

**MINUTES OF THE FOWLER CITY COUNCIL MEETING  
JUNE 21, 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, City Attorney Wolfe, Acting Police Chief Snow

The Flag Salute and Pledge of Allegiance were followed by an invocation given by Minister Brian Mays. Roll call was taken.

**ADD SUBSEQUENT NEED ITEM TO AGENDA**

City Manager Elias explained that an item had come to his attention after the agenda was posted that needed immediate action: a request by Fowler Youth Girls Softball for sports activities funding. With the end of the budget year approaching, the matter could not wait until the next Council meeting.

Councilmember Simonian made a motion, seconded by Mayor Pro-Tem Aguayo, to add the item to the agenda. The motion carried by unanimous voice vote. The item was assigned as 8A of Staff Reports.

**PUBLIC PRESENTATIONS**

Recreation Commissioner Jim Martin circulated information on the upcoming 4th of July celebration at the Fowler High School stadium.

Fowler Postmaster Mary-Anne Ward asked about the status of the Senior Citizens, Inc. bank account and the backlog of police case filings, discussed at the previous meeting. She commended the Fowler Fire Department for their quick response at a recent fire at the Fowler Post Office.

Fowler resident Victor Grisso spoke of his concerns about receiving an R.V. parking citation. He asked that the City revise it's regulations to allow them to be parked in a driveway if they are kept clean and meet certain conditions. City Manager Elias said that staff would look into possible solutions, such as relaxing citation activity during months when R.V. usage is high, as the City of Clovis does.

**CONSIDER ADOPTION OF RESOLUTION NO. 2220 - SUPPORTING THE SAN JOAQUIN VALLEY WATER RELIABILITY ACT**

City Manager Elias said that at the last meeting, a representative from the office of Congressman Devin Nunes asked that the Council adopt a resolution supporting the San

Joaquin Valley Water Reliability Act. The resolution was not adopted, but the Council voted to bring it back to the next meeting for reconsideration to allow sufficient time to study the information. The Council further discussed whether or not to support the Act, concluding that it brought no real benefit to the City of Fowler. The consensus was not to take action on the resolution.

## **PUBLIC HEARING:**

### **◆ ADOPTION OF RESOLUTION NO. 2218**

Public Works Director Weisser stated that Resolution No. 2218 was to approve the annual levy and collection of assessments for the City's landscape and storm drain maintenance district.

Mayor Cardenas opened the duly noticed public hearing on the matter at 7:26 p.m. There were no public comments, and the hearing was closed at 7:26 p.m. Councilmember Parra made a motion, seconded by Mayor Pro-Tem Aguayo, to adopt Resolution No. 2218, "A Resolution of the City Council of the City of Fowler, California, Confirming Diagram and Assessment - Annual Levy 2011/2012 Landscaping and Storm Drainage Facilities Maintenance District No. 1." The motion carried by unanimous voice vote.

## **COMMUNICATIONS**

City Manager Elias gave an update on the progress of the police chief recruitment. He said that a notice announcing the EOC's summer lunch program for qualifying children had been distributed at the local schools.

## **STAFF REPORTS:**

### **CONSIDER APPROVAL OF YOUTH SPORTS FUNDING - FOWLER YOUTH GIRLS SOFTBALL (FYGS)**

Marcos Fernandez, president of FYGS, presented a Youth Sports Funding application in the amount of \$4,500 for equipment and other needs. He explained that funding assistance is needed because the group was not able to use the Marshall School field, which denied them the opportunity to earn concession income. Next season they are hoping to have more access to the field.

After a discussion, Councilmember Parra made a motion to approve \$4,500 in funding for FYGS, seconded by Councilmember Darling. The motion carried by unanimous voice vote.

## **CITY MANAGER'S REPORT**

No report was given.

## **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

No report was given.

## **PUBLIC WORKS DIRECTOR'S REPORT**

### **◆ Approve Award of Bid for Pickleball Courts at Panzak Park**

Public Works Director Weisser recommended that the Council award the bid for the Pickleball Courts at Panzak Park to the low bidder, American Paving Company, in the amount of \$63,340.40. Fowler residents John Browning and Cirilo Medina spoke in support of the project. It was discussed that a reservation policy may be needed once the courts are built.

Councilmember Simonian made a motion, seconded by Councilmember Parra, to approve the award of bid to American Paving Company in the amount of \$63,340.40. The motion carried by unanimous voice vote.

### **◆ Approve Award of Bid for Veterans Monument Park**

Mr. Weisser reported that at a recent bid opening for the Veterans Monument Park, six bids were received. The low bid was from Seal Rite Paving, in the amount of \$216,968.00, which was well under the engineer's estimate for the project. The park will have a fountain, benches, decorative stamped concrete and lighted flagpoles.

Councilmember Darling made a motion, seconded by Councilmember Parra, to approve the award of bid for the Veterans Monument Park to Seal-Rite Paving in the amount of \$216,968.00. The motion carried by unanimous voice vote.

## **FINANCE DIRECTOR'S REPORT**

Finance Director Wong gave a budget report from July 2010 - May 2011. General Fund revenue totaled 100.2 percent, and expenditures totaled 96 percent, of budget. The City received the second allocation of Redevelopment tax increment from Fresno County in the amount of \$593,756. After the required pass-through payments to various agencies, the net amount to the RDA was \$323,574.

## **POLICE DEPARTMENT REPORT**

Acting Chief Snow gave an update on the inventory of police reports that were not filed with the Fresno County District Attorney's office. There was a total of 630 unfiled cases dating from 2003 through 2010. He said that many were related to driving under the influence. The District Attorney's office will be meeting with staff to review the cases. City Manager Elias said that a copy of the inventory of cases is available to the public, upon request.

## **FIRE DEPARTMENT REPORT**

No report was given.

## **CITY ATTORNEY'S REPORT**

No report was given.

## **CONSENT CALENDAR**

The Consent Calendar consisted of: A) Ratification of Warrants - June 21, 2011; B) Approve Minutes of the Fowler City Council Meeting - June 7, 2011; C) Adoption of Resolution No. 2217, "A Resolution of the City Council of the City of Fowler Concerning Local Transportation Purpose Funds Extension (Measure "C" Extension); D) Adoption of Resolution No. 2219, "A Resolution of the City Council of the City of Fowler Granting the City Manager Budgetary Authority to Continue City Operations Pending Budget Adoption for Fiscal Year 2011/2012"; and E) Approve Memorandum of Understanding: Administration of Energy Efficiency and Conservation Block Grant funds by the San Joaquin Valley Unified Air Pollution Control District for the City of Fowler. Councilmember Parra made a motion, seconded by Mayor Pro-Tem Aguayo, to approve the Consent Calendar. The motion carried by unanimous voice vote.

## **COMMITTEE REPORTS**

The Council discussed reappointment of Jim Martin, Janet Daniels and Tim Kuckenbaker to a new term on the Recreation Commission, and appointment of applicant George Muller to fill a vacancy on the Commission. City Manager Elias noted that staff had advertised the positions as directed by Council, however, it was discovered that there was a problem with the newspaper's placing of the notice. Direction was given to re-advertise the notice to give the public ample opportunity to apply.

Recreation Commissioner Tim Kuckenbaker said that he and the other two current commissioners whose terms are expiring, have expressed their wish to be reappointed, and asked that the Council do so. City Attorney Wolfe confirmed that the three can continue serving until successors are appointed. Fowler resident George English suggested that the automated phone notification system be used to advertise the positions. After a discussion, the consensus was for staff to send out a notice with the July utility bills, along with advertising in the newspaper.

Mayor Pro-Tem Aguayo mentioned the City's upcoming 4th of July fireworks event at Fowler High School.

Councilmember Parra reported on the League of California Cities Public Works Department meeting where they discussed the LAO's recommendation to shift management of the High Speed Rail to CalTrans. He announced that he would not be present at the July 19th Council meeting, as he will be attending classes at Harvard University.

City Manager Elias asked that the July 5, 2011 meeting be canceled due to lack of

business. The consensus was to cancel the meeting.

## **ADJOURNMENT**

Having no further business, Councilmember Parra made a motion to adjourn, seconded by Mayor Pro-Tem Aguayo. The motion carried and the meeting adjourned at 9:08 p.m.