, a street light had been relocated to the alley so customers would not run into the pole. The strip where the street light would have been located was on a 4 foot section of curb and gutter which lines up to two separate repair bays on the property. Staff had been asked to change the configuration of the driveway approach to use this section to allow one continuous driveway approach in excess of 60 feet, which does not conform to City standards. The City had already allowed the property owner to have a

driveway approach at the side of the property next to 9th Street, which was required to be paved. The paving had not yet been done.

After a brief discussion, the consensus of the Council was that the City had already done it's part to work with the owner and no other action was necessary.

D) APPROVE EXECUTING MEMORANDUM OF UNDERSTANDING FOR THE FRESNO COUNTY WATER MANAGEMENT GROUP

City Manager Elias stated that the City received a letter from County Supervisor Phil Larsen asking for the City to join and approve a Memorandum of Understanding for the Fresno County Water Management Group, who want to address regional water issues. He said that the MOU has no binding legal effects or monetary requirements, and basically created another of several existing focus groups to work on managing water resources.

After a discussion, Councilmember Aguayo made a motion to approve executing a memorandum of understanding for the Fresno County Water Management Group. The motion was seconded by Councilmember Nagata, and carried on a 5-0-0 roll call vote.

E) DISCUSSION ON UTILITY USERS TAX

City Manager Elias stated that from prior discussion, the Council had wanted to move forward with placing the utility users tax and an advisory measure on the ballot at the November 7, 2006 election. City Attorney Wolfe explained that the Council needed to determine how long the tax should be extended, whether it should remain a general tax, and what the advisory measure language should be. The Council discussed the matter. City Manager Elias noted that to be able to provide for needs of the community, such as a new fire and police station, it would take approximately 12 years of funding from the tax. After a discussion, the consensus was to bring back a draft extension ordinance, and for City Attorney Wolfe to work with staff on the language for an advisory measure, asking whether the funds should be used for both public safety and parks and recreation facilities.

F) CITY MANAGER'S REPORT

◆ Consider Participation in Fresno County's Enterprise Zone Application

City Manager Elias said that he attended a meeting regarding local city participation in Fresno County's proposed Enterprise Zone application. Fresno County was attempting to expedite the process into a 90 day time frame. However, a representative from the State had noted that the process takes at least one to two years, so the accelerated time frame may not be possible. The cost of using a consultant for the process would be approximately \$150,000, of which the County would pay half, with the remaining cost to be prorated among the cities based on population. He said that Fowler's share for the consultant would be \$2,220, however, the probability of retaining a consultant willing to

prepare the application in the short time frame was uncertain. The process would also involve a great amount of staff time.

After a discussion, the consensus of the Council was not to take action on approving participation in the process.

G) COMMUNITY DEVELOPMENT DIRECTORS REPORT

Community Development Director Deaver reported that the Merced Street improvements were almost finished, and the lights for the new Starbucks highway sign was in working order. The Union 76 station had submitted their expansion plans.

H) FINANCE DEPARTMENT REPORT

Finance Director Wong gave a brief financial summary for the fiscal year through May 2006. The General Fund revenues were at 106 percent and the expenditures were at 88 percent. He said that the draft budget for 2006-2007 would be distributed at the end of the week.

I) POLICE AND FIRE DEPARTMENT REPORT

Police Chief Jamgochian stated that he provided the statistical report for the Police and Fire Departments in the agenda packet. A new full-time police officer, Jeff Noble, had been hired.

CITY ATTORNEY'S REPORT

No report was given.

CONSIDER APPROVAL OF REVISED CITY MANAGER SALARY SCHEDULE AND PLACEMENT OF THE CURRENT CITY MANAGER ON THE REVISED SCHEDULE

The Council discussed adopting a new City Manager salary scale that was comparable to the City Manager salary scales of the surrounding cities. Councilmember Nagata made a motion to approve the revised salary schedule for the City Manager. The motion was seconded by Councilmember Cardenas, and carried on a 5-0-0 roll call vote.

Mayor Pro-Tem Shaw made a motion to place City Manager David Elias on Step E of the new salary scale, which is the step he is currently on, effective July 1, 2006. The motion was seconded by Councilmember Cardenas, and carried on a 3-2-0 roll call vote as follows: Ayes: Simonian, Shaw and Cardenas; Noes: Aguayo and Nagata; Absent: None.

CONSIDER APPROVAL OF CITY MANAGER SUPPLEMENTAL AGREEMENT

Mayor Pro-Tem Shaw made a motion to approve a City Manager Supplemental Agreement. The motion was seconded by Councilmember Cardenas and carried on a 4-1-0 roll call vote as follows: Ayes: Simonian, Shaw, Aguayo, and Cardenas; Noes: Nagata; Absent: None.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - June 20, 2006; B) Approve Minutes of the City Council Meeting - June 6, 2006; C) Resolution No. 2050, "A Resolution of the City Council of the City of Fowler Submitting Claims for Local Transportation Funds for the 2006-2007 Fiscal Year"; D) Adoption of Resolution No. 2051, "A Resolution of the City Council of the City of Fowler, County of Fresno, State of California in Support of Criminal Street Gang Awareness and Suppression Efforts"; E) Adoption of Resolution No. 2052, "A Resolution of the City Council of the City of Fowler Concerning Local Transportation Purpose Funds (Measure "C")"; and F) Adoption of Resolution No. 2053, "A Resolution of the City Council of the City of Fowler Granting the City Manager Budgetary Authority to Continue City Operations Pending Budget Adoption for Fiscal Year 2006/2007." Councilmember Aguayo 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

Councilmember Aguayo attended a Recreation Commission meeting where they planned for an end of the Summer Swim Program pool party. He announced that the grand opening for Starbucks would be Thursday, June 29, 2006 and a "Friends and Family" event would take place from 3:00 to 7:00 p. m. on Wednesday, June 28, 2006.

Councilmember Cardenas attended a Consolidated Mosquito Abatement Board meeting. He attended an S. K. F. meeting where the board declined approval of a proposed fee increase.

ADJOURNMENT

Having no further business, Councilmember Aguayo made a motion to adjourn, seconded by Councilmember Nagata. The motion carried by unanimous consent and the meeting adjourned at 9:33 p. m.