

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
JUNE 17, 2014**

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

Councilmembers Present: Cardenas, Parra, Hammer, Monis & Simonian

City Staff Present: City Manager Elias, City Clerk Davis, Finance Director Wong, Police Chief Brand, City Attorney Wolfe, Public Works Director Weisser, Fire Chief Lopez, City Engineer Peters, Planning Consultant O'Neal

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

PUBLIC HEARING:

CONSIDER AND APPROVE RESOLUTION NO. 2299 - FIRST AMENDMENT TO WASTE MANAGEMENT CONTRACT

City Manager Elias said that the First Amendment to the 2009 contract with Waste Management for garbage and recycling services was before the Council for approval. The Amendment calls for the City to transfer the billing and collection for garbage services to Waste Management as of July 1, 2014. It also calls for a rate increase of 7.14 percent for residential, and 2 percent for commercial/industrial, to assist with the additional costs of Waste Management performing the billing and collection services. The rates are subject to an annual adjustment in July of each year, as in the current agreement. The City will receive a franchise fee of 10 percent of gross revenue per month from residential, commercial and industrial accounts, to be paid to the City on a quarterly basis. Mr. Elias noted that having Waste Management handle their own billing and collection will lessen the chance of any billing discrepancies.

Waste Management representative Liz Gomez stated that a letter is being mailed to citizens to announce the changes to the billing, along with information on payment options. Waste Management has also arranged for a local payment center to be located at Fowler Floral & Gifts on Merced Street.

Mayor Cardenas opened the duly noticed hearing on the matter at 7:25 p.m. There were no comments, and the hearing was closed at 7:25 p. m.

The Council discussed the matter. It was noted that on item 18.1.1 of the Amendment, the residential rate increase was shown to be 7.4 percent, but should be 7.14 percent. Mayor Pro-Tem Parra made a motion to approve Resolution No. 2299, "A Resolution of the City Council of the City of Fowler Approving a First Amendment to the Contract for the Collection of Solid Waste in the City and Revising the Rates for Such Service" with the corrected percentage increase of 7.14 percent for residential service. The motion carried by a 4-1-0 voice vote: Ayes: Cardenas, Parra, Hammer & Monis. Noes: Simonian. Abstain/Absent: None.

COMMUNICATIONS

City Manager Elias mentioned the upcoming Fowler Chamber of Commerce Citizen Awards Banquet on June 26, 2014 in Selma, and a tour of the new Fresno County Regional Permanent Waste Management Facility in Kerman, on June 25, 2014.

STAFF REPORTS:

ADOPTION OF RESOLUTION NO. 2300 - ANNUAL ASSESSMENTS FOR LANDSCAPE AND STORM DRAIN MAINTENANCE FACILITIES

City Engineer Peters said that the Engineer's Report of annual assessments for the City's Landscaping and Storm Drainage Facilities Maintenance District has been completed, and a public hearing will be set for July 1, 2014 to approve the assessments.

Councilmember Hammer made a motion, seconded by Councilmember Monis, to adopt Resolution No. 2300, "A Resolution of the City Council of the City of Fowler of Intention to Levy and Collect the Annual Assessments for Landscaping and Storm Drainage Facilities Maintenance District No. 1." The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis & Simonian. Noes: None. Abstain/Absent: None.

ADOPTION OF RESOLUTION NO. 2301 - FIFTH CYCLE HOUSING ELEMENT

Planning Consultant O'Neal explained that State law requires cities to periodically update their Housing Element (HE), and an up-to-date HE is an eligibility requirement for many State and federal grant opportunities. Fresno COG has taken the lead for preparing a joint HE update for all jurisdictions in Fresno County except the cities of Fresno, Firebaugh and Orange Cove. The joint effort provides an opportunity for housing needs to be addressed at the regional level, and this approach is fully supported by the State Department of Housing and Community Development. Through an RFP process a firm was selected to prepare the Fifth Cycle HE. Staff recommends that the Council authorize the City Manager to enter into a Memorandum of Understanding to participate in the project. The cost for Fowler's portion of the update will be \$25,695.

Councilmember Simonian, made a motion, seconded by Councilmember Hammer, to adopt Resolution No. 2301, "A Resolution of the City Council of the City of Fowler Authorizing the Execution of a Memorandum of Understanding With and Between Twelve Cities in Fresno County, The County of Fresno, and the Fresno Council of Governments for Preparation of a Multi-Jurisdictional Fifth-Cycle Housing Element." The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis & Simonian. Noes: None. Abstain/Absent: None.

ADOPTION OF RESOLUTION NO. 2302 - FINAL MAP TRACT NO. 6027

City Engineer Peters said that the Final Map and Subdivision Agreement for Tract No.

6027, a nine lot industrial subdivision project, is ready for approval. The tentative map was recently approved by both the Planning Commission and Council. The Subdivision Agreement requires that the applicant post bonds to guarantee the construction of off-site improvements. Upon receipt of the bonds and development fees for the project, the City Engineer will deliver the Final Map to the Fresno County Recorder.

Councilmember Simonian made a motion, seconded by Mayor Pro-Tem Parra, to adopt Resolution No. 2302, "A Resolution of the City Council of the City of Fowler Approving Final Tract Map No. 6027, and Subdivision Agreement, and Accepting Street Dedication and Easements." The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis & Simonian. Noes: None. Abstain/Absent: None.

CITY MANAGER'S REPORT

Discussion on Recreation Commission Re-appointments

City Manager Elias said that there are four Recreation Commission terms expiring at the end of June, and the current Commissioners have indicated that they wish to continue serving. Since some have been absent from a series of meetings, he asked the Council if they would like to solicit applications from the public, as it is important that members be present at meetings. The consensus was to post public notice to solicit applications before action is taken on re-appointment.

PUBLIC WORKS DIRECTOR'S REPORT

Public Works Director Weisser gave a report on annual water production, which included the years 2006 through 2014. He showed a water conservation "refrigerator magnet" with even/odd address watering schedules listed, that will be distributed to the citizens.

FINANCE DIRECTOR'S REPORT

No report was given.

POLICE DEPARTMENT REPORT

Chief Brand reported that oral interviews were held that day for a police officer recruitment.

FIRE DEPARTMENT REPORT

Fire Chief Lopez gave the April and May emergency call and training report. A "Home Safety Checklist" with tips to help avoid house fires, was recently mailed to the citizens with their utility bill.

CITY ATTORNEY'S REPORT

No report was given.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - June 17, 2014; B) Approve Minutes of the Fowler City Council Meeting - May 20, 2014; and C) Adoption of Resolution No. 2303, "A Resolution of the City Council of the City of Fowler Concerning Local Transportation Purpose Funds Extension (Measure "C" Extension)." Councilmember Hammer made a motion, seconded by Mayor Pro-Tem Parra, to approve the Consent Calendar. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis, & Simonian. Noes: None. Abstain/Absent: None.

COMMITTEE REPORTS

Mayor Pro-Tem Parra stated that the Fresno County EOC plans to soon give a presentation on their community assistance programs.

Councilmember Monis stated that plans have been made to install an awning at the Fowler Library.

ADJOURNMENT

Having no further business, Mayor Pro-Tem Parra made a motion, seconded by Councilmember Monis, to adjourn. The motion carried and the meeting adjourned at 8:33 p. m.