

**MINUTES OF THE FOWLER CITY COUNCIL  
SPECIAL MEETING  
FEBRUARY 15, 2011**

Mayor Cardenas called the meeting to order at 6:00 p. m.

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

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, Acting Fire Chief Lopez, Planning Consultant O'Neal

Roll call was taken. There were no public presentations.

**DISCUSSION: CONSOLIDATED IRRIGATION DISTRICT'S (CID) DRAFT COOPERATIVE AGREEMENT AND 8 YEAR RAMP UP**

City Manager Elias gave a recap of the discussion at the February 1, 2011 special meeting, where CID gave a presentation on their proposed Cooperative Agreement with the City. The agreement calls for the City to pay CID several hundred thousands of dollars in fees over an 8 year period, to help defray the rising costs of groundwater recharge and impacts from new development. Some local cities that have not entered into agreements have been legally challenged by CID on new projects, due to CEQA related issues.

Staff has been working with the City Attorney to determine if there are alternatives to approving the agreement. City Attorney Wolfe recommended that the City try to negotiate an agreement that is reasonable and fair to the City, and investigate possible mitigation measures to address groundwater impacts. He said that the proposed agreement may not be the only option to address the issues CID has raised. For instance, a possible mitigation measure could be that the City build its own water recharge basins.

It was stated that the matter may ultimately require legal defense. City Attorney Wolfe added that it may be helpful to get an opinion from a professional firm that is well versed in groundwater issues, to determine what measures are warranted in light of CID's assertions.

Other cities subject to CID's agreement may want to be involved in the endeavor. City Manager Elias said that staff would work to get comprehensive information from a professional firm.

**ADJOURNMENT**

Having no further business, Mayor Pro-Tem Aguayo made a motion, seconded by Councilmember Darling, to adjourn. The motion carried and the meeting adjourned at 6:50 p. m.