

**MINUTES OF THE FOWLER CITY COUNCIL SPECIAL MEETING  
MARCH 7, 2006**

Mayor Simonian called the meeting to order in the Council Chambers at 5:00 p.m.

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

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

**WORKSHOP:**

**REVIEW OF CITY MANAGER ORDINANCE - CITY MANAGER/COUNCIL RELATIONS - CITY MANAGER/COUNCIL ROLES WITH SUBORDINATE EMPLOYEES**

City Attorney Wolfe gave a presentation to review the City Manager ordinance, City Manager/City Council and City Council/subordinate employee relations. He said that the Council legislates policy and the City Manager is in charge of the day-to-day operations of the City. The City Manager directs the work of Department Heads, although they are appointed or removed by action of the City Council. The City Manager is responsible for enforcement of ordinances, franchises and permits, and is responsible for the preparation and administration of the annual budget. The City Manager has control over personal and real property, is the purchasing officer, and is the compliant officer who investigates complaints regarding administration of city government.

Mr. Wolfe explained that the City Manager ordinance provides that, except for matters of general inquiry, the Council is required to address the day-to-day operations of the City through the City Manager, and shall not give orders to any subordinates of the City Manager. The City Manager takes his orders only through official action of the Council in a duly convened meeting of the Council.

City Attorney Wolfe noted that the free speech rights of a Councilmember cannot be hampered. He said that though nothing prohibits a Councilmember from being an advocate for a constituent, he discussed some hypothetical situations to help explain legal and ethical issues related to doing so. The Council discussed the City Manager ordinance, including changing the stated time periods for the review of the City Manager's performance and the operating goals and objectives of the City.

**ADJOURNMENT**

Having no further business, Councilmember Cardenas made a motion to adjourn, seconded by Councilmember Aguayo. The motion carried by unanimous consent and the meeting adjourned at 6:53 p. m.