

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
AUGUST 21, 2007**

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

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

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

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

PUBLIC PRESENTATIONS

Fowler resident Andy Gonzales asked the Council about the timeline for the City's plans to build a future recreational sports park facility. It was mentioned that meetings were being scheduled with school district staff and youth sports representatives to begin the planning process.

PRESENTATION BY WASTE MANAGEMENT

Carolyn Anderson, a representative of Waste Management, introduced herself and District Manager Don Johnson to the Council. They will be working with the City on new programs, and will be the new contacts for resolving service related issues.

STAFF REPORTS

A) REINTRODUCTION - SECOND READING OF ORDINANCE NO. 2007-03

Mayor Simonian left the Council Chamber due to a conflict of interest from owning an industrial business that could be directly affected by Ordinance No. 2007-03. City Attorney Wolfe noted that at the last meeting, the Council asked to make some substantive changes to the ordinance, so it would now require a third reading. The changes were to the permitted hours for audible amplifiers, musical instruments, televisions and stereos. The Council wanted to extend the hours to 10:00 p. m. on Sunday through Thursday instead of 9:00 p. m. On weekends, and on the day before and day of a City recognized holiday, the allowable hours would extend to 11:00 p. m. Staff also recommended some changes to the language under item (d) pertaining to construction hours.

After the discussion, Councilmember Cardenas made a motion to waive and approve the second reading of Ordinance No. 2007-03, "An Ordinance of the City Council of the City of Fowler Adding Chapter 19 to Title 5 of the Fowler Municipal Code Pertaining to Noise," including the change of the word *extend* to *alter* and *Building Inspector* to *Community Development Director* under item (d) Construction. Councilmember Aguayo seconded the motion, and it carried on a 4-0-1 roll call vote, with Mayor Simonian absent (recused) due to

a conflict of interest.

Mayor Simonian returned to the Council Chamber.

B) AWARD CONTRACT TO HAYDON CONSTRUCTION FOR THE 7TH STREET WATER MAIN PROJECT

City Engineer Ken Hutchings reported that the City held a recent bid opening and received twelve bids for the 7th Street Water Main project. Haydon Construction provided the lowest bid of \$133,370, which was well below the engineer's estimate for the project.

Mayor Pro-Tem Shaw made a motion to award the contract in the amount of \$133,370.00 to the low bidder, Haydon Construction, for the 7th Street Water Main between Main Street and Vine Street, authorize a contingency fund in the amount of 15% of the contract cost (\$20,000), and authorize the City Manager and City Clerk to execute the contract. The motion was seconded by Councilmember Zadourian, and carried on a 5-0-0 roll call vote.

C) CITY MANAGER'S REPORT

◆ **Update on meeting with Consolidated Irrigation District (CID)**

City Manager Elias attended a CID board meeting regarding their proposed urban impact fees. He circulated a draft memo from the CID district manager about a water utility mitigation rate alternative. Mr. Elias indicated that CID is moving forward in working with local cities to ensure adequate ground water supply.

D) COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Community Development Director Deader reported on a recent preconstruction meeting for the 10th Street landscaping project. He attended a COG meeting where the regional housing needs allocation was discussed.

E) PUBLIC WORKS SUPERVISOR'S REPORT

No report given.

F) FINANCE DEPARTMENT REPORT

Finance Director Wong gave an unaudited summary of the revenues and expenditures for fiscal year 2006-2007. He also gave a report for the first month of the 2007-2008 fiscal year, and circulated a Treasurer's Report.

G) POLICE AND FIRE REPORT

No report given.

CITY ATTORNEY'S REPORT

City Attorney Wolfe reported that cities can impose regulations on day laborers.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - August 21, 2007; B) Approve Minutes of the City Council Meeting - August 7, 2007; and C) Accept Notice of Completion for 10th Street Storm Drain and Water Line Installation Project and authorize recording of the Notice of Completion. Councilmember Aguayo made a motion, seconded by Mayor Pro-Tem Shaw, to approve the Consent Calendar. The motion carried on a 5-0-0 roll call vote.

COMMITTEE REPORTS

Mayor Simonian attended a City of Selma presentation regarding a package sewer plan. The presentation was given to look at alternatives to S. K. F. Sanitation District's services, due to recent capacity problems.

Councilmember Aguayo attended a High Speed Rail meeting that was also attended by Lieutenant Governor Garimendi. He attended a Recreation Commission meeting where discussions took place on the City's upcoming Centennial.

Councilmember Cardenas stated that the S. K. F. sewer bottleneck problem has been resolved, and the plant will be expanding to handle 6.3 million gallons per day. He also attended the annual CASA conference. He reported that the Consolidated Mosquito Abatement District will be receiving state funding to help with West Nile Virus prevention.

Councilmember Zadourian attended a League of California Cities South San Joaquin Valley Division meeting, where they appointed new executive board members. They appointed her as the Fresno County Representative for the division.

ADJOURNMENT

Having no further business, Councilmember Cardenas made a motion to adjourn, seconded by Councilmember Zadourian. The meeting adjourned at 8:42 p. m.