

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
OCTOBER 18, 2016**

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

Councilmembers Present: Cardenas, Parra, Hammer, Monis

City Staff Present: City Manager Elias, City Clerk Davis, City Attorney Wolfe,
Finance Director McDonald, Public Works Director Weisser, Fire Chief Lopez

The Flag Salute and Pledge of Allegiance were followed by an invocation given by Minister Bryan Mays.

PUBLIC PRESENTATIONS

Representatives from the Golden Living Center presented a \$1,000 check to the Fowler Volunteer Fire Department in appreciation for their service and professionalism.

John Anderson, a representative of Senator Anthony Cannella's office, offered to provide assistance for local needs.

ADOPTION OF RESOLUTION NO. 2357 - SIKH GENOCIDE

Representatives of the local Sikh community gave a history of the brutal violence that arose in India in 1984 against the Sikhs. They asked that the Council adopt a resolution recognizing the occurrence as genocide.

Mayor Pro-Tem Parra made a motion, seconded by Councilmember Monis, to adopt Resolution No. 2357, "A Resolution of the City Council of the City of Fowler, California, Recognizing the November 1984 Anti-Sikh Violence in India as Genocide. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis. Noes: None. Abstain: None. Absent: None.

COMMUNICATIONS

City Manager Elias mentioned the upcoming Lions Club Band Review and the Recreation Commission's Trunk or Treat event.

STAFF REPORTS:

FIRST READING OF ORDINANCE NO. 2016-03

City Attorney Wolfe explained that the update to the City's current Medical Marijuana (MMJ) ordinance expands it to address the likely passage of Proposition 64, concerning recreational use of Marijuana. The existing MMJ regulations would apply for recreational use if it becomes lawful in California. The ordinance imposes an express ban on all commercial Marijuana operations and provides cultivation regulations that include: Marijuana for personal use can only be cultivated inside a residence; cultivation cannot be seen, heard, or smelled outside the residence; and cultivation is limited to a maximum single area of thirty two (32) square feet and ten (10) feet in height.

After discussion, Mayor Pro-Tem Parra made a motion to waive the first reading and approve Ordinance No. 2016-03, "An Ordinance of the City Council of the City of Fowler Amending Chapter 18, of Title 5, of the Fowler Municipal Code Pertaining to Medical and Recreational Marijuana." The motion was seconded by Councilmember Hammer and carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis. Noes: None. Abstain: None. Absent: None.

CITY MANAGER'S REPORT

City Manager Elias reported on several development items: The City has finalized loan documents with USDA for a new fire station and the loan is expected to soon be approved. The City is applying to LAFCo to increase the City's Sphere of Influence by 749 acres. Buford Oil will be renovating their facility near Manning Avenue and Highway 99. The Valley Children's/Adventist Health project groundbreaking ceremony will take place in November 2016.

DISCUSSION/DIRECTION ON FILLING CITY COUNCIL VACANCY

City Manager Elias referred to the City Clerk's staff report regarding alternatives for filling the vacancy created by the passing of Councilmember Jim Simonian on September 26, 2016. The unexpired term of office extends to November 2018. Pursuant to the California Elections Code, the Council can either appoint a registered voter in the City within 60 days from the vacancy, or call for a special election on the next regularly scheduled date no sooner than 114 days from the call. The staff report provided deadlines for making an appointment, or for calling a special election. If the election is called in time for the March 7, 2017 election date, it will be consolidated with the General Election for the City of Clovis, at a cost between \$10,000 - \$15,000. If the call is made at a later point in the 60-day period, the vacancy will be on the ballot at a standalone election on June 6, 2017, at a cost of approximately \$18,000.

The Council discussed the options and directed staff to provide public notice to solicit applications for the vacancy, to be submitted to the City Clerk by 5:00 p.m. on October 27, 2016. The applications will be considered at the November 1, 2016 meeting for a possible appointment, along with a resolution calling for a special election on March 7, 2017 to fill the vacancy, if the Council chooses.

PUBLIC WORKS DIRECTOR'S REPORT

Public Works Director Weisser stated that a slurry seal project is taking place on various streets and the City Hall parking lot.

FINANCE DIRECTOR'S REPORT

Finance Director McDonald circulated an HDL quarterly sales tax report, and mentioned that the 2015-16 Fiscal Year audit is progressing.

POLICE DEPARTMENT REPORT

Crime statistic reports for July through September were included in the agenda packet.

FIRE DEPARTMENT REPORT

Chief Lopez circulated a list of emergency calls for August 2016 and mentioned upcoming training events in Fresno.

CITY ATTORNEY'S REPORT

City Attorney Wolfe said that he would be working with City Clerk Davis to schedule an ethics training session before the end of the year.

CONSENT CALENDAR

The Consent Calendar consisted of: A) Ratification of Warrants - October 18, 2016 and B) Approve Minutes of the City Council Meeting - September 6, 2016. Councilmember Monis 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. Noes: None. Abstain: None. Absent: None.

COMMITTEE REPORTS

Mayor Cardenas attended a local community event sponsored by Congressman David Valadao.

Mayor Pro-Tem Parra was appointed as President of the League of California Cities Latino Caucus. He recently served on a committee to appoint a new Executive Director for the League of California Cities.

Councilmember Monis reported on a recent book sale at the Fowler Library, and mentioned that the library will be having a presentation on Sikh customs and traditions.

The Council congratulated City Clerk Davis on being awarded the Master Municipal Clerk (MMC) designation by the International Institute of Municipal Clerks.

ADJOURNMENT

Having no further business, Councilmember Hammer made a motion, seconded by Councilmember Monis, to adjourn. The motion carried and the meeting adjourned at 8:48 p. m.