

**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 Rodriguez 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, Rodriguez. 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.