

**MINUTES OF THE FOWLER CITY COUNCIL MEETING  
AUGUST 15, 2006**

Mayor Simonian called the meeting to order in the Council Chambers at 7:02 p.m.

Council members 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, City Attorney Wolfe, Building Official Navarrette

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

**PRESENTATIONS**

Councilmember Aguayo introduced Bernard Jimenez, who is a director for the Fowler Youth Football League. Mr. Jimenez spoke about the program, which serves approximately 100 children from the Fowler/Malaga area. He said that the population growth had created an influx of youth participating in the program, and they were asking for the community's support in their fund raising efforts.

**PRESENTATION REGARDING EMERGENCY WARNING SYSTEM**

City Manager Elias announced that the presentation from Connect-CTY regarding an emergency warning system would be rescheduled for a future agenda.

**DISCUSSION ON FUTURE SITES FOR A NEW FOWLER LIBRARY**

Karen Bosch Cobb, of the Fresno County Public Library, gave a presentation on their efforts to plan for a new Fowler Library. She said that the new library was one of their five priority projects. Ms. Cobb stated that even though they had not been successful in obtaining state funding and Proposition 81 failed to pass at the June election, they were continuing forward with plans. A 37,000 square foot lot has been purchased on 7th Street, and the schematic site design for the 8,300 square foot building was complete.

Ms. Bosch Cobb said that the new library would include facilities such as a computer lab and a community meeting room. She showed the floor plan and a rendering of the building design that reflected elements of a train station, pursuant to Fowler's history and it's location near the railroad tracks. They have made an extra effort to work on a design that will keep the noise and vibration level down. She reported on the funding situation, stating that there was \$805,000 in the budget from last year, and the Board of Supervisors approved another \$850,000 this year. They plan to continue to add \$850,00 each succeeding budget year until there is enough funding. The cost for the entire project was estimated to be approximately \$4.7 million. The County is also looking at adopting impact fees and propose to use \$500,000 from the fees for this project. Local fundraising efforts have provided several thousand dollars in assistance. All of the

required CEQA studies have been completed, and Ms. Bosch Cobb said that a very optimistic completion date may be as early as December 2008.

Mayor Simonian adjourned the meeting to the Fowler Redevelopment Agency meeting at 7:35 p.m. The meeting was reconvened to the City Council Meeting at 7:50 p. m.

## **COMMUNICATIONS**

Mayor Simonian read a letter from a local resident commending Building Official David Navarrette for his helpful assistance. He also mentioned compliments he had received regarding the services of the Fowler Police Department.

City Clerk Davis announced that for the November 7, 2006 election, the Advisory Measure for the Utility Users Tax has been designated as “Measure F” and the Utility Users Tax measure is designated as “Measure G.”

## **STAFF REPORTS**

### **A) APPROVE SECOND READING OF ORDINANCE NO. 2006-05**

City Manager Elias recommended approval of the second reading of an ordinance amending the City’s current contract with CalPERS to provide enhanced retirement benefits to the employees. As required, there was an employee election held which resulted in unanimous support of the new contract. Councilmember Cardenas made a motion to waive the second reading and approve Ordinance No. 2006-05, “An Ordinance of the City Council of the City of Fowler Authorizing an Amendment to the Contract Between the City Council of the City of Fowler and the California Public Employees’ Retirement System.” The motion was seconded by Councilmember Aguayo, and carried on a 5-0-0 roll call vote.

### **B) CITY MANAGERS REPORT**

City Manager Elias circulated a list of grants that California Consulting has been working on for the City of Fowler. He also mentioned dates that Consultant Cindy Merzon would be available to present a follow-up session for visioning and goal setting.

### **C) COMMUNITY DEVELOPMENT DIRECTOR’S REPORT**

Community Development Director Deaver reported on the status of the application process for the Fresno County Enterprise Zone (EZ). He explained that the process required providing a letter of commitment for a percentage of designated staff time and resources for the EZ. It had been determined that approximately 10 percent of his time, a secretary’s time, and office equipment use, would be committed to the program. He introduced Consultant Jason Bezis of Faust & Associates, who was coordinating the application process with Fresno County and the participating cities. Mr. Bezis said that the application would be due in Sacramento on September 6, 2006. Also for the Council’s approval was a Memorandum of Understanding (MOU) between all of the cities and agencies involved. City Attorney Wolfe stated that the

MOU basically clarified the relationship between the different agencies and what they would be required to do.

Councilmember Aguayo made a motion to Adopt Resolution No. 2066 “A Resolution of the City Council of the City of Fowler Authorizing Application to State of California for Fresno County Enterprise Zone,” seconded by Councilmember Nagata. The motion carried by a 5-0-0 roll call vote.

Mayor Pro-Tem Shaw made a motion for approval of the MOU for Multi-Agency Cooperation in the Implementation, Management and Marketing of the Fresno County Enterprise Zone, seconded by Councilmember Cardenas. The motion carried on a 5-0-0 roll call vote.

City Attorney Wolfe explained that the commitment letter identifying the financial resources to be used for the EZ also needed Council approval. Since the blank spaces in the draft letter in the agenda packet would be completed after Council approval, he affirmed that the commitment would call for: 10 percent of Community Development Director Deaver’s time, 10 percent of a secretary’s time, 10 percent of the office equipment use, 100 percent of Economic Development Corporation dues and Five Cities Economic Development Authority dues, and costs for subscriptions to applicable trade shows and publications.

Councilmember Aguayo made a motion to approve authorizing the Letter of Commitment for the Enterprise Zone, to incorporate the City Attorney’s and Community Development Director’s report. The motion was seconded by Councilmember Cardenas and carried by a 5-0-0 roll call vote.

Community Development Director Deaver also circulated a letter he received from S. K. F. Sanitation District regarding bottlenecks and limits to sewer capacity at their plant. He contacted General Manager David Michel to ask if the capacity allowance was proportionate to the size and growth of each of the cities, and if another city grew at a faster rate, whether or not they could use up the capacity Fowler may need for future projects. He and City Manager Elias plan to attend a meeting with S. K. F. and bring back information for a future agenda.

#### **D) POLICE AND FIRE DEPARTMENT REPORT**

Chief Jamgochian reported that a suspect in a recent bank robbery was in custody in Kings County. Two suspects were arrested in relation to a recent home invasion. He gave an update on a string of vehicle burglaries/theft in the City. He mentioned that there had been extensive improvements made to the fire patrol truck. He reported that the Police Department was still in the early stages of updating the City’s Emergency Plan.

#### **CITY ATTORNEY’S REPORT**

City Attorney Wolfe reported on a case that determined that a city can plant trees for beautification efforts, even if they grow so large that they interfere with the visibility of billboards.

#### **CONSENT CALENDAR**

The Consent Calendar consisted of: Ratification of Warrants - August 15, 2006; B) Approve Minutes of the City Council Meeting - July 18, 2006; and Fowler City Council, Fowler Redevelopment Agency and Fowler Public Financing Authority Special Joint Meeting - July 11, 2006; C) Adoption of Resolution No. 2065, "A Resolution of the City Council of the City of Fowler, County of Fresno, State of California, Approving the Applicant to Apply for Grant Funds with the California Integrated Waste Management Board for Recycled Content Waste Tire Products"; D) Approval of Biennial notice that no amendments are necessary to the conflict-of-interest code for: City of Fowler, Fowler Public Financing Authority, and Fowler Redevelopment Agency, as required by the Political Reform Act; and E) Adoption of Resolution No. 2058, "A Resolution of the City Council of the City of Fowler of Authorization to Contract." 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**

Councilmember Aguayo reported on a COG meeting where he was appointed to serve on the Valley Blueprint Regional Advisory Committee.

Mayor Pro-Tem Shaw reported on pending legislation discussed at a recent League of California Cities Mayors and Councilmembers Conference. Mayor Simonian also reported on the workshops he attended at the conference, where new laws pertaining to requirements for public officials to attend an ethics class were discussed. City Attorney Wolfe said that he would be conducting a future workshop on ethics.

Councilmember Cardenas also reported on the League Conference. He attended the Annual CASA Conference related to sanitation district matters.

Councilmember Aguayo met with Mayor Simonian, City Manager Elias and representatives from the Fresno County Library to discuss the Fowler Library project. He attended a Recreation Commission Meeting where they planned their "End of Summer Bash" in Panzak Park.

### **ADJOURNMENT**

Having no further business, Councilmember Aguayo made a motion to adjourn, seconded by Councilmember Cardenas. The motion carried and the meeting was adjourned at 8:47 p. m.