

**MINUTES OF THE FOWLER CITY COUNCIL MEETING  
JANUARY 4, 2011**

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

Councilmembers Present: Cardenas, Aguayo, Darling, Parra, & Simonian

City Staff Present: City Manager Elias, City Clerk Davis, Finance Director Wong, Community Development Director Deaver, Public Works Director Weisser, Acting Police Chief Snow, City Attorney Wolfe, Acting Fire Chief Lopez

The Flag Salute and Pledge of Allegiance were followed by an invocation given by Councilmember Darling. Roll call was taken. There were no public presentations.

**INTRODUCTION OF NEWLY SWORN FOWLER POLICE OFFICER**

Acting Police Chief Snow introduced new full-time Officer Sam Thach and his family to the Council.

**PRESENTATION OF BADGE TO ACTING FIRE CHIEF MANUEL LOPEZ**

A badge pinning ceremony was conducted for Manuel Lopez, who was recently promoted to the position of Acting Fire Chief for the Fowler Volunteer Fire Department.

**COMMUNICATIONS**

City Clerk Davis mentioned the upcoming COG reception honoring outgoing and incoming board members, to be held on January 27, 2011.

**STAFF REPORTS:**

**A) CITY MANAGER'S REPORT**

— **Adoption of Resolution No. 2210 - Development Impact Fees**

City Manager Elias explained that each year the City adopts a resolution to set forth a new Development Impact Fee schedule, pursuant to changes from the prior year in the National Average Construction Cost Index. The inflationary index for 2010 was 3.6%, and Resolution No. 2210 reflects this increase to the fees.

Councilmember Simonian made a motion, seconded by Councilmember Darling, to adopt Resolution No. 2210, "A Resolution of the City Council of the City of Fowler Approving Development Fees for 2011." The motion carried on a 5-0-0 roll call vote.

**B) COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

— **Acceptance of Grant Deed - Temperance CSD Properties, LLC**

Community Development Director Deaver said that Temperance CSD Properties (Mid-Valley Packaging) wishes to grant property that has been developed into a ponding basin, to the City. The basin will serve all properties within an industrial park located near Golden State Boulevard and East Valley Drive. The accepted grant deed will then be recorded with the Fresno County Recorder.

Councilmember Parra made a motion to accept the grant deed from Temperance CSD Properties, LLC, to the City of Fowler. The motion was seconded by Mayor Pro-Tem Aguayo, and carried on a 5-0-0 roll call vote.

**C) PUBLIC WORKS DIRECTOR'S REPORT**

Public Works Director Weisser circulated a report with pictures showing the impact of the recent rainstorms, and he explained how the Public Works Department handled the resulting flooding problems.

**D) FINANCE DIRECTOR'S REPORT**

No report was given.

**E) POLICE DEPARTMENT REPORT**

Acting Chief Snow briefly reported on the October 2010 crime statistics. He said that he has assigned Corporal Chris Bergthold to oversee the patrol vehicles, Corporal Keith Berry to oversee the reserve officers, and Corporal Joe Miranda to be in charge of officer training.

**F) FIRE DEPARTMENT REPORT**

Acting Fire Chief Lopez gave a report on emergency calls for November 2010, and on a recent fuel spill incident.

**CITY ATTORNEY'S REPORT**

City Attorney Wolfe reported that he is working on an update to the Brown Act Workbook.

**CONSENT CALENDAR**

The Consent Calendar consisted of: A) Ratification of Warrants - January 4, 2011; and B) Approve Minutes of the Fowler City Council Regular and Special Meetings - December 7, 2010 and Special Meeting - December 15, 2010. Councilmember Parra made a motion, seconded by Mayor Pro-Tem Aguayo, to approve the Consent Calendar. The motion carried on a 5-0-0 roll call vote.

## **COMMITTEE REPORTS**

Councilmembers Parra and Simonian reported on their attendance at the recent swearing-in ceremonies for Sheriff Margaret Mimms and District Attorney Elizabeth Egan.

## **CLOSED SESSION**

The meeting was adjourned to a closed session at 7:40 p.m. pursuant to Government Code Section 54957 - Public Employee Discipline/Dismissal/Release/Complaint. The meeting reconvened to open session at 8:15 p. m. with the following reportable action taken:

The Council, upon motion of Councilmember Darling, and seconded by Mayor Pro-Tem Aguayo, voted unanimously to approve a Separation Agreement and accept the resignation of the Chief of Police, effective January 3, 2011.

## **ADJOURNMENT**

Having no further business, Councilmember Simonian made a motion, seconded by Mayor Pro-Tem Aguayo, to adjourn. The motion carried and the meeting adjourned at 8:20 p. m.