

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
FEBRUARY 1, 2011**

Mayor Cardenas called the meeting to order at 7:08 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 Pastor Jim Kenyon. Roll call was taken.

PUBLIC PRESENTATIONS

Fowler Chamber of Commerce President Craig Mellon circulated a list of upcoming Chamber events. He asked that the Council adopt a City motto, such as "The Blossom Trail City."

COMMUNICATIONS

City Manager Elias reminded the Council of the upcoming League of California Cities SSJV Division meeting in Visalia on February 10, 2011. A discussion on the Governor's proposal to eliminate redevelopment agencies will be taking place.

CONSIDER AND TAKE ACTION CONCERNING MEMORANDUM OF UNDERSTANDING (MOU) WITH FRESNO COUNTY:

A) Approve Amended and Restated MOU With Fresno County

City Manager Elias gave a recap of the process of amending the tax-sharing MOU between the City and Fresno County, which expired several years ago. He said that originally, the County had wished to retain 100 percent of generated sales tax revenue if the City annexed property in areas of its Sphere of Influence (SOI). Due to the City investing in major infrastructure improvements in a particular area of its SOI several years ago, many businesses have come into the area that have brought the County thousands of dollars in sales tax revenue. After a series of negotiations, the County has agreed to an amended MOU providing that upon the City's annexation of this area, the revenue generated by a substantial sales tax generator will be transferred to the City in increasing increments over a period of years until the City receives a full 100 percent, continuing to the end of the agreement.

After discussion, Councilmember Parra made a motion, seconded by Mayor Pro-Tem Aguayo, to approve the Amended and Restated MOU Between the County of Fresno, the City of Fowler, and the Fowler Redevelopment Agency. The motion carried on a 5-0-0 roll call vote.

B) First Reading of Ordinance No. 2011-01

City Manager Elias said that Ordinance No. 2011-01 authorizes the City to collect facilities fees on behalf of Fresno County. The fees are similar to development impact fees, and collection is a requirement of the tax-sharing MOU with the County. He noted that due to the sluggish economy, for the past two years the County has suspended collection of the fees.

Mayor Pro-Tem Aguayo made a motion, seconded by Councilmember Darling, to waive the first reading and approve Ordinance No. 2011-01, "An Ordinance of the City Council of the City of Fowler Adopting Chapter 9 of Title 3 Concerning Collection of County Capital Facilities Fees." The motion carried on a 5-0-0 roll call vote.

Mayor Cardenas adjourned the meeting to the Fowler Redevelopment Agency meeting at 7:37 p.m. The Council meeting reconvened at 7:39 p. m.

STAFF REPORTS:

A) CITY MANAGER'S REPORT

◆ Discussion/approval of Job Description for Police Chief

City Manager Elias stated that he and staff had been working to revise the City's job description for police chief, in anticipation of the upcoming recruitment. The educational and experience requirements were updated to be similar to those of surrounding cities such as Clovis, Kingsburg and Reedley. He asked the Council if they wished to make modifications to the job description.

After a discussion, the consensus was to change the educational requirement to: "*bachelors degree*," instead of "*equivalent to a bachelors degree*" and add that "*a masters degree is preferred*." Also, the area stating that experience is required in "*all major phases of law enforcement*" would be changed to "*all major aspects of law enforcement*."

Councilmember Parra made a motion to approve the job description for police chief with the amendments discussed. The motion was seconded by Mayor Pro-Tem Aguayo, and carried on a 5-0-0 roll call vote.

B) COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

◆ **Discussion/direction: Renting City Property Located at the Corner of 5th and Main Streets**

Community Development Director Deaver said that the owner of Jay's Auto Body, a local business, was interested in renting City property located at the corner of 5th and Main Streets, for an auto detailing business. Jay has offered to do auto detail work on the City's fleet in exchange for rent, and would undertake several improvements to the facility. There would be no auto painting or body work activities taking place on the premises.

After a discussion, the consensus of the Council was to bring forth a formal agreement for approval.

C) PUBLIC WORKS DIRECTOR'S REPORT

Public Works Director Weisser reported on department activities, including efforts to abandon an old water line in an alley near the Ace Hardware building.

D) FINANCE DIRECTOR'S REPORT

Finance Director Wong gave a budget summary for July through December 2010. He noted that sales tax revenue has been increasing slightly, an indication that the economy is slowly recovering. At the midway point of the budget year, the General Fund expenditures were at 52 percent and revenues were at 44 percent. He said that a major source of revenue, property tax, had not yet been received.

E) POLICE DEPARTMENT REPORT

Acting Chief Snow reported that the officers have completed nearly all of their State mandated training. He also reported on the recent capture of a burglary suspect.

F) FIRE DEPARTMENT REPORT

Acting Fire Chief Lopez gave a report on emergency calls for the month of December 2010. He received notice that the City had been awarded a \$41,000 grant he applied for some time ago, which will be used for breathing apparatus units for the firefighters.

CITY ATTORNEY'S REPORT

No report was given.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - February 1, 2011; and B) Approve Minutes of the Fowler City Council Meeting - January 4, 2011. Councilmember Simonian made a motion, seconded by Councilmember Parra, to approve the Consent Calendar. The motion carried by unanimous voice vote.

COMMITTEE REPORTS

Mayor Cardenas reported on the recent reorganization of the S. K. F. and Consolidated Mosquito Abatement District boards. He attended a Fresno COG orientation session and a reorganization of the board, where he was appointed Vice-Chair.

Councilmember Parra reported on attending a State budget roundtable discussion with Assembly member Henry T. Perea. He mentioned that he had been appointed Vice-President of the League of California Cities SSJV Division Executive Board.

ADJOURNMENT

Having no further business, Councilmember Parra made a motion, seconded by Mayor Pro-Tem Aguayo, to adjourn. The motion carried and the meeting adjourned at 8:57 p. m.