

**FOWLER CITY COUNCIL MEETING
AGENDA
TUESDAY, JUNE 15, 2021
7:00 P.M.
CITY COUNCIL CHAMBER
128 SOUTH 5TH STREET
FOWLER, CA 93625**

This meeting will be conducted pursuant to the provisions of Paragraph 11 of the Governor's Executive Order N-25-20 which suspends certain requirements of the Ralph M. Brown Act, and as a response to mitigating the spread of COVID-19, the meeting will not be open to the public. The telephone number listed below will provide access to the meeting via teleconference.

Please note: when joining the meeting you will be asked your name which will be used to identify you during any public comment period.

**Telephone Number: 978-990-5175
Meeting ID: 494026#**

It is requested that any member of the public attending while on the teleconference to have their phone set on "mute" to eliminate background noise or other interference from telephonic participation.

If you need accommodations such as interpreters, sign language signers, or the services of a translator, please contact the Clerk at (559) 834-3113 x102. To ensure availability, you are advised to make your request at least three business days prior to the meeting.

Any writing or document that is a public record and provided to a majority of the City Council regarding an open session item on the agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such writings and documents may be posted on the City's website at www.fowlercity.org.

With respect to the approval of resolutions and ordinances, the reading of the title thereto shall be deemed a motion to waive a reading of the complete resolution or ordinance and unless there is a request by a Councilmember that the resolution or ordinance be read in full, further reading of the resolution or ordinance shall be deemed waived by unanimous consent of the Council.

1. Meeting Called to Order
2. Roll Call

3. Public Comment

This portion of the meeting reserved for persons desiring to address the Council on any matter not described on this agenda. Presentations are limited to 5 minutes per person and no more than 15 minutes per topic.

Member of the public may also submit comments to avasquez@ci.fowler.ca.us. Include your name, and reference the agenda item you are commenting on, if any. Emails received by 8:00 am on the date of the meeting will be included for the Council's information at the meeting.

4. Consent Calendar

Items on the Consent Calendar are considered routine and shall be approved by one motion of the Council. If a Councilmember requests additional information or wants to comment on an item, the vote should be held until the questions or comments are made, and then a single vote should be taken. If a Councilmember objects to an item, then it should be removed and acted upon as a separate item.

4-A. RATIFY Warrants for June 15, 2021

4-B. APPROVE Minutes of the May 18, 2021 City Council Special Meeting

4-C. APPROVE Minutes of the May 18, 2021 City Council Meeting

4-D. APPROVE Minutes of the June 1, 2021 City Council Special Meeting

4-E. Consider second reading and Adoption of Ordinance No. 2021-02 Amending Sections 3-8.01 through 3-8.11, of Chapter 8, of Title 3, of the Fowler Municipal Code to Update the City's Development Impact Fee Ordinance for New Development, to Add New Fee Categories for Public Facilities, and to Amend Section 902 of the Fowler Subdivision Ordinance Pertaining to Park Fees and Dedication of Land for Parks.

4-F. Consider and Approve Resolution No. 2506 designating Fresno Street from 5th Street to 7th Street as the 2021/2022 SB1 Local Streets and Roads project.

5. Public Hearing

5-A. Joint Meeting of the City Council of the City of Fowler and the Fowler Public Financing Authority to Consider Adoption of Fiscal Year 2021/2022 Budget

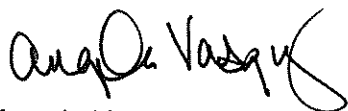
i. Meeting called to order

ii. Adopt Resolution No. 2504, A Resolution of the City Council of the City of Fowler, acting in its capacity as City Council to the City, successor agency to the former Redevelopment Agency, and as the Board of the Public Financing Authority, adopting the Final Annual Budget of the City of Fowler and providing for the appropriation and expenditure of all sums set forth in said Final Budget for the 2021/2022 Fiscal Year

- iii. Adopt Resolution No. 2505, A Resolution of the City Council of the City of Fowler Adopting the Annual Appropriations Limit for Fiscal Year 2021/2022 pursuant to Article XIII B of the California Constitution
 - iv. Adopt Resolution No. PFA 2021-01 A Resolution of the Fowler Public Financing Authority, County of Fresno, State of California, Adopting the Public Financing Authority Annual Budget and Appropriating Revenue of the Authority for the 2021/2022 Fiscal Year
 - v. Adjourn Joint Meeting
6. General Administration
- 6-A. City Manager's Office
- i. COVID-19 Update
 - ii. City Facilities Reopening Plan
 - iii. Actions pertaining to Fiscal Year 2019-20 and Fiscal Year 2020-21 year-end close of the City of Fowler's financial records and assistance with the completion of the June 30, 2020 and June 30, 2021 audits.
 - 1. Approve the First Amendment to the Accounting Consultant Services Agreement with Price Paige & Company, Accountancy Corporation (Price Paige), to provide professional consulting services for the City of Fowler's Finance Department in an amount not to exceed \$150,000.
 - 2. Approve Budget Amendment Resolution No. 2507 to appropriate \$150,000 for FY 2019-20 and FY 2020-21 year-end close of the City of Fowler's financial records and assistance with the preparation of the June 30, 2020 and June 30, 2021 audits.
- 6-B. Community Development Department
- i. Workshop on Outdoor Dining Survey Results
7. Staff Communications – (City Manager)
8. Councilmember Reports and Comments
9. Adjournment

Next Ordinance No. 2021-03
Next Resolution No. 2508

CERTIFICATION: I, Angela Vasquez, Deputy City Clerk of the City of Fowler, California, hereby certify that the foregoing agenda was posted for public review on Friday, June 11, 2021.

A handwritten signature in black ink, appearing to read 'Angela Vasquez', with a stylized flourish at the end.

*Angela Vasquez
Deputy City Clerk*

CITY OF FOWLER
WARRANTS LIST
June 15, 2021

<u>ACCOUNTS PAYABLE CHECKS</u>	<u>CHECK NUMBERS</u>	<u>CHECK DATES</u>	<u>AMOUNT</u>
Regular checks	37860-37945	May 20 thru June 3	\$ 217,380.10
TOTAL ACCOUNTS PAYABLE CHECKS			<u>\$ 217,380.10</u>
<u>PAYROLL COSTS</u>			
Second May Bi-Monthly Payroll		May 31, 2021	98,036.90
TOTAL PAYROLL COSTS			<u>\$ 98,036.90</u>
TOTAL CASH DISBURSEMENTS			<u>\$ 315,417.00</u>

NOTE:

Check #37876 Void check carry over to check #37877

ITEM

4A

SUPERION
DATE: 06/09/2021
TIME: 16:08:05

CITY OF FOWLER
CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 1
ACCTPAZ1

SELECTION CRITERIA: transact.check_no between '37860' and '37945'
ACCOUNTING PERIOD: 12/21

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	37860	05/20/21	14433	PRICE PAIGE & COMPANY	6030	ACCOUNTING SERVICES	0.00	24,909.00
1001	37860	05/20/21	14433	PRICE PAIGE & COMPANY	5000	ACCOUNTING SERVICES	0.00	8,303.00
TOTAL CHECK							0.00	33,212.00
1001	37861	05/25/21	10007	ALERT-O-LITE, INC	6200	PAINT	0.00	155.09
1001	37862	05/25/21	14328	ANNA'S RESTAURANT	6700	SENIOR MEALS	0.00	480.00
1001	37863	05/25/21	10549	AT&T MOBILITY	6120	SERVICES	0.00	314.51
1001	37864	05/25/21	14447	ATKAR,BHAUDER & KAUR JAS	500	UB REFUND	0.00	77.02
1001	37865	05/25/21	10026	BCT CONSULTING	5000	COMPUTER SERVICES	0.00	300.00
1001	37865	05/25/21	10026	BCT CONSULTING	6030	COMPUTER SERVICES	0.00	300.00
1001	37865	05/25/21	10026	BCT CONSULTING	6025	COMPUTER SERVICES	0.00	150.00
1001	37865	05/25/21	10026	BCT CONSULTING	6020	COMPUTER SERVICES	0.00	150.00
1001	37865	05/25/21	10026	BCT CONSULTING	6160	COMPUTER SERVICES	0.00	150.00
1001	37865	05/25/21	10026	BCT CONSULTING	6150	COMPUTER SERVICES	0.00	150.00
1001	37865	05/25/21	10026	BCT CONSULTING	6130	COMPUTER SERVICES	0.00	150.00
1001	37865	05/25/21	10026	BCT CONSULTING	6120	COMPUTER SERVICES	0.00	150.00
TOTAL CHECK							0.00	1,500.00
1001	37866	05/25/21	11682	BRITZ SIMPLOT GROWER SOL	6200	ROUNDUP	0.00	483.20
1001	37866	05/25/21	11682	BRITZ SIMPLOT GROWER SOL	6260	ROUNDUP	0.00	255.09
TOTAL CHECK							0.00	738.29
1001	37867	05/25/21	10024	BSK LABORATORIES	5000	SERVICES	0.00	182.00
1001	37867	05/25/21	10024	BSK LABORATORIES	5000	SERVICES	0.00	115.00
TOTAL CHECK							0.00	297.00
1001	37868	05/25/21	11291	THE BUSINESS JOURNAL	6025	LEGAL AD	0.00	575.00
1001	37869	05/25/21	10556	CNA SURETY DIRECT BILL	6030	USDA BOND	0.00	352.50
1001	37869	05/25/21	10556	CNA SURETY DIRECT BILL	6020	USDA BOND	0.00	352.50
1001	37869	05/25/21	10556	CNA SURETY DIRECT BILL	5000	USDA BOND	0.00	470.00
TOTAL CHECK							0.00	1,175.00
1001	37870	05/25/21	14356	COMCAST	6030	SERVICES	0.00	138.52
1001	37871	05/25/21	14429	CORE & MAIN	6260	SUPPLIES	0.00	133.84
1001	37872	05/25/21	11065	DOOLEY ENTERPRISES	6120	AMMUNITION	0.00	3,038.85
1001	37873	05/25/21	11023	EMMETTS EXCAVATION INC	500	HYDRANT REFUND	0.00	883.63
1001	37874	05/25/21	10792	FASTENAL COMPANY	6260	SUPPLIES	0.00	402.22
1001	37874	05/25/21	10792	FASTENAL COMPANY	6260	SUPPLIES	0.00	75.64
1001	37874	05/25/21	10792	FASTENAL COMPANY	6260	SUPPLIES	0.00	20.73
TOTAL CHECK							0.00	498.59
1001	37875	05/25/21	10108	FIVE CITIES EDA - EDC	6020	Q4 APRIL-JUNE	0.00	778.62

SUPERION
DATE: 06/09/2021
TIME: 16:08:05

PAGE NUMBER: 2
ACCTPA21

CITY OF FOWLER
CHECK REGISTER - DISBURSEMENT FUND

SELECTION CRITERIA: transact.check_no between '37860' and '37945'
ACCOUNTING PERIOD: 12/21

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	30.48
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	34.05
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	35.95
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	37.08
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	46.89
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	54.42
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	63.18
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	111.11
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	169.87
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	20.69
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	22.62
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	26.14
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	27.00
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	8.71
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	8.71
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	10.88
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	10.88
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	10.89
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	6.53
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	11.97
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	12.51
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	13.82
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	15.78
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	16.34
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	17.52
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	7.62
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	7.62
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	3.80
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	4.89
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	5.76
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	6.52
1001	37877	05/25/21	14245	FOWLER ACE HARDWARE	6200	SUPPLIES	0.00	860.23
TOTAL CHECK								
1001	37878	05/25/21	14246	FOWLER ACE HARDWARE	6020	SUPPLIES	0.00	10.86
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	10.90
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	13.04
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	15.22
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	17.43
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	27.23
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	44.61
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	47.29
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	87.17
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	2.94
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	3.04
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	3.91
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	4.42
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	4.99
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	5.00
1001	37879	05/25/21	14247	FOWLER ACE HARDWARE	5000	SUPPLIES	0.00	287.19
TOTAL CHECK								
1001	37880	05/25/21	14249	FOWLER ACE HARDWARE	6260	SUPPLIES	0.00	0.82

SUPERION
DATE: 06/09/2021
TIME: 16:08:05

CITY OF FOWLER
CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 4
ACCTPAZ1

SELECTION CRITERIA: transact.check_no between '37860' and '37945'
ACCOUNTING PERIOD: 12/21

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	37890	05/25/21	10251	R & R AUTO REPAIR SHOP	6160	WIPER BLADES	0.00	20.36
1001	37891	05/25/21	11179	R G EQUIPMENT	6260	EDGER	0.00	40.00
1001	37891	05/25/21	11179	R G EQUIPMENT	6260	AUGER	0.00	138.80
1001	37891	05/25/21	11179	R G EQUIPMENT	6260	BACKPACK BLWR REPAIR	0.00	143.52
TOTAL CHECK							0.00	322.32
1001	37892	05/25/21	10254	REDCAT TOWING	6120	TOWING	0.00	205.00
1001	37893	05/25/21	11195	ROBERT V JENSEN INC	6160	FUEL	0.00	74.28
1001	37893	05/25/21	11195	ROBERT V JENSEN INC	6130	FUEL	0.00	115.10
1001	37893	05/25/21	11195	ROBERT V JENSEN INC	6130	FUEL	0.00	124.52
1001	37893	05/25/21	11195	ROBERT V JENSEN INC	6260	FUEL	0.00	247.56
1001	37893	05/25/21	11195	ROBERT V JENSEN INC	6260	FUEL	0.00	253.22
1001	37893	05/25/21	11195	ROBERT V JENSEN INC	6200	FUEL	0.00	263.88
1001	37893	05/25/21	11195	ROBERT V JENSEN INC	6200	FUEL	0.00	350.92
1001	37893	05/25/21	11195	ROBERT V JENSEN INC	5000	FUEL	0.00	425.15
1001	37893	05/25/21	11195	ROBERT V JENSEN INC	5000	FUEL	0.00	589.92
TOTAL CHECK							0.00	2,444.55
1001	37894	05/25/21	12895	ROBERTS OF CALIFORNIA	6130	HOOD VENT FIRE STTN	0.00	428.00
1001	37895	05/25/21	14450	ROCHEEZ ENGINEERING	500	HYDRANT REFUND	0.00	187.88
1001	37896	05/25/21	10953	SAFETY NETWORK	6200	SIGNS	0.00	409.78
1001	37896	05/25/21	10953	SAFETY NETWORK	6200	SIGNS	0.00	491.70
TOTAL CHECK							0.00	901.48
1001	37897	05/25/21	14448	SEPE, JOSEPH	500	UB REFUND	0.00	47.37
1001	37898	05/25/21	14445	SILVA, LINDA	500	UB REFUND	0.00	79.13
1001	37899	05/25/21	14358	SPARKLETTS	6020	WATER SERVICES	0.00	72.78
1001	37900	05/25/21	10325	TULARE COUNTY JAIL INDUS	6120	RIFLE COURSE	0.00	200.00
1001	37901	05/25/21	13543	UNIFIRST CORPORATION	6020	SERVICES	0.00	41.96
1001	37901	05/25/21	13543	UNIFIRST CORPORATION	6020	SERVICES	0.00	41.96
1001	37901	05/25/21	13543	UNIFIRST CORPORATION	6130	SUPPLIES	0.00	66.26
1001	37901	05/25/21	13543	UNIFIRST CORPORATION	6130	SUPPLIES	0.00	66.26
1001	37901	05/25/21	13543	UNIFIRST CORPORATION	6130	SUPPLIES	0.00	66.26
1001	37901	05/25/21	13543	UNIFIRST CORPORATION	6130	SUPPLIES	0.00	66.26
1001	37901	05/25/21	13543	UNIFIRST CORPORATION	6130	SUPPLIES	0.00	66.26
TOTAL CHECK							0.00	415.22
1001	37902	05/25/21	13521	UNITY IT	6120	TABLET SETUP	0.00	218.49
1001	37903	06/03/21	12194	AG WEST DISTRIBUTING CO	6260	SUPPLIES	0.00	25.27
1001	37904	06/03/21	13143	ALLIED ELECTRIC	6200	SUPPLIES	0.00	442.96

SUPERION
DATE: 06/09/2021
TIME: 16:08:05

CITY OF FOWLER
CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 5
ACCTPA21

SELECTION CRITERIA: transact.check_no between '37860' and '37945'
ACCOUNTING PERIOD: 12/21

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	37905	06/03/21	14031	ANDREW VENEGAS	6130	UNIFORM REIMBSMNT	0.00	163.23
1001	37906	06/03/21	14328	ANNA'S RESTAURANT	6700	SENIOR MEALS	0.00	480.00
1001	37907	06/03/21	10026	BCT CONSULTING	6020	SERVICES	0.00	150.00
1001	37907	06/03/21	10026	BCT CONSULTING	6025	SERVICES	0.00	150.00
1001	37907	06/03/21	10026	BCT CONSULTING	6120	SERVICES	0.00	150.00
1001	37907	06/03/21	10026	BCT CONSULTING	6130	SERVICES	0.00	150.00
1001	37907	06/03/21	10026	BCT CONSULTING	6150	SERVICES	0.00	150.00
1001	37907	06/03/21	10026	BCT CONSULTING	6160	SERVICES	0.00	150.00
1001	37907	06/03/21	10026	BCT CONSULTING	6030	SERVICES	0.00	300.00
1001	37907	06/03/21	10026	BCT CONSULTING	5000	SERVICES	0.00	300.00
TOTAL CHECK								1,500.00
1001	37908	06/03/21	10024	BSK LABORATORIES	5000	SERVICES	0.00	42.00
1001	37908	06/03/21	10024	BSK LABORATORIES	5000	SERVICES	0.00	115.00
1001	37908	06/03/21	10024	BSK LABORATORIES	5000	SERVICES	0.00	182.00
TOTAL CHECK								339.00
1001	37909	06/03/21	14343	CARNICERIA Y TACQUERIA	6700	SENIOR MEALS	0.00	1,503.36
1001	37910	06/03/21	14131	CENTRAL VALLEY SWEEPING,	2250	STREET SWEEPING	0.00	2,750.00
1001	37910	06/03/21	14131	CENTRAL VALLEY SWEEPING,	2250	STREET SWEEPING	0.00	2,750.00
TOTAL CHECK								5,500.00
1001	37911	06/03/21	10064	COLONIAL LIFE INSURANCE	100	EMPLOYEE DEDUCTION	0.00	120.54
1001	37911	06/03/21	10064	COLONIAL LIFE INSURANCE	100	EMPLOYEE DEDUCTION	0.00	183.36
TOTAL CHECK								303.90
1001	37912	06/03/21	14356	COMCAST	6030	SERVICES	0.00	17.81
1001	37912	06/03/21	14356	COMCAST	6700	SERVICES	0.00	258.44
TOTAL CHECK								276.25
1001	37913	06/03/21	11226	COMMUNITY MEDICAL CENTER	6120	BLOOD DRAWS	0.00	175.00
1001	37914	06/03/21	12582	DARLEY	6130	CAMERA K1	0.00	1,334.74
1001	37915	06/03/21	14188	DATA TICKET	6120	SRVCS PARKING VLTNS	0.00	157.00
1001	37916	06/03/21	10087	DEPARTMENT OF TRANSPORTA	6200	SIGNALS & LIGHTING	0.00	220.14
1001	37916	06/03/21	10087	DEPARTMENT OF TRANSPORTA	6200	SIGNALS & LIGHTING	0.00	228.12
TOTAL CHECK								448.26
1001	37917	06/03/21	14322	DEVIKA INC DBA DENNY'S	6700	SENIOR MEALS	0.00	528.00
1001	37918	06/03/21	11793	DON BERRY CONSTRUCTION	2300	3RD & TUOLUMNE	0.00	46,570.00
1001	37919	06/03/21	13826	ECS IMAGING INC	6030	SCANNER	0.00	1,302.06
1001	37920	06/03/21	12316	EMERGENCY REPORTING	6130	SERVICES	0.00	1,633.00
1001	37921	06/03/21	11862	YVONNE HERNANDEZ	6700	MAY MILEAGE	0.00	143.35

SUPERION
DATE: 06/09/2021
TIME: 16:08:05

CITY OF FOWLER
CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 6
ACCTPA21

SELECTION CRITERIA: transact.check_no between '37860' and '37945'
ACCOUNTING PERIOD: 12/21

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	37922	06/03/21	11018	HOME DEPOT CREDIT SERVIC	6200	SUPPLIES	0.00	34.61
1001	37922	06/03/21	11018	HOME DEPOT CREDIT SERVIC	6200	SUPPLIES	0.00	50.70
1001	37922	06/03/21	11018	HOME DEPOT CREDIT SERVIC	6200	SUPPLIES	0.00	75.50
1001	37922	06/03/21	11018	HOME DEPOT CREDIT SERVIC	6200	SUPPLIES	0.00	169.44
TOTAL CHECK							0.00	330.25
1001	37923	06/03/21	13496	KEENAN & ASSOCIATES	8500	EMPLOYEE BENEFITS	0.00	72.00
1001	37923	06/03/21	13496	KEENAN & ASSOCIATES	6150	EMPLOYEE BENEFITS	0.00	351.24
1001	37923	06/03/21	13496	KEENAN & ASSOCIATES	6030	EMPLOYEE BENEFITS	0.00	503.99
1001	37923	06/03/21	13496	KEENAN & ASSOCIATES	6400	EMPLOYEE BENEFITS	0.00	719.99
1001	37923	06/03/21	13496	KEENAN & ASSOCIATES	6700	EMPLOYEE BENEFITS	0.00	719.99
1001	37923	06/03/21	13496	KEENAN & ASSOCIATES	6020	EMPLOYEE BENEFITS	0.00	1,053.73
1001	37923	06/03/21	13496	KEENAN & ASSOCIATES	100	EMPLOYEE BENEFITS	0.00	2,007.49
1001	37923	06/03/21	13496	KEENAN & ASSOCIATES	5000	EMPLOYEE BENEFITS	0.00	2,454.73
1001	37923	06/03/21	13496	KEENAN & ASSOCIATES	6200	EMPLOYEE BENEFITS	0.00	6,748.41
1001	37923	06/03/21	13496	KEENAN & ASSOCIATES	6120	EMPLOYEE BENEFITS	0.00	11,404.62
TOTAL CHECK							0.00	26,036.19
1001	37924	06/03/21	10191	LIFE ASSIST, INC	6130	SUPPLIES	0.00	111.15
1001	37925	06/03/21	11495	MADERA UNIFORM & ACCESSO	6130	UNIFORM SUPPLIES	0.00	138.29
1001	37926	06/03/21	14392	MI FAVORITO PLACE MEX RE	6700	SENIOR MEALS	0.00	1,673.86
1001	37927	06/03/21	14428	NAVIA BENEFIT SOLUTIONS	6020	COBRA	0.00	36.45
1001	37928	06/03/21	14388	ONTIVEROS, EDWARD	500	WTR REFUND REP #37304	0.00	86.60
1001	37929	06/03/21	12384	PITNEY BOWES GLOBAL FINA	5000	FLDNG MACHINE LEASE	0.00	671.22
1001	37929	06/03/21	12384	PITNEY BOWES GLOBAL FINA	6030	FLDNG MACHINE LEASE	0.00	671.23
TOTAL CHECK							0.00	1,342.45
1001	37930	06/03/21	10238	PIZZA FACTORY	6700	SENIOR MEALS	0.00	1,024.00
1001	37931	06/03/21	10251	R & R AUTO REPAIR SHOP	6120	OIL CHANGE	0.00	79.30
1001	37932	06/03/21	11179	R G EQUIPMENT	6260	BLOWER	0.00	172.75
1001	37933	06/03/21	14418	R&S ERECTION TRI-COUNTY,	6130	ENGINE DOOR REPAIR	0.00	764.50
1001	37934	06/03/21	11195	ROBERT V JENSEN INC	6160	FUEL	0.00	84.27
1001	37934	06/03/21	11195	ROBERT V JENSEN INC	6130	FUEL	0.00	91.05
1001	37934	06/03/21	11195	ROBERT V JENSEN INC	6260	FUEL	0.00	285.21
1001	37934	06/03/21	11195	ROBERT V JENSEN INC	5000	FUEL	0.00	368.15
1001	37934	06/03/21	11195	ROBERT V JENSEN INC	6200	FUEL	0.00	602.52
TOTAL CHECK							0.00	1,431.20
1001	37935	06/03/21	14072	ROBINA WRIGHT ARCHITECT	6150	SUMMER REC ADA	0.00	200.00
1001	37935	06/03/21	14072	ROBINA WRIGHT ARCHITECT	6150	206 S 10TH	0.00	413.95
1001	37935	06/03/21	14072	ROBINA WRIGHT ARCHITECT	6150	441 E FRESNO	0.00	647.37
1001	37935	06/03/21	14072	ROBINA WRIGHT ARCHITECT	6150	FELIX ADA	0.00	675.00

SUPERION
DATE: 06/09/2021
TIME: 16:08:05

SELECTION CRITERIA: transact.check_no between '37860' and '37945'
ACCOUNTING PERIOD: 12/21

CITY OF FOWLER
CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 7
ACCTPA21

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	37935	06/03/21	14072	ROBINA WRIGHT ARCHITECT	6150	SUMMER ON SITE ADA	0.00	825.00
1001	37935	06/03/21	14072	ROBINA WRIGHT ARCHITECT	100	MAXCO	0.00	3,659.46
1001	37935	06/03/21	14072	ROBINA WRIGHT ARCHITECT	6150	KB HOMES 6188	0.00	7,230.17
TOTAL CHECK								13,650.95
1001	37936	06/03/21	10518	SIGNMAX!	6200	SUPPLIES	0.00	26.46
1001	37936	06/03/21	10518	SIGNMAX!	6260	SUPPLIES	0.00	123.10
TOTAL CHECK								149.56
1001	37937	06/03/21	12443	SIMPLOT GROWER SOLUTIONS	6260	ROUNDUP	0.00	255.09
1001	37937	06/03/21	12443	SIMPLOT GROWER SOLUTIONS	6200	ROUNDUP	0.00	483.20
TOTAL CHECK								738.29
1001	37938	06/03/21	13355	SITE ONE	6260	PRESSURE NOZZLE	0.00	75.91
1001	37938	06/03/21	13355	SITE ONE	6260	SPRINKLER PARTS	0.00	121.36
1001	37938	06/03/21	13355	SITE ONE	6260	SUPPLIES	0.00	420.37
TOTAL CHECK								617.64
1001	37939	06/03/21	10289	SOUTH COUNTY VETERINARY	6270	SERVICES	0.00	40.00
1001	37940	06/03/21	10085	STATE OF CA DEPARTMENT O	6120	SERVICES	0.00	70.00
1001	37941	06/03/21	13647	SUN LIFE FINANCIAL	8500	EMPLOYEE BENEFITS	0.00	3.31
1001	37941	06/03/21	13647	SUN LIFE FINANCIAL	6020	EMPLOYEE BENEFITS	0.00	33.18
1001	37941	06/03/21	13647	SUN LIFE FINANCIAL	6150	EMPLOYEE BENEFITS	0.00	33.18
1001	37941	06/03/21	13647	SUN LIFE FINANCIAL	6400	EMPLOYEE BENEFITS	0.00	33.18
1001	37941	06/03/21	13647	SUN LIFE FINANCIAL	6700	EMPLOYEE BENEFITS	0.00	33.18
1001	37941	06/03/21	13647	SUN LIFE FINANCIAL	6030	EMPLOYEE BENEFITS	0.00	39.82
1001	37941	06/03/21	13647	SUN LIFE FINANCIAL	6160	EMPLOYEE BENEFITS	0.00	127.88
1001	37941	06/03/21	13647	SUN LIFE FINANCIAL	5000	EMPLOYEE BENEFITS	0.00	159.25
1001	37941	06/03/21	13647	SUN LIFE FINANCIAL	6200	EMPLOYEE BENEFITS	0.00	368.28
1001	37941	06/03/21	13647	SUN LIFE FINANCIAL	6120	EMPLOYEE BENEFITS	0.00	769.74
1001	37941	06/03/21	13647	SUN LIFE FINANCIAL	100	EMPLOYEE BENEFITS	0.00	1,213.20
TOTAL CHECK								2,814.20
1001	37942	06/03/21	13048	SWRCB ACCOUNTING OFFICE	5000	ANNUAL OPTNG FEES	0.00	10,580.24
1001	37943	06/03/21	13356	TULARE POLARIS	6200	SUPPLIES	0.00	318.22
1001	37943	06/03/21	13356	TULARE POLARIS	6200	SUPPLIES	0.00	3,411.50
TOTAL CHECK								3,729.72
1001	37944	06/03/21	13543	UNIFIRST CORPORATION	6700	SUPPLIES	0.00	34.29
1001	37944	06/03/21	13543	UNIFIRST CORPORATION	6020	SUPPLIES	0.00	41.96
1001	37944	06/03/21	13543	UNIFIRST CORPORATION	6020	SUPPLIES	0.00	41.96
1001	37944	06/03/21	13543	UNIFIRST CORPORATION	6020	SUPPLIES	0.00	41.96
1001	37944	06/03/21	13543	UNIFIRST CORPORATION	6260	SUPPLIES	0.00	155.43
1001	37944	06/03/21	13543	UNIFIRST CORPORATION	6200	SUPPLIES	0.00	155.43
1001	37944	06/03/21	13543	UNIFIRST CORPORATION	5000	SUPPLIES	0.00	170.37
TOTAL CHECK								641.40
1001	37945	06/03/21	11335	VISION SERVICE PLAN - (C	8500	EMPLOYEE BENEFITS	0.00	0.99
1001	37945	06/03/21	11335	VISION SERVICE PLAN - (C	6400	EMPLOYEE BENEFITS	0.00	9.85

**MINUTES OF THE JOINT SPECIAL MEETING OF THE FOWLER CITY COUNCIL
AND CITY OF FOWLER PLANNING COMMISSION
TUESDAY MAY 18, 2021**

Mayor Cardenas called the meeting to order at 6:02 p. m.

Councilmembers Present: Cardenas, Rodriquez, Kazarian, Mejia

City Staff Present: City Manager Quan, City Attorney Cross, Police Chief Alcaraz, Public Works Director Dominguez, Community Development Director Gaffery, Recreation Coordinator Hernandez, Fire Chief Lopez, City Planner Marple, Finance Director Moreno, City Engineer Peters

Commissioners Present: Brian Hammer, Kevin Kandarian, Craig Mellon (via phone), Adriana Prado, Cesar Rodriguez

PUBLIC PRESENTATIONS

There were no public presentations.

WORKSHOP

City Attorney Cross conducted the first hour of Biennial Ethics Training as Required by AB 1234 for elected and appointed officials. The second hour will be completed at a later date.

ADJOURNMENT

Having no further business, the meeting adjourned at 6:58 p.m.

MINUTES OF THE FOWLER CITY COUNCIL MEETING
Tuesday May 18, 2021

Mayor Cardenas called the meeting to order at 7:05 p. m.

Councilmembers Present: Cardenas, Rodriquez, Kazarian, Mejia, and Parra (via phone)

City Staff Present: City Manager Quan, City Attorney Cross, Police Chief Alcaraz, Public Works Director Dominguez, Community Development Director Gaffery, Fire Chief Lopez, City Planner Marple, City Engineer Peters, Deputy City Clerk Vasquez

3. CEREMONIAL PRESENTATIONS

3-A. Proclamation, "National Public Works Week"

Public Works Director Dominguez read the National Public Works Week proclamation and commended staff for their hard work and dedication.

3-B. Proclamation, "In solidarity to condemn racism, xenophobia, violence, and hate crimes against Asian Americans and Pacific Islanders (AAPI)"

Councilmember Kazarian presented the proclamation.

4. PUBLIC COMMENT

Planning Commissioner Mellon addressed the council.

5. CONSENT CALENDAR

Councilmember Kazarian made a motion to approve the consent calendar, seconded by Mayor Pro-Tem Rodriquez. The motion carried by roll call vote: Ayes: Kazarian, Rodriquez, Cardenas, Mejia, Parra.

6. PUBLIC HEARING

6-A. Public Hearing to Consider Various Items Pertaining to Development Impact Fees and Quimby Act Fees for New Development

City Engineer Peters presented the item. City Engineer Peters stated the last time development impact fees were studied was in June 2000 and determined due to the changing complexity of projects it was essential to update the study at this time. Councilmember Kazarian noted he requested staff to look further at the creation of Incentive Zones and agreed with moving forward with the expectation that staff make reasonable efforts in the future to study the implementation of Incentive Zones.

- i. **Consider APPROVAL of Development Impact Fee Justification Study, dated May 14, 2021, Prepared by DTA**

There was no public comment.

Councilmember Kazarian made a motion to approve, seconded by Councilmember Parra. The motion carried by roll call vote: Ayes: Kazarian, Parra, Cardenas, Mejia, Rodriquez.

- ii. **Consider Introduction of Ordinance No. 2021-02, An Ordinance Amending Sections 3-8.01 Through 3-8.11, of Chapter 8, of Title 3, of the Fowler Municipal Code to Update the City's Development Impact Fee Ordinance for New Development, To Add New Fee Categories for Public Facilities, and to Amend Section 902 of the Fowler Subdivision Ordinance Pertaining to Park Fees and Dedication of Land for Parks**

There was no public comment.

Mayor Pro-Tem Rodriquez made a motion to accept, seconded by Councilmember Mejia. The motion carried by roll call vote: Ayes: Rodriquez, Mejia, Cardenas, Kazarian, Parra.

- iii. **Consider APPROVAL of Resolution No. 2502, A Resolution of the City Council of the City of Fowler Approving the Amount of Development Impact Fees and Quimby Act Fees for New Development in the City of Fowler**

There was no public comment.

Councilmember Kazarian made a motion to approve, seconded by Councilmember Mejia. The motion carried by roll call vote: Ayes: Kazarian, Mejia, Cardenas, Parra, Rodriquez.

7. GENERAL ADMINISTRATION

7-A. COMMUNITY DEVELOPMENT DEPARTMENT

i. WORKSHOP ON OUTDOOR DINING

Community Development Director Gaffery and City Planner Marple shared a presentation on outdoor dining on Merced Street and requested feedback on a few items which included dining platforms and alley dining. The presentation included photos of outdoor dining areas from Kingsburg and Redlands. City Manager Quan noted a Merced Street workshop will be held soon to get feedback on topics including parking time zones, parking

citations, and ADA upgrades. It was the consensus of the Council to keep the temporary outdoor dining component and will give input at the upcoming Merced Street workshop.

7-B. CITY MANAGER'S OFFICE

i. COVID-19 Update

City Manager Quan reported COVID-19 positive cases and death rate has not changed for almost a month and 50 percent of residents are vaccinated. City Manager Quan also noted the City will begin transitioning back to the Economic Opportunities Commission providing senior meals which will be half the cost. Staff anticipates the Senior Center will open in late June. City Manager Quan announced Fresno County Department of Public Health notified staff yesterday they would like to incentivize people by giving gift cards to those who receive the COVID-19 vaccine. FCDPH would like to purchase 200 gift cards in the City of Fowler. Staff is going to recommend the gift cards be purchased at the six businesses who were providing senior meals to help offset their revenue loss.

ii. APPROVE Resolution No. 2503 declaring the property located at the northwest corner of South 7th Street and East Vine Street (APNs 343-233-02ST and 343-233-03ST) to be surplus and directing staff to comply with the Surplus Land Act

Community Development Director Gaffery reviewed the vicinity map with Council and explained the City has been approached with interest in the property. Director Gaffery stated that with Council's approval staff will move forward with the Surplus Land Act noticing requirements.

Councilmember Kazarian made a motion to approve, seconded by Mayor Pro-Tem Rodriquez. The motion carried by roll call vote: Ayes: Kazarian, Rodriquez, Cardenas, Mejia, Parra.

7-C. PUBLIC WORKS DEPARTMENT

i. Approve Resolution No. 2499, a Resolution of the City of Fowler Approving Agreements with Sitelogiq, Inc. and Advanced Lighting Services, Inc. for energy conservation improvements pursuant to Government Code Section 4217.10, et. seq. (Item requested to be removed and re-noticed at a later date)

Public Works Director Dominguez requested that approval of Resolution No. 2499 be moved to a later date.

A motion was made by Councilmember Kazarian, seconded by Mayor Pro-Tem Rodriquez. The motion carried by roll call vote: Ayes: Kazarian, Rodriquez, Cardenas, Mejia, Parra.

ii. Receive and File: Solid Waste Rate Update

Public Works Director Dominguez presented the item.

iii. Review of proposed gateway landscaping and wayfinding signage at the intersection of Golden State Boulevard and Merced Street

Provide staff direction and authorize City Engineer to request the Fresno County Transportation Authority include gateway landscaping and wayfinding signage at the Golden State Boulevard and Merced Street into the Golden State Boulevard Corridor project

City Engineer Peters updated Council on the Golden State Boulevard Corridor project design progress and stated construction should begin in approximately one year and will be completed in two years. City Engineer Peters shared renderings of monumentation signage and enhanced landscaping. The Council was pleased with the renderings with some recommendations; specifically adding an arch sign and a brick crosswalk.

8. STAFF COMMUNICATIONS – (CITY MANAGER)

8-A. POLICE DEPARTMENT

Police Chief Alcaraz handed out DOJ crime stats for the month of April 2021. Chief Alcaraz reported the Virtual Business Awareness Discussion went very well.

8-B. PUBLIC WORKS DEPARTMENT

Public Works Director Dominguez reported the water meter data collector has been repaired and should arrive by the end of the week. Public Works Director Dominguez also reported the back-up generator for the primary well site was installed last week.

8-C. PLANNING DEPARTMENT

City Planner Marple reported the REAP grants through Fresno COG will be approved at the end of the month.

9. COUNCILMEMBER REPORTS AND COMMENTS

Mayor Cardenas reported he met with the Mosquito Abatement District and they are preparing to celebrate their 75th Anniversary on October 22, 2021. Mayor Cardenas also reported he met with

Fresno County Transportation Authority earlier this week regarding the renewal of Measure C possibly being on the 2022 ballot.

Councilmember Parra reported he is participating in Legislative Action Days. He met with Senator Hurtado today and is meeting with Assemblymember Arambula later this week.

Councilmember Kazarian stated he addressed the court regarding the David Elias matter. Mr. Elias will pay the City of Fowler \$34,850 over a two-year period.

Councilmember Mejia reported the 4th of July fireworks celebration will be COVID safe this year with a dual show at 9:15 p.m. The music for the show will be synchronized courtesy of radio station KKDJ. Councilmember Mejia also reported there will be a graffiti cleanup this weekend organized by Travis and Sarah Feaver of Young Life.

10. CLOSED SESSION

Mayor Cardenas stated he owns real property within 1,000 feet of the real property being discussed and would recuse himself from the discussion of this item in closed session. No reportable action was taken on the item.

11. ADJOURNMENT

Councilmember Kazarian made a motion to adjourn, seconded by Councilmember Mejia. The motion carried and the meeting adjourned at 8:41 p.m.

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
Tuesday June 1, 2021**

Mayor Cardenas called the meeting to order at 3:05 p. m.

Councilmembers Present: Cardenas, Rodriquez, Kazarian, Mejia, and Parra

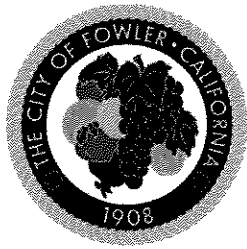
City Staff Present: City Manager Quan, Police Chief Alcaraz, Public Works Director Dominguez, Community Development Director Gaffery, Fire Chief Lopez, City Planner Marple, Finance Director Moreno, Interim Finance Director Sanchez, Deputy City Clerk Vasquez, Senior Center/Recreation Coordinator Hernandez

3. WORKSHOP TO INTRODUCE THE PROPOSED FY 2021-22 BUDGET – NO ACTION TO BE TAKEN

Department heads gave an overview of their respective budgets.

4. ADJOURNMENT

Councilmember Kazarian made a motion to adjourn, seconded by Councilmember Mejia. The motion carried and the meeting adjourned at 4:27 p.m.

**FOWLER CITY COUNCIL**

ITEM NO: 4-E

REPORT TO THE CITY COUNCIL

June 15, 2021

FROM: David Peters, City Engineer**SUBJECT**

Actions pertaining to adoption of new and updated development impact fees.

1. Consider second reading and adoption of Ordinance No. 2021-02 amending sections 3-8.01 through 3-8.11, of Chapter 8, of Title 3, of the Fowler Municipal Code to update the City's development impact fee ordinance for new development, to add new fee categories for public facilities, and to amend Section 902 of the Fowler Subdivision Ordinance pertaining to park fees and dedication of land for parks.

RECOMMENDATION

Staff recommend the City Council adopt Ordinance No. 2021-02.

BACKGROUND

The City of Fowler imposes impact fees on proposed development projects within the City boundaries, pursuant to the Mitigation Fee Act (Government Code section 66000, et. seq.). These fees are collected to fund infrastructure and other services necessary to support and serve the developments. Chapter 8, of Title 3, of the Fowler Municipal Code establishes the City's development impact fees program as currently authorized fees for: (1) general facilities and equipment necessary for the administration of the City; (2) law enforcement facilities and equipment; (3) fire protection and suppression facilities and equipment; (4) storm drainage facilities; (5) water supply facilities; and (6) wastewater facilities. Ordinance No. 2021-02 adds two new impact fees for groundwater recharge and traffic facilities. The amount of the development impact fees are determined by studies performed periodically to accurately account for and determine costs for development related infrastructure and services. An updated development impact fee study was approved by Council on May 18, 2021.

In addition to the development impact fees, the City established a program for the dedication of land by developers for neighborhood parks pursuant to Government Code section 66477 ("the Quimby Act"). Section 902 of the Fowler Subdivision Ordinance authorizes the City to collect a fee in lieu of land dedication for such parks. This fee-in-lieu is separate from the development impact fee for parks and recreation facilities recommended by the Development Impact Fee Justification Study.

Staff recommends updating the existing development impact fee program to reflect current public facilities plans, to add new fee categories for traffic facilities and groundwater recharge facilities, and to clarify the dedication and fees required for neighborhood and other parks.

Staff recommends that the Council adopt Ordinance No. 2021-02 which adds new fee categories for public facilities and clarifies the fees applicable to parks.

A first reading of Ordinance No. 2021-02 was held at the May 18, 2021 City Council meeting.

FISCAL IMPACT

Adoption of the Ordinance will allow for the collection of fees to fund infrastructure necessary to serve new development. If the Council chooses not to adopt the Ordinance the City may not be able to fund essential infrastructure to sustain development.

Attachments:

- Ordinance No. 2021-02

ORDINANCE NO. 2021-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOWLER AMENDING SECTIONS 3-8.01 THROUGH 3-8.11, OF CHAPTER 8, OF TITLE 3, OF THE FOWLER MUNICIPAL CODE TO UPDATE THE CITY'S DEVELOPMENT IMPACT FEE ORDINANCE FOR NEW DEVELOPMENT, TO ADD NEW FEE CATEGORIES FOR PUBLIC FACILITIES, AND TO AMEND SECTION 902 OF THE FOWLER SUBDIVISION ORDINANCE PERTAINING TO PARK FEES AND DEDICATION OF LAND FOR PARKS

The City Council of the City of Fowler hereby ordains as follows:

Section 1. Sections 3-8.01 through 3-8.11, of Chapter 8, of Title 3, of the Fowler Municipal Code are hereby amended to read as follows:

3-8.01 Establishment, purpose and use of development impact fees.

A. The purpose of this Chapter is to create and establish development impact fees for the City which shall be used to mitigate adverse impacts to public facilities attributed to new development in each of the following categories: (1) General Facilities and Equipment necessary for the administration of the City which are not listed in any one of the other categories of Essential Infrastructure; (2) Law Enforcement Facilities and Equipment; (3) Fire Protection and Suppression Facilities and Equipment; (4) Storm Drainage Facilities; (5) Water Supply Facilities; (6) Wastewater Facilities; (7) Traffic Facilities; (8) Groundwater Recharge Facilities; and (9) Parks and Recreation Facilities.

For convenience, all of the development fees so established shall be referred to in this Chapter in the singular, as "the fee." Specifically, the fee shall be used by the City to pay a portion of the costs of designated public facilities impacted by new development. The fee shall be based on a method designed to ensure that developers pay their fair share of the cost of such public facilities required to serve the City's growing population.

B. The City Council finds that the existing General Facilities and Equipment, Law Enforcement Facilities and Equipment, Fire Protection and Suppression Facilities and Equipment, Storm Drainage Facilities, Water Supply Facilities, Wastewater Facilities, Traffic Facilities, Groundwater Recharge Facilities, and Parks and Recreation Facilities will be inadequate to accommodate the needs generated by projected new residential, industrial and commercial growth, including public facility development, in the City, and that additional services, facilities and equipment are needed to protect and promote the health, safety, and welfare of Fowler residents and businesses. This finding is based upon data included in the Fowler Development Impact Fee Justification Study, dated May 14, 2021 and the Selma-Kingsburg-Fowler County Sanitation District Connection Charge Study, dated April 2002 ("Justification Studies"), Capital Improvement Plans, Capital Improvement Program, and any

other reports on file with the City, and on such other information provided to the City Council at the public hearing concerning the adoption of fees pursuant to this Chapter, including reports from the City Engineer, City Manager, and such consultants as the City Council deemed necessary.

C. The necessary public facilities are identified in the Justification Studies, Capital Improvement Plans or other reports on file with the City. Facilities may be added to or deleted from the Justification Studies and subsequent Capital Improvement Plans, but the City Council directs that the fee shall be used only for public facilities in any one of the categories of Essential Infrastructure, as that term is defined in this Chapter, for which the fee was collected.

D. The City desires to require new development to pay its fair share of the cost to expand the public services, facilities, and equipment that will be necessary to serve residential, industrial and commercial development, including public facility development. The purpose of this Chapter is to establish the appropriate method of insuring that sufficient funding for General Facilities and Equipment, Law Enforcement Facilities and Equipment, Fire Protection and Suppression Facilities and Equipment, Storm Drainage Facilities, Water Supply Facilities, Wastewater Facilities, Traffic Facilities, Groundwater Recharge Facilities, and Parks and Recreation Facilities is available to serve residential, industrial and commercial growth, including public facilities development, in the City.

E. The failure to impose the conditions and regulations of this Chapter on new development as defined herein would jeopardize residents of the community, in that it would permit construction and development to proceed without adequate General Facilities and Equipment, Law Enforcement Facilities and Equipment, Fire Protection and Suppression Facilities and Equipment, Storm Drainage Facilities, Water Supply Facilities, Wastewater Facilities, Traffic Facilities, Groundwater Recharge Facilities, and Parks and Recreation Facilities or adequate means to finance such services, facilities and equipment.

F. To determine the need for General Facilities and Equipment, Law Enforcement Facilities and Equipment, Fire Protection and Suppression Facilities and Equipment, Storm Drainage Facilities, Water Supply Facilities, Wastewater Facilities, Traffic Facilities, Groundwater Recharge Facilities, and Parks and Recreation Facilities created by new residents and job holders and to spread the costs of such facilities among those who create the need for them, the City conducted the Justification Studies. The Justification Studies estimated the number and type of General Facilities and Equipment, Law Enforcement Facilities and Equipment, Fire Protection and Suppression Facilities and Equipment, Storm Drainage Facilities, Water Supply Facilities, Wastewater Facilities, Traffic Facilities, Groundwater Recharge Facilities, and Parks and Recreation Facilities to meet the needs created by new development and the costs of such services, facilities and equipment. The fee established by this Chapter shall be calculated in the manner called for in the Justification Studies, and as approved by the City Council, as those reports may be supplemented or amended from time to time, in order that the impact upon services, facilities and equipment is borne by the type of development causing the need for such

services, facilities and equipment.

G. The fee established by this Chapter is in addition to any other fees or charges or taxes, required by law or City Code as a condition of development.

H. Fees charged by the City for connection to the water system shall remain as currently adopted in Title 6, Chapter 4, Article 5, Section 6-4.502 of the Fowler Municipal Code as such section is amended by the Ordinance codified in this Chapter. Such connection service charges are not considered development impact fees and subject to Section 66000 of the California Government Code.

3-8.02 Definitions.

For purposes of this Chapter, the following words shall have the meanings indicated in this section:

A. Build Out of the City. The projected population and land uses developed within the City through 2040.

B. Essential Infrastructure. Each of the following, including any Related Facilities:

1. General Facilities necessary for the administration of the City which are not listed in any one of the other categories of Essential Infrastructure;
2. Law Enforcement Facilities and Equipment;
3. Fire Protection and Suppression Facilities and Equipment;
4. Storm Drainage Facilities;
5. Water Supply Facilities;
6. Wastewater Facilities;
7. Traffic Facilities;
8. Groundwater Recharge Facilities; and
9. Parks and Recreation Facilities.

C. Fire Protection and Suppression Facilities and Equipment. Any capital improvements or capital equipment related to the Fowler Fire Department and the delivery of fire protection and suppression services, based on studies adopted by the City or associated with a Capital

Improvement Program, or any of them, to provide fire protection and suppression services to the new development which is projected to come into the City between the effective date of this ordinance and Build Out of the City at a level which is comparable to the level currently provided to the existing residents of the City.

D. General Facilities and Equipment. The additional space at City Hall, City offices located elsewhere, City parking areas, and similar facilities, along with necessary equipment in or through which the City conducts general City operations, that will accommodate the growth in City government which is projected to come into the City between the effective date of this ordinance and Build Out of the City at a level which is comparable to the level currently provided to the existing residents of the City.

E. Law Enforcement Facilities and Equipment. Any capital improvements or capital equipment related to the Fowler Police Department and the delivery of police services, based on studies adopted by the City or associated with a Capital Improvement Program, or any of them, to provide police protection services to the new development which is projected to come into the City between the effective date of this ordinance and Build Out of the City at a level which is comparable to the level currently provided to the existing residents of the City.

F. New Development. Any residential, commercial, industrial, public facility, or other institutional development which occurs in the City after the effective date of this ordinance and/or any amendment to this ordinance, including but not limited to development on any so-called "in-fill" lots.

G. Related Facilities. Any major landscaping, fountains, monuments, signs or similar facilities, activities and operations of a general benefit to the City which will be necessary in order to construct adequate facilities to meet the needs of new development within the City, based on studies adopted by the City or associated with a Capital Improvement Program, or any of them.

H. Storm Drainage Facilities. All of the storm water collection, retention and disposal facilities, including storm water mains, ditches, canals, pumps, pump stations, retention basin, detention basins and related facilities which are necessary for the purpose of collecting storm water run off and transporting it to the appropriate storm water basin as will be required, based on studies adopted by the City or associated with a Capital Improvement Program, or any of them, to provide storm water collection and disposal services to the new development which is projected to come into the City between the effective date of this ordinance and Build Out of the City. The fee does not include any such facilities which the developer is required to provide himself that are not part of the Capital Improvement Program that must be installed as part of the development improvements.

I. Water Supply Facilities. All of the domestic water production facilities, including water wells, water pumps and pump stations, major transmission lines from the point of uptake and any

water treatment facilities or associated treatment equipment or monitoring devices or equipment, and related facilities which are necessary for the purpose of supplying domestic water to the to any water treatment or storage facility for the storage of domestic water for consumption or fire flow reserves, and related facilities for the production of domestic water as may be required, based on studies adopted by the City or associated with a Capital Improvement Program, or any of them, to provide water delivery services to the new development which is projected to come into the City between the effective date of this ordinance and Build Out of the City.

J. Wastewater Facilities. All of the wastewater facilities located within the City of Fowler, including pump stations, interceptor sewers, monitoring devices or equipment, and related facilities which are necessary for the purpose of receiving wastewater interceptor flows generated within the City of Fowler for the transmission, treatment, and disposal of the wastewater by the Selma-Kingsburg-Fowler County Sanitation District ("SKF"), as may be required, based on studies adopted by the City and SKF or associated with a Capital Improvement Program, or any of them, to provide wastewater services to the new development which is projected to come into the City between the effective date of this ordinance and Build Out of the City. The fee does not include any such facilities which the developer is required to provide himself that are not part of the Capital Improvement Program that must be installed as part of the development improvements.

K. Traffic Facilities. All of the infrastructure, including streets, medians, street markings, street widening, safety barriers, intersection improvements, traffic signals, and related facilities which are necessary to provide safe and efficient vehicular access throughout the City, based on studies adopted by the City or associated with a Capital Improvement Program, or any of them, that will accommodate the transportation demand of new development and population growth which is projected to come into the City between the effective date of this ordinance and Build Out of the City. The fee does not include any such facilities which the developer is required to provide himself that are not part of the Capital Improvement Program that must be installed as part of the development improvements.

L. Groundwater Recharge Facilities. All of the land acquisition, recharge basin development and improvement, conveyance pipelines and facilities, and related facilities which are necessary for the purpose of groundwater recharge, based on studies adopted by the City or associated with a Capital Improvement Program, or any of them.

M. Parks and Recreation Facilities. All of the land acquisition, park improvements, park renovation, and related facilities which are necessary for the purpose of providing parks space and recreation opportunities for the City, based on studies adopted by the City or associated with a Capital Improvement Program, or any of them, to accommodate the growth in population which is projected to come into the City between the effective date of this ordinance and Build Out of the City. The fee does not include any such facilities which the developer is required to provide himself that are not part of the Capital Improvement Program that must be dedicated and/or installed as part of the development improvements. Specifically, this fee is separate and

distinct from any requirement to dedicate land or pay a fee for park and recreational facilities pursuant to Section 902 of the Fowler Subdivision Ordinance (Park and Recreation Fees) as that requirement may be amended, and the Quimby Act (Government Code section 66477), and from the requirement to provide open space pursuant to Section 9-5.1605(K) of the Fowler Zoning Ordinance or any later enacted or amended requirement.

3-8.03 Relationship between the use of the fee and the type of development upon which the fee is imposed.

The City Council determines that there is a reasonable relationship between the use of the fee for each of the specified categories of Essential Infrastructure and Related Facilities and the type of development project for which the fee is imposed for the following reasons:

- A. The City Council finds that the use of the fee generated from new residential development for all Essential Infrastructure and Related Facilities is reasonable because growth in residential population places additional demands on all Essential Infrastructure and Related Facilities, which in turn, ultimately results in a need for additional government and public facilities and equipment for Essential Infrastructure and Related Facilities.
- B. The City Council finds that use of the fee generated from new commercial and industrial development, including public facilities development, for all Essential Infrastructure and Related Facilities, is reasonable because new commercial and industrial development, including public facilities development, creates a demand for additional Essential Infrastructure and Related Facilities, which in turn, ultimately results in a need for additional government and public facilities and equipment for Essential Infrastructure and Related Facilities.
- C. The fee for each of the categories of Essential Infrastructure and Related Facilities will be used to provide the additional or expanded public services and facilities required for each of the respective categories of Essential Infrastructure and Related Facilities in order to provide a level of service for additional growth and development that is comparable to the existing public services and facilities. The fee for each of the categories of Essential Infrastructure and Related Facilities may be used to acquire land and equipment, expand and improve existing facilities, and construct and install new facilities and equipment in each of the respective categories of Essential Infrastructure and Related Facilities.
- E. The City Council further finds that funding of the costs of Essential Infrastructure and Related Facilities, including capital equipment based on studies adopted by the City or associated with a Capital Improvement Program accomplishes the goals and purposes set forth in this Chapter and that the use of revenues generated by the fee for projects and outlays set forth in studies adopted by the City or associated with a Capital Improvement Program is warranted and justified.

3-8.04 Relationship between the need for the additional public facilities and the type of development.

For all of the Essential Infrastructure and Related Facilities, the City Council is committed to maintaining the same level of public facilities and services and the same facilities-to-population relationship which existed on the date of the most recent amendment of this Chapter or to achieve a level-of-service desired by the City for new development in order to ensure that, to the extent that growth of the City occurs in the future, there will be an adequate level of public facilities and services. The City Council determines that a reasonable relationship exists between the need for additional public facilities, equipment and operations for which the fee is designed to pay, and the type of development project for which the fee is imposed for the following reasons:

A. The City Council finds that new residential development, including new mobile home park development, results in significant increases in City population and that such residential development adversely affects the public facilities-to-population relationship which existed on the date of the adoption and any amendment of this Chapter. The City Council has further determined that because residential development results in significant increases in population, such development results in the need for Essential Infrastructure and Related Facilities.

B. The City Council finds that new commercial and industrial developments, including public facilities development, result in a need for additional public services which, in turn, ultimately result in a need for additional government and public facilities and equipment for Essential Infrastructure and Related Facilities.

3-8.05 Amount of fee.

The fee shall be established by resolution adopted by the City Council, based upon the Justification Studies, as those studies and reports may be subsequently amended or supplemented, and upon a determination that there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion attributable to development of which the fee is imposed. The amount of the respective fees established pursuant to this Chapter shall be rounded up to the nearest whole dollar.

If the developer requests and the City agrees to allow the developer to dedicate land, acquire equipment or install facilities that are part of the Capital Improvement Program in lieu of all or a portion of a particular fee(s), the value of the dedicated land and/or actual cost of the equipment and/or installation of facilities may be credited against the respective fee(s) for Essential Infrastructure and Related Facilities and other development fees contained in this Chapter that would be collected as a result of the development.

3-8.06 Inflationary adjustments.

The fee established by this Chapter may be adjusted each calendar year to account for inflation based on the National Average Construction Cost Index as published by the Engineering News

Record, or similar construction cost indexes. Such increase shall be subject to City Council review and approval by resolution, and is not deemed an increase in the amount of the fee subject to the provisions of Sections 66000, et seq., of the California Government Code.

3-8.07 Payment of fee.

Any owner or developer applying for a building permit for commercial or industrial development, including public facilities use, shall be assessed and shall pay the fee in conjunction with payment for the building permit subject to the provisions of Government Code Section 66007.

Any owner or developer applying for a building permit for residential development shall be assessed and shall pay the fee in conjunction with the payment of the building permit, subject to the provisions of Government Code Section 66007, or where not authorized, upon the earlier of the final inspection or the date the certificate of occupancy is issued.

In the case of parcel maps or subdivisions, the fee shall be paid on a lump sum basis, as follows:

- A. When the first dwelling in the development receives its final inspection or certificate of occupancy, whichever occurs first, that portion of the fee shall be paid which represents payment for each of the following: general facilities; law enforcement facilities, and fire department facilities.
- B. As a condition of filing the final subdivision map, that portion of the fee shall be paid which represents payment for each of the following: storm drainage facilities, water supply facilities, wastewater facilities traffic facilities, groundwater recharge facilities, and parks and recreation facilities

3-8.08 Exempted activities.

Any owner or developer engaging in development activities which satisfy the following criteria shall not be required to pay the fee:

- A. An alteration which does not increase the floor area of a structure;
- B. An addition to a single family residential dwelling unit which does not constitute the addition of a dwelling unit as defined by the Uniform Building Code;
- C. Completed structures;
- D. Structures under construction for which a valid building permit is in force upon the effective date of the ordinance codified in this Chapter unless such building permit contains an express condition requiring the payment of this fee;

E. Construction within a subdivision which is covered by a development agreement entered into between the developer and the City under Government Code Section 65864, et seq., which agreement is in full force and effect and expressly prohibits the imposition of additional police, fire and general governmental fees; and

F. Building permits for projects with a vesting tentative map approved prior to the effective date of the ordinance codified in this Chapter, provided that the vesting tentative map did not require the payment of a fee to mitigate such impacts or include a condition for mitigation for impacts on police, fire and general governmental services or facilities.

If any residential structure in existence at the time of the adoption of the ordinance codified in this Chapter is destroyed by fire, explosion, act of God or act of public enemy to the extent of more than one-half the value thereof, any rebuilding after the date of such destruction shall not be subject to the fee imposed by the Chapter provided the area of such structure is not increased by more than 10 percent. For the purposes of this Chapter, the value shall be determined by the City building inspector based upon the cost of replacement.

Additions to existing commercial or industrial structures shall be subject to the fee established by the Chapter.

Nothing in this Chapter shall prohibit these regulations from applying to such projects if existing entitlement expire and/or the applicant applies for a new approval subject to the provisions of this Chapter. The City Manager or his or her designee may issue regulatory guidelines to administratively implement this Section.

In the event of any reduction or adjustment in the fee granted pursuant to this Section, any later change in the use, zoning or land use designation for the property involved shall subject the owner to payment of the then applicable fee for such new uses, zoning or land use designation, whether or not a building permit is required.

3-8.09 Fee modification or reduction.

A. The developer of any project subject to the fee established by this Chapter may apply to the City Council for a reduction or adjustment to the fee based upon the absence of any reasonable relationship or nexus between the impacts of the project and either the amount of the fee or the facilities to be financed by the fee. The application shall be made in writing and filed with the City Clerk not later than ten (10) calendar days after notification of the amount of the fee. The application shall state in detail the factual basis for the claim of reduction or adjustment and the amount of the proposed reduction or adjustment. The City Council shall consider the application within sixty (60) days after the filing of the fee adjustment request. The decision of the City Council shall be final. No building permit shall be issued for the project until the final decision pursuant to this Section has been made. No application for a project shall be considered final or complete for purposes of the Permit Streamlining Act (Government Code Section 65920, et seq.), or any other purpose, until a final decision pursuant to this Section

has been made.

B. Notwithstanding the provisions of subsection A of this Section, a project proponent or applicant may pay the fee “under protest” and receive a building permit. An application for reduction or adjustment pursuant to subsection A of this Section shall be filed within ten (10) calendar days after payment under protest and if not so filed, any objection shall be deemed waived. If a reduction or adjustment is made after payment pursuant to this subsection, the applicant shall be refunded the amount by which the fee is reduced or adjusted.

C. The project proponent or applicant applying for a reduction or adjustment shall have the burden of proof, by a preponderance of the evidence, that a reasonable relationship or nexus is lacking between the fee, or facilities or services to be financed by the fee, and the particular project.

D. In the event of any reduction or adjustment in the fee granted pursuant to this Section, any later change in the use, zoning or land use designation for the property involved shall subject the owner to payment of the then applicable fee for such new uses, zoning or land use designation, whether or not a building permit is required.

3-8.10 Accounting for funds.

A. Pursuant to Government Code Section 66006, the City Council directs that each of the fees collected hereunder shall be maintained in a fund separate from the City's General Fund and separate from each other in the following special accounts:

1. General Facilities necessary for the administration of the City;
2. Law Enforcement Facilities and Equipment;
3. Fire Protection and Suppression Facilities and Equipment;
4. Storm Drainage Facilities;
5. Water Supply Facilities;
6. Wastewater facilities
7. Traffic Facilities;
8. Groundwater Recharge Facilities; and
9. Parks and Recreation Facilities.

B. The City shall use the funds so deposited into these special accounts (along with interest

earnings thereon) for the costs of public facilities as specified herein and only for the category of improvements for which the funds were deposited in that particular account.

C. If the fee paid by an owner or developer for a particular development has been retained by the City for five (5) or more years, and City has not committed that fee to costs for public facilities, then the City Council shall make findings describing the continuing need to retain the fee each fiscal year thereafter. If the City Council does not make such findings, then the City shall refund the collected fees as appropriate, along with the interest, if any, which those funds have generated since they were collected.

3-8.11 Annual findings.

A. Each year, during the budget review process, the City Council shall review the status of compliance with this Chapter and the degree to which fees collected pursuant to this Chapter are mitigating the impacts of new industrial, commercial and residential development projects and new development entitlements.

B. For each of the accounts established by this Chapter, the City shall, within 180 days after the close of each fiscal year, make available to the public all of the following information:

1. A brief description of the type of fee in the account or fund.
2. The amount of the fee.
3. The beginning and ending balance for the fiscal year in that account;
4. The amount of the fees collected and the interest earned.
5. An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with the fees.
6. An identification of an approximate date by which the construction of the public improvement will commence if the City determines that sufficient funds have been collected to complete financing on an incomplete public improvement.
7. A description of each interfund transfer or loan.
8. The amount of refunds made pursuant to Section 66001(e) of the Government Code out of that account during the fiscal year.

C. The City Council shall review the information described in subsection B, above, at the next regularly scheduled public meeting of the Council, not less than fifteen (15) days after the information required by that subsection is made available to the public.

D. Five (5) years after the effective date of the initial ordinance which adopted this Chapter, and every five (5) years thereafter, the City Council shall consider a report by the City Manager reviewing the fee formulae established to implement the provisions of this Chapter and their bases to determine whether any adjustments in the fee formulae are warranted.

Section 2. Section 902 of the Fowler Subdivision Ordinance titled Park and Recreation Fees is hereby amended to read as follows:

SECTION 902 PARK AND RECREATION FACILITIES

1. Authority and Definitions. The provisions of this section are enacted pursuant to the authority granted by Section 66477 of the Government Code of the State, also known as the Quimby Act. The park and recreational facilities for which the dedication of land and/or the payment of a fee is required by this section are in accordance with the recreational element of the General Plan. The requirements of this Section are separate and distinct from the requirement to pay a fee for parks and recreational facilities pursuant to Chapter 8 of Title 3 of the Fowler Municipal Code (Development Impact Fees) and any amendments to that Chapter.

Except where the context otherwise requires, the definitions given in this section govern the construction of this Chapter.

A. The term "developer" includes every person, firm, or corporation constructing a new dwelling unit, directly or through the services of any employee, agent, independent contractor, or otherwise.

B. The term "new dwelling unit" includes each structure of permanent character, placed in a permanent location, which is planned, designed or used for residential occupancy, including, but not limited to, one-family, two-family, and multi-family dwellings, apartment houses and complexes and mobile home spaces, but not including hotels, motels, and boarding houses for transient guests.

C. The term "subdivision" includes any type of construction, land division or improvement of land which provides for dwelling units identified under the provisions of Section 66424 of the California Government Code. "Subdivision" shall also include any increase in the number of mobile home spaces.

D. The term "city service area" shall refer to the geographical area of beneficial use of one or more parks. The boundaries of said service areas shall be determined by resolution adopted by the City Council of the City of Fowler.

E. The term "park service area" shall refer to the geographical area of beneficial use of one park, as determined by the City of Fowler.

F. The term "land value" means fair market value of a buildable acre of land, as determined

by the City of Fowler City Council.

2. Dedication of land, payment of fees, or both. As a condition of the approval of a final map or parcel map, the subdivider shall dedicate land, pay a fee in lieu thereof, or both, at the option of the City, for park or recreational purposes at the time and according to the standards and formula set forth in this section.

3. General standards. It is hereby found and determined that the public interest, convenience, health, welfare, and safety require that three (3) acres of property for each 1,000 persons residing within the City shall be devoted to local public park and recreational purposes.

4. Formula for Dedication of Land. Where a park or recreation facility has been designated in the Land Use Element of the General Plan of the City, and is to be located in whole or in part within the proposed subdivision for the purpose of serving the immediate and future needs of the residents of the subdivision, the developer shall dedicate land for a local park sufficient in size and topography that bears a reasonable relationship to serve the present and future needs of the residents of the subdivision. The amount of land to be provided shall be determined pursuant to the following formula.

The formula for determining acreage to be dedicated shall be as follows:

$$\frac{\text{Average No. of Persons/Unit}}{1,000} \times \frac{\text{park acreage standard}}{3.0} = \text{minimum acreage dedication/DU}$$

Example for single-family dwelling unit (DU):

$$\frac{3.23}{1,000} \times 3.0 = .00969 \text{ acres/DU}$$

The following table of population density has been established pursuant to Section 66477(b) of the Government Code:

Park Land Dedication Formula Table

Average Population Types of Dwellings	Acreage/DU Density/DU	(3.23 acre std.)
Single-Family Detached	3.23	.00969
Duplex	2.5	.0075
Multi-Family	2.5	.0075
Mobile Homes	3.23	.00969

Dedication of the land shall be made in accordance with the procedures contained in subsection (13) hereof.

For the purpose of this section, the number of new dwelling units shall be based upon the number of parcels indicated on the tentative or parcel map when in an area zoned for one dwelling unit per parcel. When all or part of the subdivision is located in an area zoned for more than one dwelling unit per parcel, the number of proposed dwelling units in the area so zoned shall equal the maximum allowed under that zone, including any applicable density increases. In the case of a condominium project, the number of new dwelling units shall be the number of condominium units. The term "new dwelling unit" does not include dwelling units lawfully in place prior to the date on which the parcel or final map is filed.

The developer shall, without credit: (1) provide full street improvements and utility connections including, but not limited to, curbs, gutter, street paving, traffic control devices, street trees, street lighting and sidewalks to land which is dedicated pursuant to this section; (2) provide for fencing along the property line of that portion of the subdivision contiguous to the dedicated land; (3) provide improved drainage through the site; and (4) provide other minimal improvements which the City determines to be essential to the acceptance of the land for recreational purposes.

The land to be dedicated and the improvements to be made pursuant to this section shall be reviewed at the tentative map stage in accordance with the criteria set forth in subsection (11) and approved by the City Engineer.

5. Formula for Fees In Lieu of Land Dedication.

A. General Formula. If there is no park or recreation facility designated in the Land Use Element of the General Plan to be located in whole or in part within the proposed subdivision for the purpose of serving the immediate and future needs of the residents of the subdivision, the developer shall, in lieu of dedicating land, pay a fee prescribed for parks in subsection 7 hereof, and in an amount determined in accordance with the provisions of subsection 9 hereof.

B. Fees in Lieu of Land: 50 Parcels or Fewer. If the proposed subdivision contains fifty (50) parcels or fewer, the subdivider shall pay a fee equal to the land value, costs of off-site improvements of the portion of the local park required to serve the needs of residents of the proposed subdivision as prescribed in subsection 7 hereof, and in an amount determined in accordance with the provisions of subsection 9 hereof.

However, nothing in this section shall prohibit the dedication and acceptance of land for park and recreation purposes in subdivisions of fifty parcels or fewer, where the developer proposes such dedication voluntarily and the land is approved by the City Council of the City of Fowler.

6. Criteria for Requiring Both Dedication and Fee. In subdivisions of more than fifty (50) parcels, the developer shall both dedicate land and pay a fee in accordance with the following formula:

When only a portion of the land to be subdivided is proposed on Land Use Element of the General Plan as the site for park purposes, such portion shall be dedicated for park purpose and a fee computed pursuant to the provisions of subsection 7 hereof shall be paid for the value of any additional land, costs of off-site improvements that would have been required to be dedicated pursuant to subsection 4 hereof, and in an amount determined in accordance with the provisions of section 9 hereof.

7. Amount of Fee in Lieu of Land Dedication. When a fee is to be paid in lieu of land dedication, the amount of such fee shall be based upon the fair market value of the amount of land which would otherwise be required for dedication pursuant subsection 4 and in an amount determined in accordance with the provisions of subsection 7 hereof. The fee shall be determined by the following formula:

$$\frac{\text{DUs}}{\text{DU}} \times \frac{\text{Pop}}{1,000} \times \frac{3.0 \text{ acres}}{\text{Buildable Acre}} \times \text{FMV} = \text{in-lieu fee}$$

where:

DUs = Number of dwelling units as defined in subsection 4

Pop = population per dwelling unit

DU

FMV = fair market value, per buildable acre as determined by subsection 8

Buildable Acre = a typical acre of the subdivision, with a slope less than 10%, and located in other than an area on which building is excluded because of flooding, easements, or other restrictions.

Fees to be collected pursuant to this section shall be reviewed by the City Manager or his/her designated representative to ascertain if they comply with the formula set forth above. If compliance is found, then the fees shall be approved by the City Manager.

8. Determination of Fair Market Value. The fair market value per buildable acre shall be determined from time to time by resolution adopted by the City Council of the City of Fowler.

9. Formula for Park Development Fees.

A fee shall be paid for park development by the developer of each new dwelling unit irrespective of whether the developer is required to dedicate land or pay fees in lieu of land dedication as set forth in subsection 4 and subsection 7. This fee shall be used to pay for those improvements including, but not limited to, off-site improvements such as streets, curbs and gutter, sidewalk, street lights, extensions of water and sewer services, storm drainage, parking lots, security lighting, landscaping and installation for recreational facilities which are not required by

subsection 4 and subsection 7. The fee shall be determined by the following formula:

$$\frac{\text{Pop}}{\text{DU}} \times \frac{3.0 \text{ acres}}{1,000 \text{ people}} \times \frac{\text{DC}}{\text{acre}} = \text{\$/unit}$$

Where:

Pop = Population per dwelling unit
DU (see subsection 4)

DC = Development cost per acre of park and recreational facilities. Development costs per acre shall be determined as set forth in subsection 10.

Fees to be collected pursuant to this section shall be reviewed by City Manager or his/her designated representative to ascertain if they comply with the formula set forth above. If compliance is found, then City Manager or his/her designated representative shall approve the fees.

10. Determination of Park Development Cost Per Acre. The development cost per acre of parkland shall be determined from time to time by resolution adopted by the City Council of the City of Fowler.

The fee established by resolution of the City Council may be adjusted on an annual basis to account for inflation based on the National Average Construction Cost Index as published by the Engineering News Record, or other similar construction cost indexes. The amount of the fee established pursuant to this Section shall be rounded up to the nearest whole dollar. Such increase is not deemed an increase in the amount of the fee and subject to the provisions of Section 66000 of the California Government Code.

11. Determination of Land or Fee. Whether the City accepts land dedication or elects to require payment of a fee in lieu thereof, or a combination of both, shall be determined by consideration of the following:

- A. The natural features, access, and location of land in the subdivision available for dedication;
- B. The size and shape of the subdivision and land available for dedication;
- C. The feasibility of dedication;
- D. The compatibility of dedication with the Land Use Element of the General Plan; and
- E. The location of existing and proposed park sites and trailways.

12. Credit for Private Open Space. No credit shall be given for private open space in the

subdivision.

13. Procedure. At the time of the approval of the tentative map or parcel map, the City shall determine the land to be dedicated and/or fees to be paid by the subdivider.

At the time of the filing of the final map or parcel map, the subdivider shall dedicate the land/or pay the fees as previously determined by the City Council of the City of Fowler.

Open space covenants for private park or recreational facilities shall be submitted to the City prior to the approval of the final subdivision map or parcel map and shall be recorded contemporaneously with the final subdivision map or parcel map.

14. Commencement of development. At the time of approval of the final subdivision map, the City shall specify how and when it will use the land or fees or both to develop park or recreational facilities.

The City Finance Director shall report to the City Council at least annually on income, expenditures, and status of the subdivision park trust fund.

15. Exemptions. The provisions of this section shall not apply to subdivisions containing less than five (5) parcels and not used for residential purposes; provided, however, a condition may be placed on the approval of such parcel map that if a building permit is requested for the construction of a residential structure or structures on one or more of the parcels within four (4) years, the fee may be required to be paid by the owner of each such parcel as a condition to the issuance of such permit.

The provisions of this section shall not apply to industrial subdivisions, to condominium projects or stock cooperatives that consist of the subdivision of airspace in an existing apartment building that is more than five (5) years old when no new dwelling units are added, or to parcel maps for a subdivision containing less than five (5) parcels for a shopping center containing more than 300,000 square feet of gross leasable area and no residential development or use.

16. Disposition of Fees. Fees determined pursuant to subsection 7 and subsection 9 shall be paid to the City Finance Director and shall be deposited into the subdivision park trust fund, or its successor. Money in said fund, including accrued interest, shall be expended solely for acquisition, development, or expansion of parkland or improvements related thereto.

Any fees collected under this chapter shall be committed within five (5) years after the payment of such fees or the issuance of building permits on one-half of the lots created by the subdivision, whichever occurs later. If such fees are not committed, they shall be distributed and paid to the then record owners of the subdivision in the same proportion that the size of their lot bears to the total area of all lots within the subdivision.

The City Finance Director shall report to the City Council at least annually on income, expenditures, and status of the subdivision park trust fund.

17. Developer-Provided Park and Recreation Improvements. After the City Council determines that land is required for dedication and/or in-lieu fee payment by the developer, the developer may apply to the City Manager or his/her designated representative for permission to construct specified park and recreation improvements on land of said developer required for dedication or on other land within the same city service area to be developed as a park. If the City Manager or his/her designated representative grants the developer permission for construction of specified parks and recreation improvements on said land, the City Manager or his/her designated representative shall fix the dollar value of the parks and recreation improvements approved by said Department. The dollar value of park and recreation improvements provided by the developer in the manner described herein shall be credited against the fees required by this Section.

Section 3.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 4.

This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Fowler held on May 18th, 2021, and passed and adopted at a regular meeting of the City Council of the City of Fowler held on June 15, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

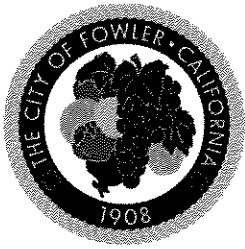
ABSENT:

APPROVE:

ATTEST:

MAYOR, David Cardenas

DEPUTY CITY CLERK, Angela Vasquez



FOWLER CITY COUNCIL

ITEM NO: 4-F

REPORT TO THE CITY COUNCIL

June 15, 2021

FROM: David Peters, City Engineer**SUBJECT**

Actions pertaining to use of SB1 Local Streets and Road Maintenance and Rehabilitation Account funds for fiscal year 2021-22.

1. Consider and approve Resolution No. 2506 designating Fresno Street from 5th Street to 7th Street as the 2021-22 SB1 Local Streets and Roads project.

RECOMMENDATION

Staff recommends the City Council approve Resolution No. 2506

BACKGROUND

In April 2017, the California State Legislature passed Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017. As part of the Bill, specific transparency and accountability provisions must be met to ensure that the public is aware of the projects that have been completed utilizing SB 1 funds.

In 2019 all City streets were evaluated and rated as part of a pavement management system update. The pavements have been evaluated to determine their Pavement Condition Index (PCI). The PCI scale ranges from 100 (new road) to 0 (gravel road). Typically, street maintenance strategies are aligned with the following PCI scale:

PCI Range	Resurfacing Treatment
100-85	No Treatment
85-70	Slurry Seal
70-50	Cape Seal or Thin Overlay
50-25	Thick Overlay
25-0	Reconstruction

Each year, the City is required to update and provide a list of proposed projects to receive funding from the Road Maintenance and Rehabilitation Account, also known as SB 1.

Additionally, each year cities and counties must adopt via resolution a project list comprised of projects they anticipate funding with SB1 funds. The project lists must be submitted to the California Transportation Commission (CTC) by July 1st to be eligible for SB 1 funding for the following fiscal year.

For FY21/22, the City is expected to receive \$129,093 from the SB1 fund. Candidate projects were identified utilizing the pavement condition index (PCI) identified for each roadway segment and the funding levels available in the current fiscal year. Larger PCI values represent better condition roads and lower PCI values represent poorer condition roads.

The candidate projects for FY 21-22 are:

Project	Description	Location	PCI
Fresno Street	Resurface roadway	5 th Street to 7 th Street	24
7 th Street	Resurface roadway	Modesto Street to Adams Ave	29
7 th Street	Resurface roadway	Vine Street to Fresno Street	30

Staff is recommending that Fresno Street from 5th Street to 7th Street be selected as the project for FY21-22.

FISCAL IMPACT

Approving the resolution will allow the City of Fowler to remain eligible to receive SB1 Local Streets and Roads Maintenance funds. A competitive process will occur and a contract brought forward for City Council consideration.

Attachments:

- Resolution No. 2506

RESOLUTION NO. 2506

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOWLER
APPROVING A LIST OF PROJECTS FOR FISCAL YEAR 2021-22 FUNDED BY SB 1:
THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

WHEREAS, Senate Bill 1 (“SB 1”), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017), was passed by the Legislature and signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions to ensure the residents of the City of Fowler (“City”) are aware of the projects proposed for funding in the community and which projects have been completed each fiscal year; and

WHEREAS, the City must include a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (“RMRA”), created by SB 1, in the City budget, which must include a description and the location of each proposed project, a proposed schedule for the project’s completion, and the estimated useful life of the improvement; and

WHEREAS, the City will receive an estimated \$129,093 in RMRA funding in Fiscal Year 2021-22 from SB 1; and

WHEREAS, this is the fifth year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a robust public process to ensure public input into our community’s transportation priorities/the project list; and

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City maintain and rehabilitate one (1) streets/roads within the City this year and similar projects into the future; and

WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City’s streets and roads are in an “at-risk” condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a “good” condition; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

NOW, THEREFORE IT IS HEREBY RESOLVED by the City Council of the City of Fowler, State of California, that:

1. The foregoing recitals are true and correct.
2. The following list of proposed projects will be funded in-part or solely with fiscal year 2021-22 Road Maintenance and Rehabilitation Account revenues:

Project	Description	Location	Estimated Useful Life	Anticipated Year of Construction
Fresno Street Rehabilitation	Resurface roadway	5 th Street to 7 th Street	10-15 Yr	2022

THE FOREGOING RESOLUTION of the City Council of the City of Fowler was duly passed and adopted at a regular meeting of the Fowler City Council held on the 15th day of June 2021, by the following vote:

Ayes:

Noes:

Absent:

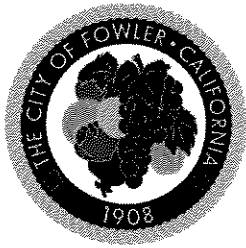
Abstain:

APPROVED:

David Cardenas, Mayor

ATTEST:

Angela Vasquez, Deputy City Clerk



ITEM 5A
FOWLER CITY COUNCIL

ITEM NO: 5-A

REPORT TO THE CITY COUNCIL

June 15, 2021

FROM: Margarita Moreno, Finance Director

SUBJECT

Resolution No. 2504 Adopting FY 2021/22 Operating Budget and Resolution No. 2505 Adopting the Fiscal Year 2021/22 Appropriations Limit

RECOMMENDATION

Council to take the following actions by separate motions:

1. Adopt Resolution No. 2504 approving the Fiscal Year 2021/22 operating budget.
2. Adopt Resolution No. 2505 establishing the Appropriations Limit for Fiscal Year 2021/22.

BACKGROUND

The preliminary budget for Fiscal Year (FY) 2021-2022 was presented to City Council during a workshop on June 1, 2021. The proposed final budget for FY 2021/22 is submitted for Council's consideration. The final budget including all fund types is projected to total \$12.5 million. The budget reflects the Council's goals and objectives and provides the necessary funding so that the organization maintains core public service levels. A copy of the budget document is enclosed herein as to Resolution No. 2504. The proposed FY 2021/22 budget is presented for Council's review and adoption. The total City-wide proposed budget for FY 2021/22 is \$12,476,499 and expenditures by fund type are summarized below:

General Fund	\$ 5,529,137
Special Revenue Funds	\$ 2,704,065
Enterprise Funds	\$ 3,360,486
Debt Service Funds	\$ 344,984
Public Financing Authority	\$ 392,096
Successor Agency	\$ 145,731
Total Budget	\$12,476,499

Budget highlights for the FY 2021/22:

- New Admin Asst (CSO/Code/Fire)
- New Admin Asst (Planning/Water/Finance)
- New Maintenance Worker funded in General Fund reimbursed 75% from the Utility Users Tax (UUT)
- New Camera Project \$150,000 funded by Measure N and COPS grant
- 2 New Police Vehicles \$65,000 each funded by Measure N and COPS grant
- New Police Facility design & engineering funded by Measure N \$200,000 and Law Enforcement Impact Fees \$200,000
- New park funded by Parks and Recreation Facilities Impact Fees of \$45,000 on 5th street/Harris Ct.
- New shade structure, BBQ pits, and tables for Donny Wright Park funded by Parks and Recreation Facilities Impact Fees of \$23,000

A brief summary of each fund type is provided below:

General Fund

The General Fund accounts for core public services such as Police, Fire, Parks and Recreation, Administration and Finance. The General Fund is primarily funded from general tax revenues with the largest source coming from sales tax and property taxes. During the June 1st Council workshop the proposed General Fund revenues over expenses reflected a slight deficit of \$85,525. A transfer in from UUT to General Fund was needed to balance the budget resulting in a balanced budget of revenues \$5,529,137 and expenditures at \$5,529,137.

Special Revenue Funds

The proposed Special Revenue Funds for Fiscal year 2021/22 total \$2.7 million. The Special Revenue Funds are used to account for restricted revenues such as the UUT, District Sales Tax (Measure N), Gas Tax, COPS grant, Street Funding and Impact fees.

Enterprise Funds

The Enterprise Funds include Water Utility fund, Water Well Maintenance, Groundwater Recharge CID, and TCP. Revenues to cover expenses in these funds come primarily from user fees. The total proposed budget for all Enterprise Funds is \$3.4 million.

Appropriation Limit

Proposition 4 approved by the voters in November 1979 added California Constitution, Article XIII B. Article XIII B requires cities to adopt annual appropriation limits as part of their budget adoption process. The City's appropriations limit is adjusted annually based upon inflation and population growth. The calculated appropriation limit for FY 2021/22 is \$10,348,459.

Resolution No. 2505 enclosed herein reflects the annual appropriation limits for FY 2021/22 and respective backup documentation.

Joint Meeting of Public Finance Authority

Also included is Resolution No. PFA 2021-01.

FISCAL IMPACT

The adoption of the proposed City of Fowler Fiscal Year 2021/22 budget sets for the appropriations for the delivery of municipal services.

Attachments:

- Resolution No. 2504 Adopting the FY 2021/22 Budget
- Resolution No. 2505 Adopting the Appropriation Limit for FY 2021/22
- Resolution No. PFA 2021-01 Adopting the Fowler Public Financing Authority FY 2021/22 Budget

RESOLUTION No. 2504
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOWLER,
ACTING IN ITS CAPACITY AS CITY COUNCIL TO THE CITY,
SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY,
AND AS THE BOARD OF THE PUBLIC FINANCING AUTHORITY,
ADOPTING THE FINAL ANNUAL BUDGET OF THE CITY OF FOWLER
AND PROVIDING FOR THE APPROPRIATION AND EXPENDITURE OF
ALL SUMS SET FORTH IN SAID FINAL BUDGET FOR THE 2021/2022
FISCAL YEAR

WHEREAS, the City Manager has prepared and submitted to the City Council a proposed budget for the 2021/2022 fiscal year, starting July 1, 2021; and

WHEREAS, the City Council as the legislative body of the City has reviewed and modified the proposed budget; and

WHEREAS, the City Council has determined that it is necessary for the efficient management of the City that certain sums of revenue of the City be appropriated to various departments, offices, agencies and activities of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fowler as follows:

Section 1: A certain document on file in the office of the Finance Director of the City of Fowler being marked and designated "City of Fowler – Annual Budget – Fiscal Year 2021/2022" as prepared by the City Manager and amended by the City Council, is hereby adopted as the Final Budget for the 2021/2022 Fiscal Year, commencing July 1, 2021.

Section 2: The following sums of money are hereby appropriated from the revenue of the City of Fowler for activities of the City, including transfers and capital projects during the 2021/2022 fiscal year.

General Fund	\$ 5,529,137
Special Revenue Funds	2,704,065
Enterprise Fund	3,360,693
Debt Service Funds	344,984
Public Financing Authority	392,096
Successor Agency	<u>145,731</u>
Total Budget	\$12,476,499

THE FOREGOING RESOLUTION of the City Council of the City of Fowler was duly and regularly introduced, passed and adopted at a regular meeting of the City Council on the 15th day of June 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

David Cardenas, Mayor

ATTEST:

Angela Vasquez, Deputy City Clerk

**RESOLUTION No. 2505
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FOWLER ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL
YEAR 2021/2022 PURSUANT TO ARTICLE XIII B
OF THE CALIFORNIA CONSTITUTION**

WHEREAS, Article XIII B of the California Constitution requires cities to adopt annual appropriations limits; and

WHEREAS, Government Code Section 7910 requires each local government to establish its appropriation limit by resolution each year at a regularly scheduled meeting or a noticed special meeting; and

WHEREAS, the annual adjustment factors used in determining the appropriations limit requires a recorded vote of the City Council; and

WHEREAS, the City Council has calculated the appropriations limit on the worksheet attached hereto as Attachment A and determined that said appropriations limit for fiscal year 2021/2022 be established in the amount of \$10,348,459; and

WHEREAS, the Finance Director has made available to the public for the previous fifteen days the documentation used in the determination of the appropriations limit.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fowler that the appropriations limit for the fiscal year 2021/2022 is hereby set at \$10,348,459 and that a copy of the Appropriation Limit calculation worksheet is attached hereto as Attachment A.

BE IT FURTHER RESOLVED THAT the City of Fowler has used the change in California's per capita personal income and the City of Fowler's population growth as annual adjustment factors for determining the Appropriations Limit, but that these factors may change in the future should other pertinent information become available.

THE FOREGOING RESOLUTION of the City Council of the City of Fowler was duly and regularly introduced, passed and adopted at a special meeting of the City Council on the 15th day of June, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

David Cardenas, Mayor

ATTEST:

Angela Vasquez, Deputy City Clerk

City of Fowler
 Appropriation Limit
 Fiscal Year 2021-2022

Article XIII B of the California Constitution requires an annual calculation of the City's appropriation limitation. The City's General Fund Expenditure may not increase beyond the relation to changes in per capita income and population change.

Population % Change		Factor
Population 01-01-2020	6,436	
Population 01-01-2021	6,601	
Percent Change 2020-2021	2.56%	2.564

Per Capita Personal Income

California per Capita Personal Income	5.730
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Growth Factor

Population Change X Per Capita Change

1.0256	x	1.0573	1.0844
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Fiscal Year 2021-2022 Appropriation Limit Calculation

Fiscal Year 2020-2021 Appropriation Limit	\$9,542,974
Growth Factor	1.0844
2021-2022 Appropriation Limit	<u><u>\$10,348,459</u></u>



Gavin Newsom ■ Governor

State Capitol ■ Room 1145 ■ Sacramento CA ■ 95814-4998 ■ www.dof.ca.gov

May 2021

Dear Fiscal Officer:

Subject: Price Factor and Population Information

Appropriations Limit

California Revenue and Taxation Code section 2227 requires the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2021, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2021-22. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2021-22 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts

Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification

The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2021.**

Please Note: The prior year's city population estimates may be revised. The per capita personal income change is based on historical data. Given the stay-at-home orders due to COVID-19, growth in the coming years may be substantially lower than recent trends.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

KEELY MARTIN BOSLER

Director

By:

/s/ Erika Li

Erika Li

Chief Deputy Director

Attachment

- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2021-22 appropriation limit is:

Per Capita Personal Income	
Fiscal Year (FY)	Percentage change over prior year
2021-22	5.73

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2021-22 appropriation limit.

2021-22:

Per Capita Cost of Living Change = 5.73 percent
Population Change = -0.46 percent

Per Capita Cost of Living converted to a ratio: $\frac{5.73 + 100}{100} = 1.0573$

Population converted to a ratio: $\frac{-0.46 + 100}{100} = 0.9954$

Calculation of factor for FY 2021-22: $1.0573 \times 0.9954 = 1.0524$

Fiscal Year 2021-22

Attachment B
Annual Percent Change in Population Minus Exclusions*
January 1, 2020 to January 1, 2021 and Total Population, January 1, 2021

County City	<u>Percent Change</u>	<u>--- Population Minus Exclusions ---</u>		<u>Total</u>
	2020-2021	1-1-20	1-1-21	1-1-2021
Fresno				
Clovis	2.60	118,741	121,834	121,834
Coalinga	0.43	12,627	12,681	16,748
Firebaugh	1.13	8,035	8,126	8,126
Fowler	2.56	6,436	6,601	6,601
Fresno	0.62	543,079	546,466	546,770
Huron	1.47	7,297	7,404	7,404
Kerman	1.23	15,922	16,118	16,118
Kingsburg	1.59	12,879	13,084	13,084
Mendota	0.19	12,424	12,448	12,448
Orange Cove	0.20	9,562	9,581	9,581
Parlier	0.20	15,797	15,828	15,828
Reedley	0.44	25,974	26,087	26,087
Sanger	0.72	27,157	27,353	27,353
San Joaquin	0.19	4,137	4,145	4,145
Selma	0.34	24,405	24,487	24,487
Unincorporated	-0.52	169,978	169,102	170,067
County Total	0.68	1,014,450	1,021,345	1,026,681

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

RESOLUTION No. PFA 2021-01

**A RESOLUTION OF THE FOWLER PUBLIC FINANCING AUTHORITY,
COUNTY OF FRESNO, STATE OF CALIFORNIA,
ADOPTING THE PUBLIC FINANCING AUTHORITY ANNUAL BUDGET AND
APPROPRIATING REVENUE OF THE AUTHORITY FOR
THE 2021/2022 FISCAL YEAR**

WHEREAS, the Executive Director has prepared and submitted to the Fowler Public Financing Authority Board a proposed budget for the 2021/2022 fiscal year, starting July 1, 2021; and

WHEREAS, the Board as the legislative body of the Public Financing Authority has received and modified this proposed budget; and

WHEREAS, the Board has determined that it is necessary for the efficient management of the Public Financing Authority that certain sums of revenue of the Public Financing Authority be appropriated to various departments, offices, agencies and activities of the Public Financing Authority.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Public Financing Authority as follows:

Section 1. A certain document on file in the office of the Finance Director of the Public Financing Authority being marked and designated "Public Financing Authority – Annual Budget – Fiscal Year 2021/2022" said document as prepared by the Executive Director, amended by the Board, is hereby adopted for the Fiscal Year, commencing July 1, 2021.

Section 2. The following sums of money are hereby appropriated from the revenue of the Public Financing Authority for activities of the Board, including transfers and capital projects during the 2021/2022 fiscal year.

Public Financing Authority	\$392,096
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THE FOREGOING RESOLUTION of the Board of the Public Financing Authority was duly and regularly introduced, passed and adopted at a special meeting of the Agency Board on the 15th day of June, 2021, by the following vote:

AYES:

NOES:

ABSENT:

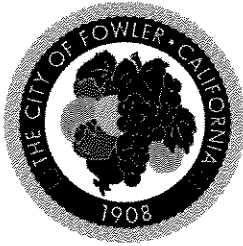
ABSTAIN:

APPROVED:

David Cardenas, Chairman

ATTEST:

Wilma Quan, Secretary



ITEM NO: 6-A(iii)

REPORT TO THE CITY COUNCIL

June 15, 2021

FROM: WILMA QUAN, City Manager**SUBJECT**

Actions pertaining to Fiscal Year 2019-20 and Fiscal Year 2020-2021 year-end close of the City of Fowler's financial records and assistance with the completion of the June 30, 2020 and June 30, 2021 audits.

1. Approve the First Amendment to the Accounting Consultant Services Agreement with Price Paige & Company, Accountancy Corporation (Price Paige), to provide professional consulting services for the City of Fowler's Finance Department in an amount not to exceed \$150,000.
2. Approve Budget Amendment Resolution No. 2507 to appropriate \$150,000 for FY 2019-20 and FY 2020-21 year-end close of the City of Fowler's financial records and assistance with the preparation of the June 30, 2020 and June 30, 2021 audits.

RECOMMENDATION

Staff recommend approval of the First Amendment to the Accounting Consultant Services Agreement with Price Paige in an amount not to exceed (NTE) \$150,000 for professional consulting services for the FY 2019-20 (NTE \$80,000) and the FY 2020-21 (NTE \$70,000) year-end close of the City of Fowler's financial records and assistance with the preparation of the June 30, 2020 and June 30, 2021 audits, authorizing the City Manager or her designee to execute the agreement on behalf of the City; and adoption of proposed Budget Amendment Resolution No. 2507 to appropriate \$150,000 for this amendment.

BACKGROUND

The City Manager informed Council in March 2021 that the City's financial statements have not been reconciled and an audit has not been finalized since FY 2017-18. As such, on April 6, 2021, Council approved a consultant services agreement with Price Paige in the amount of \$80,000 to provide professional consulting services for FY 2018-19 year end close of the City's financial records and assistance with the preparation of the June 30, 2019 audit. At that time, and as noted in the staff report, Staff anticipated that a contract amendment and related Budget Amendment Resolution would be

brought forward to Council at a later date for similar work associated with FY 2019-20 and FY 2020-21.

Price Paige has done an exemplary job with the FY 2018-19 year end close. A few highlights of their work thus far includes:

- \$849,917 (\$351,490 of FY 2019 funds and \$498,427 of prior-year funds) of surplus, pass-through, and administrative funds were identified in the Successor Agency fund which was reclassified to the General Fund. It is estimated that there are an additional \$220,073 of surplus funds in the Successor Agency fund for FY 2020.
- The COPS grant fund (Fund 206) was closed and \$226,966 was transferred to the General Fund to align with police expenditures.
- The Fresno Council of Governments (FCOG) has withheld \$540,376 of Transportation Development Act (TDA) funds (\$14,400 of Article 3 and \$525,976 of Article 8) some of which is payable to the City as of June 30, 2021. \$184,000, \$265,524, and \$90,852, will become available to the City at the conclusion of the FY 2018-19, FY 2019-20 and FY 2020-2021 audits, respectively.

Similar to Price Paige's original scope of services for FY 2018-19, Exhibit A of the attached Amendment outlines Price Paige's scope of services for FY 2019-20 and FY 2020-21. This scope is summarized below:

- assist the City in the year-end close of its financial records by performing reconciliations of balance sheet and income statement balances in preparation of the City's June 30, 2020 and June 30, 2021, audit;
- function as a liaison with the City's external auditors; and
- prepare the City's bank reconciliations for all months in FY 2019-20 and FY 2020-21.

In addition, and as noted in the April 2021 staff report, the City has not received senior meal monies from the Fresno Madera Area Agency on Aging (FMAAA) since FY 2017-18. Staff confirmed the City will become eligible for those senior meal monies after the City has completed two consecutive timely audits without significant issues. It is estimated that the earliest the City will be eligible for the senior meal money through FMAAA will be FY 2023-24. In addition, until this work is complete and the City can provide audited financial statements, there continues to be concern that the City is unable to show appropriate match requirements for various grant opportunities.

FISCAL IMPACT

Accurate audited financial statements are critical to informed decision-making and required for most grant funding opportunities. The discovery and the reclassification of the Successor Agency funds and transfer of COPS grants funds to the General Fund are greater than the not to exceed amount of \$150,000 for this Amendment. Once all outstanding financial statements and audits are complete, Staff anticipate the return on investment will be achieved almost instantaneously due to the City's ability to receive the outstanding TDA Article 8 disbursement.

Attachments:

- First Amendment to the Accounting Consultant Service Agreement
- Budget Amendment Resolution No. 2507

**CITY OF FOWLER
FIRST AMENDMENT TO
ACCOUNTING CONSULTANT SERVICE AGREEMENT**

This First Amendment to Accounting Consultant Services Agreement ("Amendment") is entered into between the City of Fowler, a California general law city ("City") and Price Paige & Company ("Consultant") with respect to the following recitals, which are a substantive part of this Amendment. This Amendment shall be effective on _____, 2021 ("Effective Date").

RECITALS

- A. City and Consultant entered into that certain Accounting Consultant Service Agreement dated April 6, 2021 ("Agreement") to provide non-audit accounting consultation services ("Services") for the year ending June 30, 2019.
- B. Consultant satisfactorily performed its responsibilities as identified in the Agreement.
- C. City desires to retain Consultant to perform the same Services for the years ending June 30, 2020 and June 30, 2021, and Consultant desires to provide the City with the Services, on the terms and conditions as set forth in Agreement, as amended by this Amendment.

NOW, THEREFORE, in consideration of the promises and mutual agreements herein, City and Consultant agree as follows:

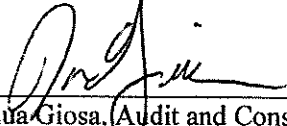
AGREEMENT

1. Change in Scope of Services. Consultant shall perform the Services for the years ending June 30, 2020 and June 30, 2021, which are more fully described in **Exhibit A**.
2. Term of Agreement; Commencement of Services; Schedule. Consultant shall begin performing the Services upon notice from the City on or after the Effective Date, unless otherwise instructed by City, and continue with the Services until satisfactorily completed, as determined by City. Consultant shall complete the Services not later than March 31, 2022 ("Completion Date"), unless extended beyond this date by mutual consent of the Parties.
3. Payment for Services. City shall pay Consultant for the Services performed pursuant to this Agreement according to Consultant's standard hourly rate(s). The amount paid by City to Consultant for the Services shall not exceed Eighty Thousand Dollars (\$80,000) for the year ending June 30, 2020 and Seventy Thousand Dollars (\$70,000) for the year ending June 30, 2021.
4. All Other Terms Remain in Effect. Except as expressly set forth herein, all other terms of the Agreement shall remain unchanged and in full force and effect, including all capitalized terms defined in the Agreement unless otherwise defined in this First Amendment, and the Agreement shall be interpreted so as to give full force and effect to this First Amendment.

[Signature Page Follows]

Now, therefore, the City and Consultant have executed this Amendment on the date(s) set forth below.

CONSULTANT

By: 
Joshua Giosa, Audit and Consulting Partner

Date: 6/9/21

CITY OF FOWLER

By: _____
Wilma Quan, City Manager

Date: _____

Party Identification and Contact Information:

Consultant

Price Paige & Company
Attn: Joshua Giosa
Audit and Consulting Partner
570 N. Magnolia
Clovis, CA 93612
josh@ppcpas.com
(559) 299-9540

City of Fowler

Attn: Wilma Quan
City Manager
128 S. 5th Street
Fowler, CA 93625
wquan@ci.fowler.ca.us
(559) 834-3113

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EXHIBIT A
CONSULTANT PROPOSAL



PRICE PAIGE & COMPANY
Accountancy Corporation

The Place to Be

May 24, 2021

Ms. Wilma Quan, City Manager
City of Fowler
128 S. 5th St.
Fowler, California 93625

Dear Ms. Quan:

This letter confirms the engagement of Price Paige & Company by the City of Fowler (the "City") as of and for the year ended June 30, 2020 and year ending June 30, 2021.

The professional consulting services we currently expect to provide include the following:

- 1) We will assist the City in the year-end close of its financial records by performing reconciliations of balance sheet and income statement balances, as deemed necessary, in preparation of the City's June 30, 2020 and 2021 audits, and function as a liaison with the City's external auditors for any areas in which we assist.
- 2) We will prepare all journal entries necessary for the City to convert its financial statements from the modified accrual to full accrual basis of accounting.
- 3) We will prepare the City's bank reconciliations for all months in the fiscal years ended June 30, 2020 and ending June 30, 2021.
- 4) We will provide the City with additional consultation as agreed-upon with City management. The scope, timing and extent of the additional consultation will be discussed prior to the commencement of any work.

All workpapers or other documents used by us during this engagement will be maintained in segregated files, and such originals and all copies will be returned to you upon the completion of our engagement.

You agree to oversee all nonaudit services as they relate to Measure C and Transportation Development Act activity and account balances by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

570 N. Magnolia Avenue, Suite 100
Clovis, CA 93611

tel 559.299.9540
fax 559.299.2344

www.ppcpas.com

Electronic Data Communication and Storage and Use of Third-Party Service Provider

In the interest of facilitating our services to the City, we may communicate by facsimile transmission, send data over the Internet, store electronic data via computer software applications hosted remotely on the Internet, or allow access to data through third-party vendors' secured portals or clouds. Electronic data that is confidential to the City may be transmitted or stored using these methods. We may use third-party service providers to store or transmit this data, such as providers of tax return preparation and document management software. In using these data communication and storage methods, our firm employs measures designed to maintain data security. We use reasonable efforts to keep such communications and data access secure in accordance with our obligations under applicable laws and professional standards. We also require all of our third-party vendors to do the same.

You recognize and accept that we have no control over the unauthorized interception or breach of any communications or data once it has been sent or has been subject to unauthorized access, notwithstanding all reasonable security measures employed by us or our third-party vendors, and consent to our use of these electronic devices and applications and submission of confidential client information to third-party service providers during this engagement.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Engagement Administration, Fees and Other

We will schedule the engagement based in part on deadlines, working conditions, and the availability of your key personnel. We will plan the engagement based on the assumption that your personnel will cooperate and provide assistance by performing tasks such as retrieving supporting documents and schedules, as requested by us. If, for whatever reason, your personnel are unavailable to provide the necessary assistance in a timely manner, it may substantially increase the work we have to do to complete the engagement within the established deadlines, resulting in an increase in fees over our original fee estimate.

It is our policy to keep records related to this engagement for a minimum of seven years after the report release date.

Our fee for the accounting consultation to assist the City in providing the above services will be \$80,000 for the year ended June 30, 2020 and \$70,000 for the year ending June 30, 2021, which is based on expected hours required to perform the service at our standard hourly rates. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your consulting engagement. Our billing rates are reviewed annually and, where appropriate, adjusted for any increases due to inflation and other factors. We will issue a monthly billing statement for the work completed in that month. Payments for services are due when rendered and interim billings may be submitted as work progresses and expenses are incurred. Our fee estimate is based on anticipated cooperation from your personnel and assumption that unexpected circumstances will not be encountered during the services listed. If significant time is necessary, we will discuss it with you before we incur additional costs. The fees for these services will be billed at the hourly billing rate for the individual involved, plus out-of-pocket expenses.

If any dispute pertaining to our work product arises among the parties hereto, the parties agree first to try in good faith to settle the dispute by mediation administered by the American Arbitration Association under its Rules for Professional Accounting and Related Services Disputes before resorting to litigation. The costs of any mediation proceeding shall be shared equally by all parties.

All work will be suspended if your account becomes 90 days past due. No work will be resumed until your account is fully paid. You acknowledge and agree that in the event we stop work or withdraw from this engagement as a result of your failure to pay on a timely basis for services rendered as required by this engagement letter, we shall not be liable for any damages that occur as a result of our ceasing to render services. Client and accountant both agree that any dispute over fees charged by the accountant to the client will be submitted for resolution by arbitration in accordance with the Rules for Professional Accounting and Related Services Disputes of the American Arbitration Association. Such arbitration shall be binding and final. IN AGREEING TO ARBITRATION, WE BOTH ACKNOWLEDGE THAT, IN THE EVENT OF A DISPUTE OVER FEES CHARGED BY THE ACCOUNTANT, EACH OF US IS GIVING UP THE RIGHT TO HAVE THE DISPUTE DECIDED IN A COURT OF LAW BEFORE A JUDGE OR JURY AND INSTEAD WE ARE ACCEPTING THE USE OF ARBITRATION FOR RESOLUTION.

If information becomes known that would make our continued involvement in this engagement inappropriate, or parties involved change, we reserve the right to withdraw from this engagement. In addition, we will refuse to perform any requested act that we deem a violation of law, public policy, or our professional ethical standards, and may, as a result, withdraw from the engagement without penalty.

In no event will our firm be liable for incidental or consequential damages resulting from our performance on this engagement, even if we have been advised of the possibility of such damages.

If these terms are in accordance with your understanding and meet with your approval, please return a signed copy via email or regular mail at your earliest convenience. This agreement will become effective when you return the signed copy to us.

If the need for additional services arises, our agreement with you will need to be revised. It is customary for us to describe these revisions in an addendum to this letter.

Sincerely,



Fausto Hinojosa, CPA CFE
Price Paige & Company

RESPONSE:

This letter correctly sets forth the understanding of the **City of Fowler, California**.

Management Signature

Title

Date

BUDGET AMENDMENT RESOLUTION 2507

The City Council of the City of Fowler does hereby amend the 2020-2021 Budget as follows:

SECTION I – ADDITIONS

Account Number	Account Description	Amount
100 – 6030 - 5220		\$ 150,000.00
Total		\$ 150,000.00

Purpose: To contract for accounting services from Price Paige & Company to complete the staff audit requirements for the FY 2019/20 & FY2020/21.

SECTION II – SOURCE OF FUNDING

Account Number	Account Description	Amount
100 General Fund		\$150,000.00
Total		\$ 150,000.00

Impact: The accounting services will result in completing the FY 2019-2020 and FY 2020-2021 annual audit earlier at a continuous fast pace. This will provide the audited statements required by the City's current debt disclosure compliance requirements and future debt requirements.

REVIEWED:

X

Marqarita Moreno
Finance Director

X

Wima Quan
City Manager

The foregoing resolution was approved by the City Council of the City of Fowler on June 15, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

X

David Cardenas
Mayor

ATTEST:

X

Angela Vasquez
Deputy City Clerk