

**MINUTES OF THE FOWLER CITY COUNCIL
SPECIAL MEETING
SEPTEMBER 13, 2007**

Mayor Simonian called the meeting to order at 6:32 p. m.

Councilmembers present: Simonian, Cardenas, Aguayo & Zadourian. Mayor Pro-Tem Shaw arrived at 7:33 p. m.

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, Planning Consultant O'Neal, City Engineer Hutchings

The Flag Salute and Pledge of Allegiance were followed by an invocation given by Councilmember Cardenas. There were no public presentations.

REPORT FROM FOWLER CHAMBER OF COMMERCE

Jane Bedrosian, Fowler Chamber of Commerce board member, spoke to the Council about the needs of the Chamber. She read a statement thanking the City for its support over the years, and noted the Chamber's accomplishments, including awards won for their display at the Big Fresno Fair. The Chamber is trying to improve their services to local businesses, and they have plans to expand their newsletter and create a website with business information. She asked for the City's financial support in these efforts.

Damon Graham, local business owner and Chamber board member, spoke of what other nearby cities do to financially support their local chambers of commerce.

Mayor Simonian suggested that the City Manager and two councilmembers meet to further discuss a support plan that could work for both the Chamber and the City, and bring it to a future Council meeting for consideration.

PUBLIC HEARINGS:

1) CONSIDER APPROVING THE 2008/09 AND 2009/10 ALLOCATION OF CDBG FUNDS FOR CONSTRUCTION OF CURB RETURN ACCESS RAMPS

City Engineer Hutchings explained that the City will receive approximately \$43,164 in Fresno County CDBG funds for fiscal year 2008/09 to be used for eligible projects. The City may also borrow against their 2009/2010 allocation, approximately \$40,000, to combine the funding in order to undertake a larger project. Staff recommended that the combined funds be used for the construction of curb return access ramps within a two block radius of Fremont Elementary School.

Mayor Simonian opened the duly noticed public hearing on the matter at 6:53 p. m. There were no public comments, and the hearing was closed at 6:53 p. m.

Councilmember Aguayo made a motion, seconded by Councilmember Zadourian, to approve the 2008/09 and 2009/10 allocation of CDBG funds for the construction of curb return access ramps within a two block radius of Fremont Elementary School. The motion carried on a 5-0-0 roll call vote.

2) APPROVE FIRST READING OF ORDINANCE NO. 2007-04 - CHANGE OF ZONING DISTRICT AMENDMENT

Mayor Simonian left the Council Chamber due to a conflict of interest from recently owning property near the property that was the subject of the second public hearing.

Planning Consultant O'Neal explained that the rezoning item had been considered by the Planning Commission on August 16, 2007, and they recommended Council approval. The project consists of approximately 16 acres located at 230 and 304 N. 8th Street. The zoning is currently M-1, C-2, and C-3, but the site is designated Community Commercial in the Fowler General Plan. The applicant, Sol Development, proposes to rezone the property to C-2 to permit commercial development, which is consistent with the General Plan designation. Zoning to the C-2 district would provide development in support of the downtown.

Mr. O'Neal noted that the Fowler Zoning Ordinance was in the process of revision, and at a recent workshop the Planning Commission and City Council discussed the Form-Based Code (FBC). It was proposed that the FBC boundary be expanded to include the subject site, as well as other properties in the area. However, rezoning to the FBC was not feasible for this project, as it had not been formally adopted yet, and it would place restrictions that may be inappropriate for the development proposed by the applicant. Staff recommended rezoning to the C-2 district.

Councilmember Aguayo opened the duly noticed public hearing on the matter at 7:03 p. m. There were no comments, and the hearing was closed at 7:03 p. m.

After a discussion, Councilmember Aguayo made a motion, seconded by Councilmember Cardenas, to waive the first reading and approve Ordinance No. 2007-04, "An Ordinance of the City Council of the City of Fowler Amending the Official Zone Map: Zoning Amendment No. 07-02 for 230 and 304 N. 8th Street (Sol Development Associates)." 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 due to a conflict of interest.

Mayor Simonian returned to the Council Chamber.

COMMUNICATIONS

City Manager Elias mentioned a ribbon cutting ceremony the following day at the new Port of Subs sandwich shop near Highway 99 and Manning Avenue. He also mentioned an invitation to a festival from St. Paul AME Church on September 16, 2007, and an invitation from the City of Mendota to a dedication ceremony for their new DMV office.

STAFF REPORTS

A) APPROVE REQUEST TO CONNECT TO CITY OF FOWLER'S WATER SERVICE

Public Works Supervisor Weisser explained that Loretta and Ralph Jimenez, who live just outside the Fowler City limits on Armstrong Avenue, have asked to connect to the City's water service. The process would require City Council approval, and the property owners have agreed to pay any fees or costs for the water connection. Community Development Director Deaver suggested that since the City would eventually have development occurring in this area, that the property owners agree not to protest any possible future annexation of their property.

Councilmember Cardenas made a motion, seconded by Councilmember Zadourian, to approve the request by Fresno County residents Loretta and Ralph Jimenez to connect to the City of Fowler's water service, with the agreement that they not oppose future annexation of their property into the City limits. The motion carried on a 4-0-1 roll call vote with Mayor Pro-Tem Shaw absent.

B) CITY MANAGER'S REPORT

No report was given.

C) COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

◆ Growth Management Report - Fowler Unified School District attendance - Discussion on moving forward with tract maps from D. R. Horton and R. J. Hill

Planning Consultant O'Neal reported on residential growth in the City over the past year. He circulated information from the school district, which showed that enrollment had declined by 16 students from August 2006 to August 2007. The school district conveyed that it does not object to additional housing construction, with the understanding that school enrollment will continue to be monitored in the growth management process.

Over the past three years, which were peak years for housing development, 233 single family homes have been completed and occupied, an average of 77 units per year. Mr. O'Neal said that 60 of the 77 units were subject to the growth ordinance. He provided a table showing each of the approved subdivision projects, with the number of housing units built or expected to be built from 2006 through 2011, totaling 396. Two proposed subdivisions, not yet approved, were projected to generate an additional 164 units. Tim Howard, of D. R. Horton, Inc., spoke about their proposed project.

The Council discussed the report and the proposed new subdivision projects. Mayor Simonian suggested having a joint workshop with the Planning Commission to discuss the projects in more detail.

E) PUBLIC WORKS SUPERVISOR'S REPORT

Public Works Supervisor Weisser reported on recent public works tasks. The house that had been on the property the City purchased near Adams and Merced Streets, had been demolished. Also, Chinese Pistache trees will soon be planted in areas of town.

F) FINANCE DEPARTMENT REPORT

Finance Director Wong reported that the audit for 2006-2007 fiscal year had begun.

G) POLICE AND FIRE REPORT

Chief Jamgochian answered brief questions on the police and fire statistical report, included in the agenda packet.

CITY ATTORNEY'S REPORT

City Attorney Wolfe reported that he and Community Development Director Deaver attended a public hearing regarding Consolidated Irrigation District's proposed impact fees. They have decided to table the discussion pursuant to comments received regarding their fee study. He also reported that the Attorney General has clarified that public employees may not be prohibited from attending or speaking at board meetings, even if it's related to their employment.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - September 13, 2007; B) Approve Minutes of the City Council Meeting - August 21, 2007; C) Approve lease agreement for office space in the old Fowler Hospital building - Rachpal Sahota; D) Approve and accept the Fresno St./3rd St./Merced Street Resurfacing Project and authorize recording of 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 reported on the recent League of California Cities Annual Conference in Sacramento, where he participated in a press conference concerning water issues. Mayor Simonian also attended a local gang suppression press conference where the Governor spoke.

Councilmember Aguayo reported on a Regional Policy Committee conference call he participated in regarding high speed rail. The consensus of the group was to choose the Altamont Pass instead of Pacheco Pass for a high speed rail crossing. He also reported on the Recreation Commission's upcoming Halloween "Trunk or Treat" event.

Councilmember Cardenas reported on events at the recent League of California Cities Annual Conference in Sacramento.

Councilmember Zadourian also attended the League of California Cities Annual Conference and represented the City at the business meeting. She reported on resolutions adopted at the meeting.

ADJOURNMENT

Having no further business, Councilmember Aguayo made a motion to adjourn, seconded by Councilmember Zadourian. The meeting adjourned at 8:10 p. m.