

**MINUTES OF THE FOWLER CITY COUNCIL  
SPECIAL MEETING  
MAY 17, 2006**

Mayor Simonian called the meeting to order in the Council Chambers at 7:30 p.m.

Council members present: Simonian, Shaw, Aguayo, Cardenas, & Nagata

City staff present: City Manager Elias, Finance Director Wong, Community Development Director Deaver, Police Chief Jamgochian, City Attorney Wolfe, City Engineer Giersch, Administrative Assistant Mukai

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

**COMMUNICATIONS**

City Manager Elias announced that the Mayor's Breakfast would be held the following Thursday, May 25th, at 6:45 a.m. at Favorito's Social Hall.

**STAFF REPORTS**

**A) ADOPTION OF RESOLUTION NO. 2046**

Mayor Pro-Tem Shaw announced that he had a conflict of interest related to Final Tract Map No. 5090, the Del Valle Homes subdivision, and left the Council Chamber. Community Development Director Deaver gave a brief background of the residential subdivision project. The original project had been submitted by Mission Homes, and had since been purchased by Del Valle Homes. He circulated drawings of the exterior elevations and floor plans for the homes.

Questions were asked about masonry walls and landscaping for the project. Community Development Director Deaver stated that the City does have requirements for block walls, and introduced applicant Sal Gonzales of Del Valle homes to speak further on the matter. Mr. Gonzales stated that they would be working with the City's planner on installing a nice block wall, and they have an approved design plan that addresses the landscaping along the exterior of the subdivision.

City Engineer Giersch noted that in Fowler, all subdivisions are required to have masonry walls and landscaping along major collector streets and expressways. The walls serve as a safety and sound barrier. He added that they have been working with the developer on these plans.

After the discussion, Councilmember Cardenas made a motion to adopt Resolution No. 2046, "A Resolution of the City Council of the City of Fowler, Approving Final Tract Map No. 5090, and Subdivision Agreement and Accepting Street Dedication and Easements." The motion was

seconded by Councilmember Aguayo and carried on a 4-0-1 roll call vote, with Mayor Pro-Tem Shaw absent (recused) due to a conflict of interest.

## **B) CITY MANAGER'S REPORT**

### **◆ Visioning Session**

City Manager Elias stated that the visioning/long range planning sessions with Merzon Consultants would be scheduled within the next month or so. A list of topics and questions had been provided in the agenda packet, should the Council want to make any changes or additions.

### **◆ Utility Users Tax**

City Manager Elias stated that the Utility Users Tax (UUT) would sunset December 31, 2006. He mentioned that the time line was fast approaching to make a decision on whether to place the UUT on the ballot again. Several members of the community have asked if the UUT could be used for both public safety and recreation facilities. A discussion followed. It was noted that as the community continues to grow, it would be important to have funds available to support new recreation facilities. Mayor Pro-Tem Shaw noted that the possibility of having a sports facility on property adjacent to a future school site had been talked about, and he would be willing to meet with the parties involved and report back to the Council. Councilmember Aguayo stated that he would be interested in starting a citizens group to support a UUT ballot measure for future park and recreation facilities.

### **◆ Planning Commission Stipend**

City Manager Elias said that staff had done some research on Planning Commission stipends, as a follow up to an inquiry made at a recent Council/Planning Commission workshop. He stated that if the Council decided to approve a stipend, it could be implemented through an ordinance amendment or a resolution. A survey had been taken from the surrounding cities and only the cities of Sanger (\$25/meeting attended) and Selma (\$50/meeting attended) provide a stipend. A discussion ensued. It was mentioned that a stipend for the Planning Commission might be beneficial, but it should be in a larger amount, and perhaps contingent upon meeting attendance. It was noted that if a stipend of \$100 per month was given to the Planning Commission, it would cost \$6,000 annually, and the City would need to take the additional expense into consideration as part of the budget.

City Attorney Wolfe affirmed that the Council could stipulate certain conditions, such as attendance, for receiving the stipend. It was mentioned that a stipend for the Recreation Commission also be considered.

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

There was no report given.

## **D) FINANCE DEPARTMENT REPORT**

Finance Director Wong gave a brief financial summary for the first 10 months of the fiscal year, stating that at the 83 percent mark, the General Fund was in good shape.

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

Chief Jamgochian reported that in honor of Police Memorial Week the Department held a Peace Officer Memorial Service, followed by cemetery visitations. He announced that the opening of the new Fresno County Juvenile Hall would be held on Friday, May 19, 2006 at 2:00 p.m.

## **CITY ATTORNEY'S REPORT**

City Attorney Wolfe reported that when a city builds a "tot lot," the lot can be restricted to the use of small children. He gave a brief report on the League of California Cities recent Attorney Conference. He noted that pursuant to the new AB 1234 laws, he would be arranging for ethics training and begin working on an expense reimbursement policy.

## **CONSENT CALENDAR**

The consent calendar consisted of: A) Ratification of Warrants - May 17, 2006; B) Approve Minutes of the City Council Special Meeting - May 2, 2006; C) Approval and acceptance of the offsite improvements for Tract No. 5280 and authorize recording the Notice of Completion; D) Approval and Acceptance of the offsite improvements for Tract No. 5041 and authorize recording the Notice of Completion. 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**

Mayor Simonian attended a COG meeting. He attended a meeting held by Fresno Mayor Alan Autry to discuss the recent demotion of Assemblyman Arambula in the State Assembly. Also discussed was how Valley concerns, such as Highway 99 improvements and the Temperance Flat dam, had been left out of the State's bond measure. He reported on the Highway 99 Monument Dedication Ceremony.

Councilmember Aguayo attended a COG visioning session and a Golden State Corridor Committee meeting with CalTrans. He attended a Recreation Commission meeting and announced that the Third Friday events in the park would begin in June. He attended the Fowler Library Committee meeting and reported that the exterior of the library had been painted. He mentioned a recent Fresno Bee article on the Fowler Library and the Library Bond Act. The Fowler Mother's Club will donate \$10,000 to the library if the bond passes. Councilmember Aguayo also attended a San Joaquin Valley Blueprint event in Sacramento and there will be a Fresno County Blueprint kick-off event on June 28, 2006 at the Fresno Convention Center. He mentioned a letter received from the Friant Water Authority asking for the Council's names to be placed in a letter of support for the Temperance Flat dam.

Councilmember Cardenas also attended the meeting with Mayor Autry concerning Assemblyman Arambula. He attended an S.K.F. meeting where they held a public hearing regarding an increase in sewer service charge rates. He explained that after a survey was conducted by Bartels & Wells, S.K.F. was advised to raise their fees by \$.77-\$.99 per month to continue to operate in the black. They have received opposition from citizens in Selma and Kingsburg. Mayor Simonian asked that the topic be included on the next City Council agenda for discussion. Also, as mentioned at the prior meeting, he reported that S.K.F. had agreed to conduct the inspection on the sewer line work on Tuolumne Street. He reported on a recent Consolidated Mosquito Abatement District meeting.

Councilmember Nagata asked for approval to attend the League of California Cities Mayors and Councilmembers Conference in July. City Manager Elias asked that the Council let staff know if they are planning to attend so that travel arrangements can be made.

### **CLOSED SESSION**

The meeting was adjourned to a closed session at 8:50 p. m. to discuss, pursuant to Government Code Section 54957, Public Employee Performance Evaluation - Title: City Manager. The meeting reconvened to open session at 10:10 p. m. with no reportable action taken.

### **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 10:11 p. m.