

**FOWLER CITY COUNCIL MEETING
AGENDA
MAY 5, 2020
7:00 P.M.
CITY COUNCIL CHAMBER
128 S. 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 City Council 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#**

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.

1. Meeting called to order
2. Roll call
3. Public Presentations - (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.)

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.

4. Public Hearing – Consider and Adopt Resolution No. 2464, "A Resolution of the City Council of the City of Fowler Establishing a Fee Schedule for Copies of Public Records"
5. Communications

6. Staff Reports

- A) Approve Resolution No. 2465, "A Resolution of the City Council of the City of Fowler of Intention to Levy and Collect the Annual Assessments for Landscaping and Storm Drainage Facilities Maintenance District No. 1"
- B) City Manager's Report
 - ◆ COVID-19 Update
- C) Public Works Director's Report
 - ◆ Second Reading of Ordinance No. 2020-03, " An Ordinance Adding Chapter 4 to Title 7 of the Fowler Municipal Code to Provide Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act"
- D) Finance Department Report
- E) Police Department Report
- F) Fire Department Report

7. City Attorney's Report

8. *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.*

- A) Ratification of Warrants – May 5, 2020
- B) Approve Minutes of the City Council Meeting – April 21, 2020

9. Committee Reports (No action except where a specific report is on the agenda)

Mayor Cardenas
Mayor Pro Tem Hammer
Councilmember Kazarian
Councilmember Parra
Councilmember Rodriguez

10. Adjournment

Next Ordinance No. 2020-04

Next Resolution No. 2466

CERTIFICATION: I, Corina Burrola, Deputy City Clerk of the City of Fowler, California, hereby certify that the foregoing agenda was posted for public review on Friday, May 1, 2020.

A handwritten signature in black ink, appearing to read "Corina Burrola". The signature is written in a cursive, flowing style.

*Corina Burrola
Deputy City Clerk*

RESOLUTION NO. 2464**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOWLER
ESTABLISHING A FEE SCHEDULE FOR COPIES OF PUBLIC RECORDS**

WHEREAS, on January 20, 2004, the City Council adopted Resolution No. 1940 establishing a fee schedule for copies of public records ("2004 Fee Schedule"), including fees for standing requests for meeting agendas and minutes; and

WHEREAS, with advances in technology and the internet, City Council, Planning Commission, and Recreation Commission agendas are now available on the City's website, and easily accessible to the public, and, therefore, there is no longer a need for a fee for standing requests of those records; and

WHEREAS, at the time of adoption of the 2004 Fee Schedule, the Finance Director prepared a cost analysis for copying paper records broken down as follows:

Copier costs:	\$0.13 per copy
Maintenance	\$0.01 per copy
Paper	<u>\$0.01 per copy</u>
Subtotal:	\$0.15 per copy

Added to these costs were labor costs for running the copy machine based upon clerical staff average salary, which was determined to be \$0.85 for the first page and \$0.35 for each additional page. Total copy costs therefore came to:

First page:	\$1.00
Second page:	\$0.50

WHEREAS, the costs set forth in the 2004 Fee Schedule were reasonable at the time they were adopted, fully supported by a cost analysis; and

WHEREAS, with modern technology and advanced scanners, most records are now provided electronically by e-mail free of charge; and

WHEREAS, charging fees for the occasional request or need to provide paper copies has not proven to be a burden or dissuaded anyone from requesting records; and

WHEREAS, the California Public Records Act, Government Code section 6250 et seq., sets forth the limits on what the City can charge for producing copies of public records; and

WHEREAS, section 6253(b), provides that the City may charge "fees covering the direct costs of duplication"; and

WHEREAS, section 6253.9(a)(2), relating to records in electronic format, provides that the City may charge for “the direct cost of producing a copy of a record”; and

WHEREAS, California Courts have interpreted “direct costs” to include the actual costs of duplicating the records, but not those tasks necessarily associated with retrieval, inspection, and handling of the file from which copy is extracted; and

WHEREAS, for electronic records, section 6253.9(a)(2) elaborates further, allowing the City to recover specified ancillary costs in either of two cases: (1) when the City must produce a copy of the electronic record between regularly scheduled intervals of production; or (2) when compliance with the request for an electronic record would require data compilation, extraction, or programming to produce the record. Under those circumstances, the City may charge “the cost to construct a record, and the cost of programming and computer services necessary to produce a copy of the record.” (*County of Santa Clara v. Sup. Ct.* (2009) 170 Cal.App.4th 1301, 1336.); and

WHEREAS, the 2004 Fee Schedule has been reevaluated, and the Finance Director has prepared a new cost analysis attached hereto as **Exhibit A**; and

WHEREAS, the Finance Director and City Clerk also conducted a review of what many other cities charge throughout the State, including a number of other cities in the Central Valley, and the results are attached hereto as **Exhibit B**.

NOW, THEREFORE, THE CITY COUNCIL FINDS AS FOLLOWS:

1. Based on the analysis set forth in **Exhibit A**, the direct costs of duplication for paper copies are as follows: \$1.56 first page, \$.53 second page..
2. Based on the results of the review set forth in **Exhibit B**, the average costs charged by cities statewide is between \$.21 to \$.65 per copy, and the average costs charged by cities in the Central Valley is approximately \$.24 per copy.

NOW, THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

1. The fees for providing paper copies under the Public Records Act shall be \$.25 per page for black and white copies and \$.45 per page for color copies, which is less than the City’s actual duplication costs, but consistent with the average costs charged by other cities in the State.
2. The fees for providing electronic copies shall be the costs of the medium (CD, flash drive), or as otherwise authorized by applicable law, including without limitation Government Code section 6253.9.

The foregoing resolution was approved at a regular meeting of the City Council of the City of Fowler held on May 5, 2020, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Cardenas, Mayor

Jeannie Davis, City Clerk

Exhibit A

Cost Analysis - Copy cost of paper records

Copier Costs	.15 per copy	\$0.15
Maintenance	.02 per copy	\$0.02
Paper	.01 per copy	\$0.01
Sub Total		\$0.18
Labor - staff time to make copy		
.69 per minute, assume 2 minute setup = \$1.38		\$1.38 first page
.35 per minute based on 30 sec staff time per page		\$0.35 next page/s
Total cost		
First page		<u>\$1.56</u>
Second page		<u>\$0.53</u>
Color, add 10%		
First page		<u>\$1.71</u>
Second page		<u>\$0.58</u>

Exhibit B Cities - Cost for Copies

City	Cost per copy/ 1st Page	Cost-2nd Page	Additional info.	Cost-Scanned Copy	CD or electronic copy	DVDs or Video tapes	USB/Flash	Date Fee Last Updated	Valley Cities
Azusa	\$0.60	\$0.20			\$5	\$14			
Antioch	\$0.20	\$0.20	first 4 copies free	0.20/page first 4 copies					
Belmont	\$0.25	\$0.25							
Benecia	\$0.20	\$0.20	less than 10 pgs free/\$1.00 color						
Burbank	\$0.50	\$0.05							
Capitola	\$0.25	\$0.25	1-5 pages no charge					7 yrs +	
Chowchilla	\$1.00	\$0.25					\$8.50		0.25
Chula Vista	\$1.00	\$0.10						2010	
Coalinga	\$0.26	\$0.26							0.26
Duarte	\$0.35	\$0.35	\$0.45/page Non Residents. Color: .45, non resident .55	\$.35/resident, \$.45 non resident				2016	
Fullerton	\$0.15	\$0.15						2009	
Grand Terrace	\$0.20	\$0.20		No Fee				2006	
Greenfield	\$0.25	\$0.25	Legal size 5.60						
Gridley	\$1.00	\$0.10							
Huntington Park	\$0.15	\$0.10		\$0.15/page				2017	\$0.25
Kerman	\$0.25	\$0.25							
Kingsburg	\$0.10	\$0.10							\$0.10
La Palma	\$1.70	\$0.05							
La Habra	\$0.50	\$0.50		No Fee				2016	
Lake Forest	\$0.75	\$0.15							
Lakewood	\$0.25	\$0.25							
Lancaster	\$0.37	\$0.37			\$7				
Lawndale	\$0.20	\$0.20							
Lemoore	\$0.10	\$0.10							\$0.10
Loma Linda	\$0.20	\$0.20		No Fee	\$1	\$2	\$5	2004	
Manhattan Beach	\$0.10	\$0.10	must be double sided	No fee					
Mendota	\$0.50	\$0.50							\$0.50
Millbrae	\$0.25	\$0.25		No Fee				1/1/20	
Mission Viejo	\$1.25	\$0.25			\$20	\$20			
Morro Bay	\$0.40	\$0.40	70/page for 11"x17"	No Fee				2018	
Norwalk	\$0.25	\$0.25			0.25			unknown	
Ojai	\$1.00	\$0.08							
Pleasant Hill	\$0.10	\$0.10	Less than 10 - free. More than 10 pages - \$.10 ea	\$0.08/page for more than 10 pages				2014	
Port Hueneme	\$0.50	\$0.25	\$1.00 color		\$15				
Reedley	3-10 \$1.00/11 or more 1.00 + .10 ea	\$0.12	0-2 free. Color: \$.50 for 0-2, \$.55 3-10, \$.55 + .50 ea more than 10. No copying of non-city documents		\$15				
Rio Dell	\$0.10	\$0.10	Color: \$.25/page \$.35 legal sz					2016	
Sacramento	\$0.25	\$0.10						2009	
San Clemente	\$0.20	\$0.20							
Sanger	\$0.25	\$0.25	\$1.00 color		\$1				\$0.25
Santa Cruz	\$0.25	\$0.25	\$1.00 color						
Santa Monica	\$0.20	\$0.20		No Fee	\$19				
Selma	\$15.00	\$0.15	\$15 look up charge						
Shafter	\$0.20	\$0.20							\$0.20
Signal Hill	\$0.30	\$0.20	\$0.30/pp - 1-30 \$.20/pp thereafter. \$35 retrieval fee/ offsite storage	\$.30 page Over 30 pgs - \$.20	\$5	\$5	\$5	2019	
Taft	\$0.25	\$0.25			\$5.50	\$26.25			\$0.25
Thousand Oaks	\$0.15	\$0.15	50 for color	\$0.50 for color scan					
Tracy	\$0.15	\$0.15			\$5	\$5			
Upland	\$0.25	\$0.25		No Fee				2015	
Vacaville	\$0.25	\$0.25							
Vista	\$0.15	\$0.15	50 for color					10+ years	
Wasco	\$1.00	\$0.15			\$1 pp elec. Docs. CD \$2				
West Covina	\$0.25	\$0.25	\$.60 color		\$5				
West Sacramento	\$0.20	\$0.20	5 copies or less fee is waived	\$0.10/page				currently under review	
Westminster	\$0.30	\$0.30	\$.50 legal size	No Fee	\$20	\$20		2019	
Wheatland	\$0.25	\$0.25							
Approximate average	\$0.65	\$0.21							\$0.24

STAFF REPORT

TO: MAYOR & CITY COUNCIL
FROM: DAVID PETERS, CITY ENGINEER
SUBJECT: LANDSCAPING AND STORM DRAINAGE FACILITIES
MAINTENANCE DISTRICT NO. 1 ANNUAL ASSESSMENTS
DATE: 5/05/2020
CC: JEANNIE DAVIS, CITY MANAGER

REQUESTED ACTION:

Adopt Resolution No. 2465, approving the engineer's report pursuant to the Landscaping and Lighting Act of 1972 for the annual renewal of the Landscaping and Lighting District for fiscal year 2020-2021, set a public hearing for May 19, 2020, and authorize proceedings for the annual levy and collection of assessments.

DISCUSSION:

The City provides for the operations and maintenance of landscaping and storm drainage facilities within various improved developments throughout the City of Fowler. The District, which was formed pursuant to the Landscaping and Lighting Act of 1972, provides for assessing parcels within these developed areas to fund these maintenance and operations activities. The District must be renewed annually through a series of City Council resolutions, culminating with a public hearing. The public hearing and adoption of a final resolution are proposed for the Council Meeting of May 19, 2020.

In order to renew the districts, an assessment engineer must review and develop the benefit assessments for each parcel. Those assessments are based on the proposed budget for FY 2020-2021.

REQUESTED ACTION:

Staff recommends that the City Council adopt Resolution No. 2465, approving the engineer's report pursuant to the Landscaping and Lighting Act of 1972 for the annual renewal of the Landscaping and Lighting District for fiscal year 2020-2021, set a public hearing for May 19, 2020, and authorize proceedings for the annual levy and collection of assessments.

RESOLUTION NO. 2465

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOWLER OF INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENTS FOR LANDSCAPING AND STORM DRAINAGE FACILITIES MAINTENANCE DISTRICT NO. 1

RESOLVED, by the City Council of the City of Fowler, County of Fresno, California, that:

1. It is the intention of the said Council to order the levy and collection of assessment under the Landscaping and Lighting Act of 1972, part two of Division 15 of the Streets and Highways Code (beginning with Section 22500 of said code and herein the "act") for the Landscaping and Storm Drainage Facilities Maintenance District No. 1 of the City of Fowler for fiscal year 2020-2021.
 2. The territory of City Landscaping and Storm Drainage Facilities Maintenance District No. 1 is comprised of various territories generally located on the attached vicinity map which is the real property benefited and to be assessed for the maintenance and operation of the landscaping facilities of Landscaping and Storm Drainage Facilities Maintenance District No. 1 generally described in Exhibit A attached hereto and by reference incorporated herein.
 3. The City Engineer has prepared and filed with the Clerk of the City of Fowler a report labeled Engineer's Report of the City of Fowler Landscaping and Storm Drainage Facilities Maintenance District No. 1, dated May 2020 to which reference is hereby made by a description of the existing improvements, the boundaries of the assessment district and any zones therein (including the general location), and the proposed assessment upon assessable lots and parcels of land within Landscaping and Storm Drainage Facilities Maintenance District No. 1.
 4. Notice is hereby given that on the **19th day of May, 2020** at the hour of 7:00 p.m. in the regular meeting place of the City Council of the City of Fowler Council Chambers City Hall, 128 S. Fifth Street, Fowler, California, 93625 are hereby fixed as the time and place when and where all interested persons shall be heard on the question of the levy and collection of the proposed assessments.
 5. A copy of this Resolution shall also be published once prior to the hearing in a newspaper of general circulation within the City of Fowler, at least 10 days prior to the public hearing.
-

I hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted by the City Council of the City of Fowler at a meeting thereof held on the 5th day of May, 2020, by the following vote:

AYES:

NOES:

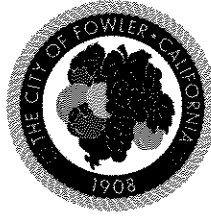
ABSTAIN:

ABSENT:

David Cardenas, Mayor

ATTEST:

Jeannie Davis, City Clerk



STAFF REPORT

DATE: May 5, 2020

TO: Honorable Mayor and City Councilmembers

FROM: Dario Dominguez, Public Works Director

SUBJECT: Second Reading: an Ordinance adding Chapter 4 of Title 7 of the Fowler Municipal Code to Provide Informal Bidding Procedures under the Uniform Public Construction Cost Accounting Act

RECOMMENDATION:

That City Council approves the second reading and adoption of Ordinance No. 2020-03, adding procurement procedures for public contracts to the municipal code.

SUMMARY:

On April 21, 2020, the Council considered the first reading of Ordinance 2020-03. Today, we present the Second Reading with the amended language as suggested by the Council, that **all** public project contracts under \$60,000 pursuant to the Act, other than those by force account (use of City employees), would require Council approval.

As you recall from the discussion at the prior meeting, the UPCCAA provides three thresholds for bidding on public projects and they are the following:

Public Projects with cost estimates \$60,000 or less:

The City can opt to complete project by force account (which means the City can use its own employees), by negotiated contract, or by purchase order.

Public Projects with cost estimates between \$60,000-\$200,000:

The City may contract by the informal bidding procedures set forth in UPCCAA. Projects must still be competitively bid. If a contractor's list is available, they will get a notice inviting them to informally bid.

Public Projects with cost estimates of \$200,000 and over:

These projects shall still be let to contract by formal bidding procedures.

Staff has the concern, however, that if all public works projects under \$60,000 (other than projects to be completed by use of City employees) must come before the Council for approval, that it eliminates the purpose of streamlining projects under the UPPCAA provisions. This can create a situation, for example, where if the City had to contract with a tree service to remove a tree in the amount of \$3,000, the project would have to be delayed and placed on the next City Council agenda for approval. Or, if the City needed to have repairs done to the HVAC in the amount of \$12,000, it would need to be processed through the City Council; or if the Public Works Department had an approved budgeted item to install fencing around a ponding basin in the amount of \$30,000, this would also be required to have Council approval, and the list goes on. As discussed at the prior meeting, the need for oversight and accountability is also imperative. In view of this, Staff is proposing that the Council consider alternative ordinance language (Alternative #2) or other such language as the Council deems appropriate, regarding contracts under \$60,000:

(a) Public projects of Sixty Thousand Dollars (\$60,000.00) or less may be performed by City employees by force account, by negotiated contract, or by purchase order. Notwithstanding any provision in the Fowler Municipal Code to the contrary, and provided the expenditure is within the budget limitation, the City Manager is authorized to approve the use of City employees for public projects, and may approve and sign any contract or purchase order for public projects not exceeding \$60,000.00, provided the City Manager reports the approval of any such contract or purchase order to the City Council at the next available City Council meeting.

FISCAL IMPACT:

There is no fiscal impact. Avoiding complex bidding procedures on small projects will save staff time and resources and allow the City flexibility in awarding small public works contracts. The City should expect to save tens of thousands of dollars immediately and potentially hundreds of thousands in the future.

ORDINANCE NO. 2020-03

AN ORDINANCE ADDING CHAPTER 4 TO TITLE 7 OF THE FOWLER MUNICIPAL CODE TO PROVIDE INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

The City Council of the City of Fowler does hereby ordain as follows:

SECTION 1. Findings.

A. The City of Fowler is currently required to advertise, bid, and award "public projects" (as defined in Section 20161 of the California Public Contract Code) in excess of \$5,000 in accordance with formal bidding procedures set forth in the Public Contract Code.

B. The City Council desires to enable the City of Fowler to use more efficient and less cumbersome bidding procedures for public projects as allowed by the Uniform Public Construction Cost Accounting Act ("Act").

C. The City Council has approved Resolution No. 2462 in accordance with Public Contract Code Section 22030, and thereby elected to become subject to the uniform construction cost accounting procedures set forth in the Act and promulgated by the California Uniform Construction Cost Accounting Commission.

D. Upon electing to become subject to the Act, Public Contract Code Section 22034 requires the City Council to enact an informal bidding ordinance to govern the selection of contractors to perform public projects pursuant to subdivision (b) of Public Contract Code Section 22032 (currently set as those projects with expenditures between \$60,000.01 and \$200,000.00, but which amount is subject to change every five years by the State Controller upon recommendation by the Commission).

NOW, THEREFORE, the City Council of the City of Fowler does ordain as follows:

SECTION 2. Chapter 4 of Title 7 of the Fowler Municipal Code is hereby added in its entirety to read as follows:

Chapter 4

PROCUREMENT PROCEDURES FOR PUBLIC PROJECTS

Sections:

- 7-4.01 Authority and Purpose.**
- 7-4.02 Definitions.**
- 7-4.03 Contracting Procedures.**
- 7-4.04 Severability.**

7-4.01 - Authority and Purpose.

This chapter is adopted to implement the procedures for contracting for public projects as authorized by the Uniform Public Construction Cost Accounting Act.

7-4.02 - Definitions.

For the purposes of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows.

- (a) "Contractors list" shall mean a list of qualified contractors, identified according to categories of work. The minimum criteria for the development and maintenance of the list shall be determined by the California Uniform Construction Cost Accounting Commission.
- (b) "Public project" is as defined in Section 22002 of the Public Contract Code, and means any of the following, but does not include "maintenance work":
 - (1) Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.
 - (2) Painting or repainting of any publicly owned, leased, or operated facility.
- (c) "Maintenance work" includes all of the following:
 - (1) Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility.
 - (2) Minor repainting.
 - (3) Resurfacing of streets and highways at less than one inch.
 - (4) Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.
 - (5) Work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems.
- (d) "Facility" is as defined in Section 22002 of the Public Contract Code, and means any plant, building, structure, ground facility, real property, streets and highways, or other public work improvement.

7-4.03 - Contracting procedures.

The dollar amount thresholds provided in this chapter shall automatically adjust to the dollar amount thresholds provided under Public Contract Code Section 22032 upon the effectiveness of any adjustment notification by the State Controller in accordance with Public Contract Code Section 22020, without the necessity of amending this chapter or any section or subdivision herein to reflect any such adjustment.

(a) Public projects of Sixty Thousand Dollars (\$60,000.00) or less may be performed by City employees by force account, by negotiated contract, or by purchase order. The City Manager is authorized to approve the use of City employees for such public projects, and may sign any contract or purchase order approved by the City Council for such public projects.

(b) Except as provided in subdivision (4) below, public projects of Two Hundred Thousand Dollars (\$200,000.00) or less may be let to contract by informal bidding procedures as follows:

(1) Informal Bid Procedures. Public projects, in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in Section 22032, et seq., of the Public Contract Code.

(2) Contractors List. A list of qualified contractors shall be developed and maintained in accordance with the provisions of Section 22034 of the Public Contract Code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.

(3) Notice Inviting Informal Bids. A notice inviting informal bids shall be prepared, which notice shall describe the project in general terms, describe how to obtain more detailed information about the project, and state the time and place for the submission of bids. The notice shall be mailed, not less than ten (10) calendar days before bids are due, to either all contractors on the Contractors list for the category of work to be bid, or to and to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with Section 22036 of the Public Contract Code. Additional contractors and/or construction trade journals may be notified at the discretion of the department soliciting bids, provided, however:

(A) If there is no Contractors list maintained by the City for the particular category of work to be performed, the notice shall be sent only to the construction trade journals specified by the Commission.

(B) If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice may be sent exclusively to such contractor or contractors.

(4) Award of Contracts. Contracts for public projects in excess of \$60,000.00 shall be awarded by the City Council. If all bids received are in excess of \$200,000.00, the City Council may, by adoption of a resolution by four-fifths vote, award the contract, at \$212,500.00 or less, to the lowest responsible bidder, if it determines the project cost estimate was reasonable.

(c) Public projects of more than Two Hundred Thousand dollars (\$200,000.00) shall, except as otherwise provided in this section, be let to contract by formal bidding procedure in accordance with applicable provisions of the Public Contract Code, including, but not limited to, Public Contract Code Section 22037.

7-4.04 - Severability.

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

SECTION 3. This Ordinance shall take effect 30 days after its adoption.

SECTION 4. The City Clerk is hereby directed to cause a summary of this Ordinance to be published by one insertion in a newspaper of general circulation in the community at least five (5) days prior to adoption and again (15) days after its adoption. If a summary of the ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least five days prior to the Council meeting at which the ordinance is adopted, and again after the meeting at which the ordinance is adopted. The summary shall be approved by the City Attorney.

I hereby certify that the foregoing Ordinance No. 2020-03 was introduced at a regular meeting of the City Council of the City of Fowler held on April 21, 2020, and was thereafter duly adopted at a regular meeting of said City Council held on May 5, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Cardenas, Mayor

ATTEST:

Jeannie Davis, City Clerk

ORDINANCE NO. 2020-03

AN ORDINANCE ADDING CHAPTER 4 TO TITLE 7 OF THE FOWLER MUNICIPAL CODE TO PROVIDE INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

The City Council of the City of Fowler does hereby ordain as follows:

SECTION 1. Findings.

A. The City of Fowler is currently required to advertise, bid, and award "public projects" (as defined in Section 20161 of the California Public Contract Code) in excess of \$5,000 in accordance with formal bidding procedures set forth in the Public Contract Code.

B. The City Council desires to enable the City of Fowler to use more efficient and less cumbersome bidding procedures for public projects as allowed by the Uniform Public Construction Cost Accounting Act ("Act").

C. The City Council has approved Resolution No. 2462 in accordance with Public Contract Code Section 22030, and thereby elected to become subject to the uniform construction cost accounting procedures set forth in the Act and promulgated by the California Uniform Construction Cost Accounting Commission.

D. Upon electing to become subject to the Act, Public Contract Code Section 22034 requires the City Council to enact an informal bidding ordinance to govern the selection of contractors to perform public projects pursuant to subdivision (b) of Public Contract Code Section 22032 (currently set as those projects with expenditures between \$60,000.01 and \$200,000.00, but which amount is subject to change every five years by the State Controller upon recommendation by the Commission).

NOW, THEREFORE, the City Council of the City of Fowler does ordain as follows:

SECTION 2. Chapter 4 of Title 7 of the Fowler Municipal Code is hereby added in its entirety to read as follows:

Chapter 4

PROCUREMENT PROCEDURES FOR PUBLIC PROJECTS

Sections:

- 7-4.01 Authority and Purpose.**
- 7-4.02 Definitions.**
- 7-4.03 Contracting Procedures.**
- 7-4.04 Severability.**

7-4.01 - Authority and Purpose.

This chapter is adopted to implement the procedures for contracting for public projects as authorized by the Uniform Public Construction Cost Accounting Act.

7-4.02 - Definitions.

For the purposes of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows.

- (a) "Contractors list" shall mean a list of qualified contractors, identified according to categories of work. The minimum criteria for the development and maintenance of the list shall be determined by the California Uniform Construction Cost Accounting Commission.
- (b) "Public project" is as defined in Section 22002 of the Public Contract Code, and means any of the following, but does not include "maintenance work":
 - (1) Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.
 - (2) Painting or repainting of any publicly owned, leased, or operated facility.
- (c) "Maintenance work" includes all of the following:
 - (1) Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility.
 - (2) Minor repainting.
 - (3) Resurfacing of streets and highways at less than one inch.
 - (4) Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.
 - (5) Work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems.
- (d) "Facility" is as defined in Section 22002 of the Public Contract Code, and means any plant, building, structure, ground facility, real property, streets and highways, or other public work improvement.

7-4.03 - Contracting procedures.

The dollar amount thresholds provided in this chapter shall automatically adjust to the dollar amount thresholds provided under Public Contract Code Section 22032 upon the effectiveness of any adjustment notification by the State Controller in accordance with Public Contract Code Section 22020, without the necessity of amending this chapter or any section or subdivision herein to reflect any such adjustment.

(a) Public projects of Sixty Thousand Dollars (\$60,000.00) or less may be performed by City employees by force account, by negotiated contract, or by purchase order. Notwithstanding any provision in the Fowler Municipal Code to the contrary, and provided the expenditure is within the budget limitation, the City Manager is authorized to approve the use of City employees for public projects, and may approve and sign any contract or purchase order for public projects not exceeding \$60,000.00; provided the City Manager reports the approval of any such contract or purchase order to the City Council at the next available City Council meeting.~~and accept the completed public project upon the City Engineer's recommendation and authorize the recording of a notice of completion and/or acceptance.~~

(b) Except as provided in subdivision (4) below, public projects of Two Hundred Thousand Dollars (\$200,000.00) or less may be let to contract by informal bidding procedures as follows:

- (1) Informal Bid Procedures. Public projects, in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in Section 22032, et seq., of the Public Contract Code.
- (2) Contractors List. A list of qualified contractors shall be developed and maintained in accordance with the provisions of Section 22034 of the Public Contract Code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.
- (3) Notice Inviting Informal Bids. A notice inviting informal bids shall be prepared, which notice shall describe the project in general terms, describe how to obtain more detailed information about the project, and state the time and place for the submission of bids. The notice shall be mailed, not less than ten (10) calendar days before bids are due, to either all contractors on the Contractors list for the category of work to be bid, or to and to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with Section 22036 of the Public Contract Code. Additional contractors and/or construction trade journals may be notified at the discretion of the department soliciting bids, provided, however:
 - (A) If there is no Contractors list maintained by the City for the particular category of work to be performed, the notice shall be sent only to the construction trade journals specified by the Commission.
 - (B) If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice may be sent exclusively to such contractor or contractors.
- (4) Award of Contracts. Contracts for public projects in excess of \$60,000.00 shall be awarded by the City Council. If all bids received are in excess of \$200,000.00, the City Council may, by adoption of a resolution by four-fifths vote, award the contract, at \$212,500.00 or less, to the lowest responsible bidder, if it determines the project cost estimate was reasonable.

(c) Public projects of more than Two Hundred Thousand dollars (\$200,000.00) shall, except as otherwise provided in this section, be let to contract by formal bidding procedure in accordance with applicable provisions of the Public Contract Code, including, but not limited to, Public Contract Code Section 22037.

7-4.04 - Severability.

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

SECTION 3. This Ordinance shall take effect 30 days after its adoption.

SECTION 4. The City Clerk is hereby directed to cause a summary of this Ordinance to be published by one insertion in a newspaper of general circulation in the community at least five (5) days prior to adoption and again (15) days after its adoption. If a summary of the ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least five days prior to the Council meeting at which the ordinance is adopted, and again after the meeting at which the ordinance is adopted. The summary shall be approved by the City Attorney.

I hereby certify that the foregoing Ordinance No. 2020-03 was introduced at a regular meeting of the City Council of the City of Fowler held on April 21, 2020, and was thereafter duly adopted at a regular meeting of said City Council held on May 5, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Cardenas, Mayor

ATTEST:

Jeannie Davis, City Clerk

CITY OF FOWLER
 WARRANTS LIST
 May 5, 2020

<u>ACCOUNTS PAYABLE CHECKS</u>	<u>CHECK NUMBERS</u>	<u>CHECK DATES</u>	<u>AMOUNT</u>
Regular checks	36413-36451	April 22 thru May 1	\$ 115,466.76
TOTAL ACCOUNTS PAYABLE CHECKS			<u>\$ 115,466.76</u>
<u>PAYROLL COSTS</u>			
Second April Bi-Monthly Payroll		April 30, 2020	85,970.16
TOTAL PAYROLL COSTS			<u>\$ 85,970.16</u>
TOTAL CASH DISBURSEMENTS			<u>\$ 201,436.92</u>

ITEM

8A

SUPERION
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 ACCTPAZI

CITY OF FOWLER
 CHECK REGISTER - BY FUND

SELECTION CRITERIA: transact.check_no between '36413' and '36451'
 ACCOUNTING PERIOD: 10/20

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCT	DESCRIPTION	SALES TAX	AMOUNT
1001	36414	04/22/20	11862	YVONNE HERNANDEZ	6700	5260	MILEAGE MEAL DELIVE	0.00	137.13
1001	36416	04/22/20	10194	LOZANO SMITH	6060	5620	SERVICES	0.00	300.00
1001	36416	04/22/20	10194	LOZANO SMITH	6060	5620	SERVICES	0.00	200.00
1001	36416	04/22/20	10194	LOZANO SMITH	6060	5620	SERVICES	0.00	141.25
1001	36416	04/22/20	10194	LOZANO SMITH	6060	5620	SERVICES	0.00	2,657.75
1001	36416	04/22/20	10194	LOZANO SMITH	6060	5620	SERVICES	0.00	2,183.00
1001	36416	04/22/20	10194	LOZANO SMITH	6060	5620	SERVICES	0.00	1,460.00
1001	36416	04/22/20	10194	LOZANO SMITH	100	2082	MAXCO	0.00	960.00
1001	36416	04/22/20	10194	LOZANO SMITH	100	1150	TCP	0.00	340.00
1001	36416	04/22/20	10194	LOZANO SMITH	6060	5620	SERVICES	0.00	100.00
1001	36416	04/22/20	10194	LOZANO SMITH	6060	5620	SERVICES	0.00	60.00
TOTAL CHECK								0.00	8,402.00
1001	36417	04/22/20	10237	P G & E - SACRAMENT	6200	5170	UTILITIES	0.00	11.40
1001	36417	04/22/20	10237	P G & E - SACRAMENT	6200	5170	UTILITIES	0.00	2,669.41
1001	36417	04/22/20	10237	P G & E - SACRAMENT	6200	5170	UTILITIES	0.00	486.88
1001	36417	04/22/20	10237	P G & E - SACRAMENT	6200	5170	UTILITIES	0.00	121.62
TOTAL CHECK								0.00	3,289.31
1001	36418	04/22/20	10314	TOSHIBA FINANCIAL S	6020	5182	LEASE PAYMENT	0.00	543.79
1001	36419	04/22/20	13848	TPX	6020	5160	SERVICES	0.00	1,781.96
1001	36421	05/01/20	10549	AT&T MOBILITY	6120	5160	SERVICES	0.00	270.49
1001	36422	05/01/20	10026	BCT CONSULTING	6700	5230	SERVICES	0.00	150.00
1001	36422	05/01/20	10026	BCT CONSULTING	6700	5230	SERVICES	0.00	150.00
1001	36422	05/01/20	10026	BCT CONSULTING	6030	5230	SERVICES	0.00	1,500.00
1001	36422	05/01/20	10026	BCT CONSULTING	6030	5230	SERVICES	0.00	1,500.00
1001	36422	05/01/20	10026	BCT CONSULTING	6120	5230	SERVICES	0.00	168.95
1001	36422	05/01/20	10026	BCT CONSULTING	6120	5230	SERVICES	0.00	168.95
1001	36422	05/01/20	10026	BCT CONSULTING	6030	5230	SERVICES	0.00	250.45
1001	36422	05/01/20	10026	BCT CONSULTING	6030	5715	SUPPLIES	0.00	326.71
1001	36422	05/01/20	10026	BCT CONSULTING	6030	5230	SERVICES	0.00	343.95
1001	36422	05/01/20	10026	BCT CONSULTING	6030	5715	SERVICES	0.00	477.45
1001	36422	05/01/20	10026	BCT CONSULTING	6030	5715	SERVICES	0.00	525.00
1001	36422	05/01/20	10026	BCT CONSULTING	6030	5715	SERVICES	0.00	525.00
1001	36422	05/01/20	10026	BCT CONSULTING	6020	5230	SERVICES	0.00	750.00
1001	36422	05/01/20	10026	BCT CONSULTING	6030	5230	SERVICES	0.00	750.00
1001	36422	05/01/20	10026	BCT CONSULTING	6030	5230	SERVICES	0.00	993.95
TOTAL CHECK								0.00	8,749.36
1001	36423	05/01/20	11291	THE BUSINESS JOURNA	6025	5150	PUBLICATIONS	0.00	117.50
1001	36424	05/01/20	13084	CREEPY CRAWLIES EXT	6020	5185	SERVICES	0.00	90.00
1001	36424	05/01/20	13084	CREEPY CRAWLIES EXT	6700	5185	SERVICES	0.00	95.00
TOTAL CHECK								0.00	185.00
1001	36426	05/01/20	10124	FRESNO COUNTY TREAS	6120	5220	RMS/JMS FEES	0.00	72.81
1001	36426	05/01/20	10124	FRESNO COUNTY TREAS	6120	5271	DISPATCHING SERVICE	0.00	7,692.03

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CITY OF FOWLER
 CHECK REGISTER - BY FUND

SELECTION CRITERIA: transact.check_no between '36413' and '36451'
 ACCOUNTING PERIOD: 10/20

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCT	DESCRIPTION	SALES TAX	AMOUNT
TOTAL CHECK									7,764.84
1001	36427	05/01/20	13451	FRONTIER COMMUNICAT	6700	5160	SERVICES	0.00	69.70
1001	36428	05/01/20	12810	GLOBAL CTI	6030	5230	SERVICES	0.00	60.00
1001	36429	05/01/20	10141	H & H TIRE SERVICES	6120	5205	TIRE REPAIR	0.00	40.00
1001	36430	05/01/20	11018	HOME DEPOT CREDIT S	6020	5121	SUPPLIES	0.00	35.55
1001	36430	05/01/20	11018	HOME DEPOT CREDIT S	6700	5121	SUPPLIES	0.00	38.54
1001	36430	05/01/20	11018	HOME DEPOT CREDIT S	6700	5121	SUPPLIES	0.00	107.81
1001	36430	05/01/20	11018	HOME DEPOT CREDIT S	6260	5121	SUPPLIES	0.00	138.76
1001	36430	05/01/20	11018	HOME DEPOT CREDIT S	6020	5121	SUPPLIES	0.00	228.90
1001	36430	05/01/20	11018	HOME DEPOT CREDIT S	6200	5121	SUPPLIES	0.00	244.04
1001	36430	05/01/20	11018	HOME DEPOT CREDIT S	6130	5121	SUPPLIES	0.00	951.44
TOTAL CHECK								0.00	1,745.04
1001	36431	05/01/20	10149	ICMA-RC 457 PLAN 3	100	2043	EMPLOYEE DEDUCTION	0.00	3,575.00
1001	36432	05/01/20	12334	JSHONDO BEAVERS	6130	5300	CPR CLASS	0.00	800.00
1001	36433	05/01/20	13496	KEENAN & ASSOCIATES	6150	5084	EMPLOYEE BENEFITS	0.00	350.57
1001	36433	05/01/20	13496	KEENAN & ASSOCIATES	6025	5084	EMPLOYEE BENEFITS	0.00	385.63
1001	36433	05/01/20	13496	KEENAN & ASSOCIATES	6030	5084	EMPLOYEE BENEFITS	0.00	503.06
1001	36433	05/01/20	13496	KEENAN & ASSOCIATES	6400	5084	EMPLOYEE BENEFITS	0.00	718.65
1001	36433	05/01/20	13496	KEENAN & ASSOCIATES	6700	5084	EMPLOYEE BENEFITS	0.00	718.65
1001	36433	05/01/20	13496	KEENAN & ASSOCIATES	6020	5084	EMPLOYEE BENEFITS	0.00	853.64
1001	36433	05/01/20	13496	KEENAN & ASSOCIATES	100	2041	EMPLOYEE BENEFITS	0.00	1,435.00
1001	36433	05/01/20	13496	KEENAN & ASSOCIATES	6200	5084	EMPLOYEE BENEFITS	0.00	6,735.80
1001	36433	05/01/20	13496	KEENAN & ASSOCIATES	6120	5084	EMPLOYEE BENEFITS	0.00	12,820.59
TOTAL CHECK								0.00	24,521.59
1001	36435	05/01/20	11495	MADERA UNIFORM & AC	6130	5130	SUPPLIES	0.00	11.93
1001	36435	05/01/20	11495	MADERA UNIFORM & AC	6130	5130	SUPPLIES	0.00	33.62
1001	36435	05/01/20	11495	MADERA UNIFORM & AC	6130	5130	SUPPLIES	0.00	76.23
1001	36435	05/01/20	11495	MADERA UNIFORM & AC	6130	5130	SUPPLIES	0.00	578.33
TOTAL CHECK								0.00	700.11
1001	36436	05/01/20	14293	MARTHA RESEDEZ	100	3523	PARK REFUND	0.00	75.00
1001	36437	05/01/20	10201	METRO UNIFORM & ACC	6120	5715	BARRETT JACKET	0.00	161.05
1001	36440	05/01/20	10251	R & R AUTO REPAIR S	6120	5205	AUTO MAINTENANCE	0.00	90.00
1001	36441	05/01/20	11179	R G EQUIPMENT	6260	5200	MOWER REPAIR	0.00	405.95
1001	36442	05/01/20	14294	RAMANJIT VIRK	100	3523	PARK REFUND	0.00	25.00
1001	36444	05/01/20	13647	SUN LIFE FINANCIAL	6400	5084	EMPLOYEE BENEFITS	0.00	33.18
1001	36444	05/01/20	13647	SUN LIFE FINANCIAL	6700	5084	EMPLOYEE BENEFITS	0.00	33.18
1001	36444	05/01/20	13647	SUN LIFE FINANCIAL	6150	5084	EMPLOYEE BENEFITS	0.00	33.18
1001	36444	05/01/20	13647	SUN LIFE FINANCIAL	6030	5084	EMPLOYEE BENEFITS	0.00	100.90

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SELECTION CRITERIA: transact.check_no between '36413' and '36451'
 ACCOUNTING PERIOD: 10/20

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	36444	05/01/20	13647	SUN LIFE FINANCIAL	6160	5084	EMPLOYEE BENEFITS	0.00	127.88
1001	36444	05/01/20	13647	SUN LIFE FINANCIAL	6020	5084	EMPLOYEE BENEFITS	0.00	139.67
1001	36444	05/01/20	13647	SUN LIFE FINANCIAL	6200	5084	EMPLOYEE BENEFITS	0.00	434.64
1001	36444	05/01/20	13647	SUN LIFE FINANCIAL	6120	5084	EMPLOYEE BENEFITS	0.00	836.10
1001	36444	05/01/20	13647	SUN LIFE FINANCIAL	100	2046	EMPLOYEE BENEFITS	0.00	1,386.07
TOTAL CHECK								0.00	3,124.80
1001	36446	05/01/20	13543	UNIFIRST CORPORATIO	6700	5185	SUPPLIES	0.00	24.44
1001	36446	05/01/20	13543	UNIFIRST CORPORATIO	6020	5185	SUPPLIES	0.00	35.38
1001	36446	05/01/20	13543	UNIFIRST CORPORATIO	6020	5185	SUPPLIES	0.00	35.38
1001	36446	05/01/20	13543	UNIFIRST CORPORATIO	6260	5185	SUPPLIES	0.00	156.98
TOTAL CHECK								0.00	232.18
1001	36447	05/01/20	10725	VERIZON WIRELESS	6120	5160	SERVICES	0.00	1,274.92
1001	36448	05/01/20	11335	VISION SERVICE PLAN	6400	5084	EMPLOYEE BENEFITS	0.00	9.85
1001	36448	05/01/20	11335	VISION SERVICE PLAN	6700	5084	EMPLOYEE BENEFITS	0.00	9.85
1001	36448	05/01/20	11335	VISION SERVICE PLAN	6025	5084	EMPLOYEE BENEFITS	0.00	10.83
1001	36448	05/01/20	11335	VISION SERVICE PLAN	6160	5084	EMPLOYEE BENEFITS	0.00	19.70
1001	36448	05/01/20	11335	VISION SERVICE PLAN	6020	5084	EMPLOYEE BENEFITS	0.00	20.68
1001	36448	05/01/20	11335	VISION SERVICE PLAN	6030	5084	EMPLOYEE BENEFITS	0.00	23.62
1001	36448	05/01/20	11335	VISION SERVICE PLAN	6200	5084	EMPLOYEE BENEFITS	0.00	127.99
1001	36448	05/01/20	11335	VISION SERVICE PLAN	6120	5084	EMPLOYEE BENEFITS	0.00	236.29
1001	36448	05/01/20	11335	VISION SERVICE PLAN	100	2048	EMPLOYEE BENEFITS	0.00	287.28
TOTAL CHECK								0.00	746.09
1001	36450	05/01/20	14290	XEROX FINANCIAL SER	6150	5182	COPIER LEASE	0.00	82.21
1001	36450	05/01/20	14290	XEROX FINANCIAL SER	6160	5182	COPIER LEASE	0.00	82.21
1001	36450	05/01/20	14290	XEROX FINANCIAL SER	6700	5182	COPIER LEASE	0.00	164.41
1001	36450	05/01/20	14290	XEROX FINANCIAL SER	6020	5182	COPIER LEASE	0.00	383.63
1001	36450	05/01/20	14290	XEROX FINANCIAL SER	6120	5182	COPIER LEASE	0.00	383.63
TOTAL CHECK								0.00	1,096.09
1001	36451	05/01/20	10346	ZOOM IMAGING SOLUTI	6020	5220	SERVICES	0.00	315.70
TOTAL CASH ACCOUNT								0.00	70,319.60
TOTAL FUND								0.00	70,319.60

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CITY OF FOWLER
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FUND - 210 - GAS TAX

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	36449	05/01/20	10506	VULCAN MATERIALS CO	2100	5195	COLD MIX	0.00	428.01
TOTAL CASH ACCOUNT									
TOTAL FUND									

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CITY OF FOWLER
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SELECTION CRITERIA: transact.check_no between '36413' and '36451'
 ACCOUNTING PERIOD: 10/20

FUND - 225 - LTF - ARTICLE 8

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCT	DESCRIPTION	SALES TAX	AMOUNT
1001	36417	04/22/20	10237	P G & E - SACRAMENT	2250	5170	UTILITIES	0.00	116.67
1001	36417	04/22/20	10237	P G & E - SACRAMENT	2250	5170	UTILITIES	0.00	75.06
TOTAL CHECK									191.73
TOTAL CASH ACCOUNT									191.73
TOTAL FUND									191.73

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CITY OF FOWLER
 CHECK REGISTER - BY FUND

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SELECTION CRITERIA: transact.check_no between '36413' and '36451'
 ACCOUNTING PERIOD: 10/20

FUND - 500 - WATER

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	ACCT	DESCRIPTION	SALES TAX	AMOUNT
1001	36413	04/22/20	13275	FERGUSON WATERWORKS	5000	5200	METERS	0.00	10,581.60
1001	36413	04/22/20	13275	FERGUSON WATERWORKS	5000	5200	METERS	0.00	4,039.19
	TOTAL CHECK							0.00	14,620.79
1001	36415	04/22/20	14238	INFOSEND, INC	5000	5175	WATER BILLS	0.00	1,127.49
1001	36415	04/22/20	14238	INFOSEND, INC	5000	5621	WATER BILLS	0.00	607.11
	TOTAL CHECK							0.00	1,734.60
1001	36417	04/22/20	10237	P G & E - SACRAMENT	5000	5170	UTILITIES	0.00	779.45
1001	36420	05/01/20	10007	ALERT-O-LITE, INC	5000	5121	SUPPLIES	0.00	25.38
1001	36422	05/01/20	10026	BCT CONSULTING	5000	5230	SERVICES	0.00	150.00
1001	36422	05/01/20	10026	BCT CONSULTING	5000	5230	SERVICES	0.00	150.00
1001	36422	05/01/20	10026	BCT CONSULTING	5000	5230	SERVICES	0.00	1,031.07
	TOTAL CHECK							0.00	1,331.07
1001	36425	05/01/20	13275	FERGUSON WATERWORKS	5000	5200	SUPPLIES	0.00	6,478.50
1001	36425	05/01/20	13275	FERGUSON WATERWORKS	5000	5200	SUPPLIES	0.00	13,166.51
	TOTAL CHECK							0.00	19,645.01
1001	36433	05/01/20	13496	KEENAN & ASSOCIATES	5000	5084	EMPLOYEE BENEFITS	0.00	4,973.32
1001	36434	05/01/20	12076	KEY DESIGN LOCKSMIT	5000	5121	KEYS	0.00	101.15
1001	36438	05/01/20	14292	PINEDALE FENCE COMP	5000	5200	FENCE REPAIR	0.00	175.00
1001	36439	05/01/20	13354	QUINN CAT	5000	5200	SUPPLIES	0.00	69.15
1001	36443	05/01/20	10274	SAN JOAQUIN VAL AIR	5000	5250	GENERATOR LICENSE	0.00	290.00
1001	36444	05/01/20	13647	SUN LIFE FINANCIAL	5000	5084	EMPLOYEE BENEFITS	0.00	184.79
1001	36445	05/01/20	14291	TABAREZ, CHRISTINA	500	2050	UB REFUND	0.00	224.23
1001	36448	05/01/20	11335	VISION SERVICE PLAN	5000	5084	EMPLOYEE BENEFITS	0.00	107.32
	TOTAL CASH ACCOUNT							0.00	44,261.26
	TOTAL FUND							0.00	44,261.26

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CITY OF FOWLER
CHECK REGISTER - BY FUND

SELECTION CRITERIA: transact.check_no between '36413' and '36451'
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FUND - 850 - SUCCESSOR AGENCY									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR NAME	DEPT	ACCNT	DESCRIPTION	SALES TAX	AMOUNT	
1001	36433	05/01/20	13496 KEENAN & ASSOCIATES	8500	5084	EMPLOYEE BENEFITS	0.00	250.64	
1001	36444	05/01/20	13647 SUN LIFE FINANCIAL	8500	5084	EMPLOYEE BENEFITS	0.00	10.60	
1001	36448	05/01/20	11335 VISION SERVICE PLAN	8500	5084	EMPLOYEE BENEFITS	0.00	4.92	
TOTAL CASH ACCOUNT								266.16	
TOTAL FUND								266.16	
TOTAL REPORT								115,466.76	

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
APRIL 21, 2020**

Mayor Cardenas called the meeting to order at 7:01 p. m. Roll call was taken.

Councilmembers Present: Cardenas, Hammer, Kazarian, Rodriquez, Parra (via Telephone)

City Staff Present: City Manager/City Clerk Davis, City Attorney Cross, Police Chief Alcaraz, Public Works Director Dominguez, Deputy City Clerk Burrola

PUBLIC PRESENTATIONS

Susie Rico-Vasquez, County of Fresno Department of Public Health, provided information on guidance and resources for COVID-19. She also provided updated information on the pedestrian and bicycle safety walk audit and workshop, the workshop has been postponed due to the COVID-19 situation.

Benita Duran, U.S. Census Bureau, provided updated information about the 2020 Census. Based on continuing assessments of guidance from federal, state and local health authorities in response to COVID-19, the U.S. Census Bureau has adjusted 2020 operational plans for field activities only. Responding to the 2020 Census is everyone's civic duty and they have options to respond online, by mail, or by phone.

Leila Gholamrezaei-Eha, Fresno County Department of Public Health, spoke on smoke-free parks and updating tobacco definitions in the municipal code.

COMMUNICATIONS

None

PUBLIC HEARING TO OBTAIN PUBLIC IMPUT AND REVIEW COPYING COSTS FOR PUBLIC RECORDS

City Attorney Cross said this item is based on an agreement entered during a litigation case from late last year which involved a public records dispute. Part of the agreement was to review the City's coping costs, survey surrounding communities and take the publics input on copying costs and bring it back to the Council for consideration of updating the copying costs for public records. Mr. Cross said as part of the settlement agreement the City is required to conduct this public hearing and surveying, which has been completed by staff, with recommendation for the new copy costs. If there are any public comments tonight, than the item will be brought back for consideration at the next meeting for approval of the actual resolution adopting the newly recommended copying costs.

Mayor Cardenas opened the public hearing for any public comments at 8:05 p.m. There were no public comments the public hearing closed at 8:05 p.m.

STAFF REPORTS

SECOND READING OF ORDINANCE NO. 2020-02

Councilmember Rodriquez made a motion to waive the second reading and adopt Ordinance No. 2020-02, "An Ordinance of the City Council of the City of Fowler Amending Section 6-1.306 and 10-1.05 of the Fowler Municipal Code Pertaining to Animals at Large, and Adding Chapter 2 to Title 10 Creating Leach Free Dog Park Area Regulations", seconded by Councilmember Kazarian. The motion carried by roll call vote: Ayes: Cardenas, Hammer, Kazarian, Parra, Rodriquez. Noes: None. Abstain: None. Absent: None.

CITY ENGINEER'S REPORT

Provide Staff Direction Regarding Proposed Restroom Replacement at Panzak Park

City Engineer Peter's said the City received a Community Development Block Grant to remove and replace the restroom facilities in Panzak Park. The restroom facilities have been in use for many years and are in need of replacement due to maintenance and accessibility needs. Mr. Peter's provided a power point showing the design details of the floorplan and a photo from a similar project.

Councilmember Kazarian suggested restoring the band stand to blend in with the new restroom facility. Councilmember Parra expressed the need for adding a few more amenities to the restroom. Mr. Peter's said this is a pre-kit facility and is not sure if amenities can be added but will look into it. The direction is to look into consideration on some of the suggested changes mentioned and search for the right kit for the City's needs.

Mr. Peter's provided an update on the Maxco project. The landscaping and paving have been completed but there are some outstanding items that need to be finalized before approval of operation.

The fire station project is a little behind on schedule due to the contractor having uncertainty at the end of March on scheduling due to the pandemic. Also there have been some changes on the type of electrical service from PG &E.

CITY MANAGER'S REPORT

City Manager Davis said the City hosted two sessions for SBA business loan application events for local business currently impacted by COVID-19.

Ms. Davis said Finance Director Uyeda was able to get a temporary online credit card payment system through the City's sales tax firm, HdL. The permanent online system is being developed and may be available sometime soon.

She said the Senior Center is continuing to collect donations and food from the community. Jocy's Mexican Restaurant will be providing a free hot meal to the seniors next week.

PUBLIC WORKS REPORT

First Reading of Ordinance No. 2020-03 and Approve Resolution No. 2020-2462

Public Works Director Dominguez said the items before the Council tonight pertain to the California Uniform Public Construction Cost Accounting Act (UPCCAA). Resolution No. 2020-2462 is subjecting the City of Fowler to policies and procedures under the UPCCAA and Ordinance No. 2020-03 is adding procurement procedures for public contracts to the municipal code. He said under Public Contract Code, Section 20160, public works projects exceeding \$5,000 must be formally bid and constructed by private companies. Many of the City's projects exceed this amount, and are forced to contract out those projects even though a lot of those projects can be done with City staff. He said the Public Contract Code provides flexibility. Cities can elect by resolution to become subject to provisions of the UPCCAA. Public projects of \$60,000 or less may be performed by City employees, by negotiated contract, or by purchase order. The City Manager would be authorized to approve the use of City employees for public projects, and approve and sign any contract or purchase order for public projects not exceeding \$60,000, if the expenditure is within the budget limitation.

Councilmember Kazarian spoke in favor of the ordinance but also expressed the need for oversight and accountability. He said an option might be to provide a report to the Council shortly after a contract has been approved or by another means. City Attorney Cross said the Ordinance can be modified to say "all contracts come before the Council". A discussion took place and the Council's consensus is to amend the Ordinance language to read "The City Manager is authorized to approve the use of City employees for public projects, approve and sign any contract or purchase order for public projects not exceeding \$60,000 subject to the approval of City Council".

Councilmember Kazarian made a motion to waive the first reading as amended and approve Ordinance No. 2020-03, "An Ordinance Adding Chapter 4 to Title 7 of the Fowler Municipal Code to Provide Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act", seconded by Councilmember Rodriguez. The motion carried by roll call vote: Ayes: Cardenas, Hammer, Kazarian, Parra, Rodriguez. Noes: None. Abstain: None. Absent: None.

Councilmember Rodriguez made a motion to approve Resolution No. 2020-2462, "A Resolution of the City Council of the City of Fowler Electing to Become Subject to the Uniform Public Construction Cost Accounting Act (UPCCAA)", seconded by Mayor Pro Tem Hammer. The motion carried by roll call vote: Ayes: Cardenas, Hammer, Kazarian, Parra, Rodriguez. Noes: None. Abstain: None. Absent: None.

FINANCE DIRECTOR'S REPORT

Finance Director Uyeda was not present but did provide a written report.

POLICE DEPARTMENT REPORT

No report was given.

FIRE DEPARTMENT REPORT

No report was given.

CITY ATTORNEY'S REPORT

No report was given.

CONSENT CALENDAR

The consent calendar consisted of: A) Ratification of Warrants – April 21, 2020; B) Approve Minutes of the City Council Special Meeting and City Council Meeting – March 17, 2020; C) Approve Resolution No. 2020-2463, “A Resolution of the City Council of the City of Fowler for Inclusion in the 2020-21 Budget to incorporate a List of Projects Funded by SB 1: The Road Repair and Accountability Act”.

Councilmember Kazarian made a motion to approve the consent calendar, seconded by Mayor Pro-Tem Hammer. The motion carried by roll call vote: Ayes: Cardenas, Hammer, Kazarian, Parra, Rodriquez. Noes: None. Abstain: None. Absent: None.

COMMITTEE REPORTS

Mayor Cardenas expressed his gratitude to Department Heads and City staff while working during this difficult time dealing with the pandemic.

Mayor Pro-Tem Hammer said all recreation events during spring have been canceled.

City Manager Davis said the Easter egg drive thru event was a huge success given the situation.

Councilmember Parra said the SBA business loan event was a success and he'll be having another session this coming Friday.

ADJOURNMENT

Having no further business, Councilmember Parra made a motion, seconded by Councilmember Rodriquez to adjourn. The motion carried and the meeting adjourned at 8:25 p.m.