

**MINUTES OF THE FOWLER CITY COUNCIL MEETING  
JUNE 5, 2007**

Mayor Simonian called the meeting to order at 7:00 p. m.

Councilmembers present: Simonian, Aguayo, Cardenas, & Zadourian

Councilmembers absent: Shaw

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

The Flag Salute and the Pledge of Allegiance were followed by an invocation given by Councilmember Cardenas.

**PUBLIC PRESENTATIONS**

Bernard Jiminez, a representative of Fowler Youth Football, spoke to the Council regarding the City's ordinance and procedures related to 4th of July fireworks stands. He circulated a list of recommendations, which included allowing only non-profit groups to be able to have a stand. He asked that a process be developed to ensure that every non-profit organization in Fowler is given an opportunity to raise funds by having a fireworks stand. Councilmember Aguayo asked that the subject be placed on a future agenda.

**COMMUNICATIONS**

City Manager Elias said that the current Fowler Postmaster has asked for letters to support naming the post office building after Cecil Bolt, who was a longtime Fowler resident and postmaster for 27 years. The consensus was to draft a letter of support.

**STAFF REPORTS**

**A) SECOND READING OF ORDINANCE NO. 2007-01**

City Attorney Wolfe stated that Ordinance No. 2007-01 amended the City's current ordinance for posting official notices. He explained that official notices would be posted according to the legal requirements for the type of notice, but if a statute required the City to post notices at three predesignated locations, the locations would now be: City Hall, the library and the Senior Center.

Councilmember Cardenas made a motion, seconded by Councilmember Zadourian, to waive the second 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 carried on a 4-0-1 roll call vote with Mayor Pro-Tem Shaw absent.

**B) CONSIDER AND TAKE ACTION REGARDING ASSESSMENTS FOR THE LANDSCAPING AND STORM DRAIN MAINTENANCE DISTRICT**

**Adoption of Resolution No. 2087**

Mayor Simonian stated that he had a conflict of interest from owning property near the property that would be annexed into the City's landscape and storm drain maintenance district, and left the Council Chamber. City Manager Elias explained that the property to be annexed was the site of the Generation Homes and Parnagian subdivision projects, near Adams and Fowler Avenues.

Councilmember Zadourian made a motion to adopt Resolution No. 2087, "A Resolution of the Council of the City of Fowler, California, Approving Annexation to Landscaping and Storm Drainage Facilities Maintenance District No. 1," seconded by Councilmember Cardenas. The motion carried on a 3-0-2 roll call vote, with Mayor Pro-Tem Shaw absent and Mayor Simonian absent (recused) from the Council Chamber.

Mayor Simonian returned to the Council Chamber.

**Adoption of Resolution No. 2088**

City Manager Elias mentioned that Resolution No. 2088 provided for levying the annual assessments for the entire landscape and storm drain maintenance district. City Clerk Davis added that the resolution sets an upcoming public hearing for final approval of the engineer's report and the assessments.

Councilmember Aguayo made a motion, seconded by Councilmember Cardenas, to approve Resolution No. 2088, "A Resolution of the City Council of the City of Fowler of Intention to Levy and Collect the Annual Assessments for Landscaping and Storm Drainage Facilities Maintenance District No. 1." The motion carried on a 4-0-1 roll call vote.

**C) CITY MANAGER'S REPORT**

**Discussion/Approval Closure of 9th Street for Church Celebration**

City Manager Elias said that St. Paul AME Church had asked to be able to block off 9th Street between Merced and Main Streets on June 24, 2007 for a church sponsored community event. He recommended that the church provide verification of the nearby property owners consent, proper insurance indemnification, anticipated attendance numbers, and information on bathroom and trash facilities. After a discussion, the Council expressed support of closing the street if these concerns were addressed. City Attorney Wolfe stated that approval could be subject to staff's review and approval regarding: access, health, public welfare, liability and related issues, and any conditions imposed by staff.

Councilmember Cardenas made a motion to approve the request of St. Paul AME Church to block off 9th Street from Merced to Main Street on June 24, 2007, with approval procedures stated by the City Attorney. The motion was seconded by Councilmember Aguayo, and carried on a 4-0-1 roll call vote.

### **Discussion Regarding the City's Summer Swim Program**

City Manager Elias stated that the school district was renovating some of the facilities at the high school during the summer, with the result that there would be no electricity, bathrooms or running water for the City's Summer Swim Program.

The Council discussed whether to cancel the program for the summer, or to try to provide portable bathrooms with sink facilities, cell phones, bottled water and other considerations that would allow the program to operate. It was noted that the program was important for the children in the community, if it could feasibly operate with the arrangements discussed.

Councilmember Aguayo made a motion to approve and give direction to make the accommodations to have a festive Summer Swim Program 2007. The motion was seconded by Councilmember Zadourian, and carried on a 4-0-1 roll call vote.

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

Community Development Director Deaver said that the site plan for the new Carl's Jr. restaurant was being reviewed. He mentioned that Developer Roger Anthony was making landscape improvements in an area near Vineyard Place and Manning Avenue.

#### **E) PUBLIC WORKS SUPERVISOR'S REPORT**

Public Works Supervisor Weisser reported that the street striping was almost complete for Merced Street.

#### **F) FINANCE DEPARTMENT REPORT**

No report was given.

#### **G) POLICE AND FIRE REPORT**

No report was given.

#### **CITY ATTORNEY'S REPORT**

No report was given.

#### **CONSENT CALENDAR**

The Consent Calendar consisted of: A) Ratification of Warrants - June 5, 2007; B) Approve Minutes of the City Council Special Meeting - May 14, 2007; C) Adoption of Resolution No. 2089, "A Resolution of the City Council of the City of Fowler, County of Fresno, State of California Authorizing Purchase of Real Property"; D) Adoption of Resolution No. 2090, "A Resolution of the City Council of the City of Fowler, County of Fresno, State of California, Accepting Grant Deed" -

property location: Adams & Merced Streets; E) Adoption of Resolution No. 2091, "A Resolution of the City Council of the City of Fowler Accepting Easement" - (storm drain near Peach & 8th Streets). Councilmember Aguayo made a motion to approve the Consent Calendar, seconded by Councilmember Zadourian, and the motion carried on a 4-0-1 roll call vote.

## **COMMITTEE REPORTS**

Councilmember Aguayo attended the Fowler Peace Officer Memorial, and the Mayor's Prayer Breakfast. He attended a High Speed Rail meeting, noting that the matter will be on the ballot in 2008. He attended a Community Choice Aggregation workshop, a COG meeting, and a citizens advisory board meeting for the Air Pollution Control District. The District will be visiting Valley cities to give presentations at the various council meetings.

Councilmember Cardenas spoke of S. K. F.'s expansion study and recommendations, where it was proposed that developers pay 75 percent of costs up-front for sewer expansion, due to impacts from their projects. Community Development Director Deaver reported that at a recent meeting between the cities, S. K. F. and the developers on this matter, it was discovered that much less development was proposed than was first anticipated. In view of this, S. K. F. has conveyed that they should not have a problem handling growth at the reduced pace. Councilmember Cardenas also attended a Consolidated Mosquito Abatement District meeting, where it was reported that LAFCO approved annexing new territory into the District.

Councilmember Zadourian reported on several meetings she had attended since her appointment to the Council, including the design charette, where her suggestions on how to improve Marshall School's student drop-off area will be implemented by the school district. She also attended the Mayor's Prayer Breakfast, Fowler Chamber meetings and mixers, and League of California Cities division meetings.

## **ADJOURNMENT**

Having no further business, Councilmember Aguayo made a motion to adjourn, seconded by Councilmember Cardenas. The meeting adjourned at 8:30 p. m.