

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
OCTOBER 16, 2007**

Mayor Simonian called the meeting to order at 7:02 p. m.

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

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

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

PUBLIC PRESENTATIONS

Fowler Lions Club member/ Planning Commissioner Daniel Parra thanked the Council for the City's assistance with the recent Fowler Fall Festival.

INTRODUCTION OF NEW POLICE OFFICERS

Chief Jamgochian introduced new Fowler Police Officers Arthur Duron and Raul Cortez; newly appointed Corporals Keith Berry, Chris Bergthold, and Joe Miranda; and recently appointed Lieutenant Russ Snow. The Mayor adjourned the meeting to a brief reception for the officers.

PRESENTATION BY FRESNO COUNTY EDC

City Manager Elias announced that the EDC would be rescheduling their presentation for a future meeting.

COMMUNICATIONS

City Clerk Davis reminded the Council of the upcoming EDC Social to be held on Thursday, November 8, 2007, at the Selma Cultural Arts Center.

STAFF REPORTS

A) ADOPTION OF RESOLUTION NO. 2104

Mayor Simonian and Councilmember Cardenas left the Council Chamber due to having a conflict of interest from owning property or a business near the property to be discussed pursuant to Resolution No. 2104.

City Engineer Hutchings explained that the City wants to establish an Underground Utility District

(UUD) along 7th Street between Vine and Main Streets, in conjunction with the new library project. He said that Fresno County has allocated \$450,000 of their own P. G. & E. Rule 20 funds to pay for a major part of the cost for undergrounding the power and utility lines in this area. City Staff has recommended that the project be extended one more block, from Main Street to Merced Street. The additional cost will be borrowed from the City's own future allotment of Rule 20 funds. The total cost of the project is estimated to be \$515,000. Affected property owners will not incur any costs associated with the conversion. A public hearing, to be set for November 6, 2007, is required for the process.

After a discussion, Councilmember Zadourian made a motion, seconded by Councilmember Aguayo, to adopt Resolution No. 2104, "A Resolution of the City Council of the City of Fowler of Intention to Form Underground Utility District No. UG07-01, 7th Street Between Merced Street and Vine Street." The motion carried on a 3-0-2 roll call vote, with Mayor Simonian and Councilmember Cardenas absent (recused) from the Council Chamber.

Mayor Simonian and Councilmember Cardenas returned to the Council Chamber.

B) ADOPTION OF RESOLUTION NO. 2105

Community Development Director Deaver explained that Resolution No. 2105 was related to the City's recent Enterprise Zone (EZ) designation. It would approve submittal of an application to the State of California for a Targeted Employment Area (TEA) designation. The TEA allows employers within the EZ that hire employees that live within TEA boundaries to receive tax credits. A TEA designation would serve to enhance the creation and expansion of jobs under the EZ program. All jurisdictions within the EZ must adopt a resolution in support of the TEA application.

Councilmember Aguayo made a motion to approve Resolution No. 2105, "A Resolution Before the Council of the City of Fowler, County of Fresno, State of California, in the Matter of Authorizing the Submittal of a Targeted Employment Area Application to the California Department of Housing and Community Development." The motion was seconded by Mayor Pro-Tem Shaw, and carried on a 5-0-0 roll call vote.

C) ADOPTION OF RESOLUTION NO. 2106

Community Development Director Deaver said that he received a request from Mrs. Helen Boornazian Marderosian to rename a street designated as part of the Tract No. 5090 subdivision, after her late father, Charles Boornazian. Her father had been a resident of Fowler since 1903, and formerly owned nearby acreage. Mr. Deaver stated that since the property owner, Del Valle Homes, had not begun construction yet, they do not object to renaming Peter Avenue as Booranzian Avenue. Mrs. Boornazian thanked the Council for considering her request.

Councilmember Cardenas made a motion to adopt Resolution No. 2106, "A Resolution of the City Council of the City of Fowler For a Street Name Change Within Tract No. 5090 Crestwood Estates, Phases I & II of Tentative Tract No. 5090, Situated Within the City of Fowler, Fresno County, California. The motion was seconded by Mayor Pro-Tem Shaw, and carried on a 5-0-0 roll call vote.

D) CITY MANAGER'S REPORT

City Manager Elias reported that he and City Attorney Wolfe had been working on several matters, including: an agreement with Consolidated Irrigation District, a new Memorandum of Understanding between the City of Fowler and Fresno County, and an agreement with the Fowler Chamber of Commerce.

E) COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Community Development Director Deaver stated that construction on the new Carl's Jr. Restaurant was now underway.

F) PUBLIC WORKS SUPERVISOR'S REPORT

Public Works Supervisor Weisser reported that Chinese Pistache trees had been planted along Merced Street, and street striping has been scheduled around town. The new 7th Street water line is almost complete.

G) FINANCE DEPARTMENT REPORT

◆ **AB 1600 REPORT**

Finance Director Wong gave the annual AB1600 Development Impact Fee Report, showing fees collected during Fiscal Year 2006-2007. The report showed fund balances for general services, law enforcement, fire protection, park development and storm drainage. The Council briefly discussed how best to use the funds.

◆ **FINANCIAL SUMMARY**

Mr. Wong gave a financial summary for the first three months of Fiscal Year 2007-2008. Sales tax revenue to date totaled \$291,000.

◆ **ADOPTION OF RESOLUTION NO. 2107**

Finance Director Wong asked the Council to approve Resolution No. 2107, concerning local transportation funds. The City receives an annual allocation for street and road improvements, however, there was additional funding available under three subcategories: Street Maintenance, ADA Compliance, and Flexible Funding. A resolution was required for the City to receive the additional funds.

Councilmember Aguayo made a motion, seconded by Councilmember Zadourian, to adopt Resolution No. 2107, "A Resolution of the City Council of the City of Fowler Concerning Local Transportation Funds Extension (Measure C Extension)." The motion carried on a 5-0-0 roll call vote.

H) POLICE AND FIRE DEPARTMENT REPORT

Chief Jamgochian mentioned that the department recently purchased two new Dodge Charger patrol cars, and he was in the process of finishing the details on the graphics.

CITY ATTORNEY'S REPORT

City Attorney Wolfe reported on new legislation that will soon go into effect pertaining to firefighters, which will allow them to have due process rights, similar to the Peace Officer Bill of Rights. The new law does not affect the City of Fowler, as the department is an all volunteer department.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - October 16, 2007; B) Approve Minutes of the City Council Meeting - October 2, 2007; C) Accept and authorize the recording of the Notice of Completion for the R. J. Hill Development, Tract No. 5198; D) Approve Engineering Services Agreement for Fowler/9th/10th/Main Street Pedestrian Facilities; and E) Approve staff's recommendation to reject claim against the City of Fowler - Michael Eich.

Councilmember Aguayo made a motion, seconded by Councilmember Zadourian, to approve the Consent Calendar. The motion carried on a 5-0-0 roll call vote.

COMMITTEE REPORTS

Mayor Simonian reported on a recent Fowler Improvement Association meeting where he was the guest speaker. He mentioned the success of the recent Fowler Fall Festival.

Mayor Pro-Tem Shaw said that he, Councilmember Aguayo, City staff and local school district and youth sports representatives, recently met to discuss the future new sports and recreation facility.

Councilmember Aguayo attended a Recreation Commission meeting where they discussed their upcoming "Trunk or Treat" Halloween event, and an SSJV League Division meeting. He attended a Selma City Council meeting where he and Barbara Goodwin from COG presented an update on the Valley Blueprint process.

Councilmember Cardenas attended a Consolidated Mosquito Abatement meeting and circulated a Vector of the Month Report. The Governor has approved emergency funding for mosquito abatement districts to assist with the West Nile Virus epidemic. He attended an S. K. F. meeting where they took a tour of the facility and discussed the developer will-serve letters. He mentioned the upcoming Lions Club Band Review on November 3, 2007.

Councilmember Zadourian attended an SSJV League Division meeting, where the guest speaker reported on the slowdown of the housing market. She stated that she has been working with City Manager Elias to draft a business agreement with the Fowler Chamber of Commerce.

ADJOURNMENT

Having no further business, Councilmember Cardenas made a motion to adjourn, seconded by Councilmember Zadourian. The meeting adjourned by unanimous consent at 9:12 p. m.