

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
MAY 1, 2007**

Mayor Simonian called the meeting to order at 7:01 p. m.

Councilmembers present: Simonian, Shaw, Aguayo, Cardenas
Zadourian arrived at 7:07 p. m.

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

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

PUBLIC PRESENTATIONS

Roy Alatorre of Fowler thanked the City for the Recreation Commission's help in the success of the recent Dukes Car Club Show event held in the City.

PUBLIC MEETING - DISCUSSION ON RECREATIONAL VEHICLE (RV) PARKING ORDINANCE

Community Development Director Deaver stated that during a past Council meeting, a discussion on how to handle RV parking violations took place, and the Council asked staff to study the matter and come back with some recommendations. Code Enforcement Officer David Navarrette reported that after checking with other local cities, Fowler's regulations concerning RV parking were very similar to the surrounding cities, and in some cases, not as restrictive.

City Attorney Wolfe said that the staff report summarized information gathered from other cities, and provided some options for further regulation of RV parking. Staff's recommendation was that the City retain the basic 72 hour parking limit unless the RV is parked in a garage or behind a fence, but provide clarifying amendments to further define the parking restrictions.

Fowler residents Joe Pendley, and Al and Francis Cole, spoke of allowing for some flexibility on the parking restrictions, depending on the circumstances. Bob Fitzgerald of Fowler spoke in support of strictly enforcing the City's code.

The Council discussed the City's regulations, and the consensus was to keep the existing regulations, provide clarifying information to avoid ambiguities during the enforcement process, and work with the RV owners.

COMMUNICATIONS

City Manager Elias mentioned an invitation to the groundbreaking ceremony for Highway 180 West,

and the upcoming Mayor's Breakfast on May 24, 2007 at Jocy's restaurant. Councilmember Aguayo announced that the City received a grant from the Tony Hawk foundation in the amount of \$15,000 for construction of a future skate park.

STAFF REPORTS

A) APPROVE ENGINEERING AGREEMENT - 7TH STREET WATER MAIN

City Manager Elias stated that the engineering services agreement for the 7th Street water main, which will extend from Main to Vine Streets, was in conjunction with infrastructure improvements for the new Fowler Library project.

Councilmember Cardenas made a motion, seconded by Councilmember Zadourian, to approve the Special Agreement for Engineering Services for the 7th Street Water Main - Main Street to Vine Street. The motion carried on a 5-0-0 roll call vote.

B) FIRST READING OF ORDINANCE NO. 2007-01

City Attorney Wolfe stated that Ordinance No. 2007-01 would amend the Fowler Municipal Code pertaining to official posting places. City Clerk Davis said that the Code lists three predesignated official posting places as: the post office, City Hall, and the alleyway on Merced Street between 6th and 7th Streets, however, the post office no longer allows posting, and the alleyway is no longer feasible. City Attorney Wolfe explained that the existing ordinance is old and out of date, and could be interpreted to apply to any City notice. He noted that there are a few statutes that require certain notices to be either published or posted at three public places. The ordinance amendment would clarify that the City will post notices according to whatever the law requires for the type of notice, and would change the three posting places to the library, City Hall, and the Senior Center, should a statute require posting at three public places.

Councilmember Aguayo made a motion to waive the first reading and approve Ordinance No. 2007-01, "An Ordinance of the City Council of the City of Fowler Repealing and Replacing Chapter 3, of Title 2, of the Fowler Municipal Code Pertaining to Official Notices." The motion was seconded by Mayor Pro-Tem Shaw, and carried on a 5-0-0 roll call vote.

CITY MANAGER'S REPORT

City Manager Elias stated that the City had a surplus of about 50 old Council Chamber audience chairs leftover from the City Hall remodeling project, and asked for the Council's direction on how to dispose of them. After a discussion, the consensus of the Council was to donate the chairs to another local organization or agency that would be able to use them.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Community Development Director Deaver showed the Council an artist's rendering of the new La Quinta hotel project.

PUBLIC WORKS SUPERVISOR'S REPORT

Public Works Supervisor Weisser circulated pictures of the new sign for L.V. Margaret Cowings Park. The stop signs for the new stop intersections were in the process of being installed.

FINANCE DEPARTMENT REPORT

No report was given.

POLICE AND FIRE REPORT

Police Jamgochian stated that the police and fire statistical reports had been submitted in the agenda packets.

CITY ATTORNEY'S REPORT

No report was given.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - May 1, 2007; B) Approve Minutes of the City Council Meeting - April 17, 2007; C) Adoption of Resolution No. 2084, "A Resolution Before the City Council of the City of Fowler, County of Fresno, State of California in Support of the County of Fresno Fiscal Year 2007/08 Household Hazardous Waste Grant Application" ; D) Adoption of Resolution No. 2085, "A Resolution of the City Council of the City of Fowler Authorizing the County of Fresno to Include the City of Fowler in the Used Oil Grant Application and to Designate Fresno County as the Lead Agency" and E) Adoption of Resolution No. 2086, "A Resolution of the City Council of the City of Fowler Accepting Grant Deed" - for Outlot A of Tract No. 5042 from West Star Construction, Inc. Councilmember Zadourian 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 attended a Golden State Boulevard Corridor meeting, a Chamber mixer, and a Valley Blueprint Committee meeting where the vision for Fresno County was adopted. He was appointed by COG to the Fresno County Transportation Authority Board and COG's Regional Policy Council.

Councilmember Cardenas reported that he met with the consultant group who are working to provide solutions for alleviating S. K. F.'s sewer capacity problems. It has been determined that there are short term solutions to increase the capacity from the current 4.6 million gallons to 6.3 million gallons, but eventually there will need to be a large expansion. At the May 10th meeting S. K. F. will have a discussion on issuing will-serve letters.

CLOSED SESSION

The meeting was adjourned to a closed session at 8:23 p. m. to discuss the following closed session items:

- 1) Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiators - Property: 704 E. Merced Street - Agency Negotiators: David Elias and Randy Deaver - Negotiating party: Nick Champlin - Under Negotiation: Price, terms.
- 2) Pursuant to Government Code Section 54956.9(b) - Conference With Legal Counsel - Anticipated Litigation: Significant Exposure to Litigation: 1 case
- 3) Pursuant to Government Code Section 54957 - Public Employee Appointment/employment: Title: Police Officer (Consideration of Reinstatement from Disability Retirement)

The Mayor asked for public comment on the closed session items. Gabriel Rodriguez, a medically retired police officer, stated that he was present to answer any questions from the Council. There were no questions and the meeting adjourned to the closed session.

The meeting reconvened to open session at 10:12 p. m with no reportable action taken.

CONSIDER ADOPTION OF RESOLUTION NO. 2087

City Attorney Wolfe stated that Resolution No. 2087, “A Resolution of the City Council of the City of Fowler in the Matter of Consideration for Reinstatement Following a CalPers Industrial Disability Retirement” (Alternative A or Alternative B), would be brought back at a future meeting.

ADJOURNMENT

Having no further business, Councilmember Cardenas made a motion to adjourn, seconded by Councilmember Zadourian. The meeting adjourned at 10:14 p. m.