

**MINUTES OF THE FOWLER CITY COUNCIL MEETING
MAY 5, 2020**

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

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

City Staff Present: City Manager/City Clerk Davis, City Attorney Cross, Public Works Director Dominguez, Deputy City Clerk Burrola. Police Chief Alcaraz and City Engineer Peters (via Telephone)

PUBLIC PRESENTATIONS

Ryan Bedrosian, Fowler resident, spoke about the possibility of opening up businesses in the City of Fowler during this pandemic.

PUBLIC HEARING TO CONSIDER AND ADOPT RESOLUTION NO. 2464, ESTABLISHING A FEE SCHUEDLE FOR COPIES OF PUBLIC RECORDS

City Manager Davis said this is the second public hearing to consider the copying fees for public records. As part of a recent litigation case 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. The recommended coping cost is .25 black/white, .45 color.

Mayor Cardenas opened the public hearing for any public comments at 7:11 p.m. There were no public comments the public hearing closed at 7:13 p.m.

Councilmember Rodriquez made a motion to adopt Resolution No. 2464, "A Resolution of the City Council of the City of Fowler Establishing a Fee Schedule for Copies of Public Records", seconded by Councilmember Parra. The motion carried by roll call vote: Ayes: Cardenas, Hammer, Kazarian, Parra, Rodriquez. Noes: None. Abstain: None. Absent: None.

COMMUNICATIONS

City Manager Davis said starting Tuesday, May 18th, SKF will be doing a televising of their sewer systems.

STAFF REPORTS

Approve Resolution No. 2465

City Engineer Peters (via telephone) said the City provided for the operations and maintenance of landscaping and storm drainage facilities within various improved developments throughout the City of Fowler. The District provides for assessing parcels within these developed areas to fund these maintenance and operations activities. The assessments must be renewed annually through a series of City Council resolutions, culminating with a public hearing. In order to renew the districts, an assessment engineer

must review and develop the benefit assessment for each parcel. Those assessments are based on the proposed budget for Fiscal Year 2020-2021.

Councilmember Kazarian expressed his concerns on maintaining the ponding basins and suggested that a breakdown for spending costs on landscaping and storm drainage for each tract be submitted for review on how the monies are being spent.

Councilmember Parra suggested that Public Works Director Dominguez and City Engineer Peters look into what it will take to get the ponding basins in better shape. City Engineer Peters explained that the assessment costs are set, in order to go back and increase the costs they would have to do a Propositions 218 election. A discussion took place on cost savings and how to maintain the ponding basins better.

Councilmember Kazarian made a motion to adopt Resolution No. 2465 with direction as discussed, "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", seconded by Councilmember Rodriguez. The motion carried by roll call vote: Ayes: Cardenas, Hammer, Kazarian, Parra, Rodriguez. Noes: None. Abstain: None. Absent: None.

CITY MANAGER'S REPORT

COVID-19 Update and Discussion

City Manager Davis provided an update on new rules and regulations regarding COVID-19. Ms. Davis received information from the County of Fresno and the Governor's Office on guidance provided to begin a phased process of reopening businesses. The County's Department of Public Health is developing guidance aimed to help businesses reopen with a focus on measures to mitigate the spread of COVID-19 including physical distancing practices and recommendations for use of personal protective equipment.

Councilmember Kazarian said that some of the State guidelines are not clear and it might be helpful if the City could provide more guidance to the businesses. Other cities are opening up some businesses but it seems to be an act of defiance rather than what is actually permitted. A discussion took place on options in terms of opening up local businesses safely that is outside of the Governor's executive order. Mayor Cardenas expressed that cities need to comply with the Governor's orders, changes will be coming soon on modifying stay at home orders but until then we need to respect the Governor's guidelines. It was discussed to wait for final guidance from the Governor on the next phase and to bring the topic back for discussion for further detailed plans into reopening businesses.

Ms. Davis said Fresno EOC will be providing a community food giveaway once a month starting Wednesday, May 6th at the Edwin Blayney Senior Center. The community will also be receiving 100 boxes of food from the Every Neighborhood Partnership.

The Jack in the Box project is slowly moving along.

PUBLIC WORKS REPORT

Second Reading of Ordinance No. 2020-03

Public Works Director Dominguez said on April 21, 2020, the Council considered the first reading of Ordinance No. 2020-03. The second reading is being brought back with the amended language 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.

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 is eliminates the purpose of streamlining projects under the UPPCAA provisions.

In view of this, Staff if proposing that the Council consider alternative ordinance language (Alternative #2) or other such language as the Council deems appropriate, regarding contracts under \$60,000: *Public projects of Sixty Thousand Dollars (\$60,000) or less may be performed by City employees by force amount, by negotiated contract, or by purchase order. Notwithstanding any provisions 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, 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.*

Councilmember Kazarian said he was in favor of the ordinance alternative in the language. He also expressed the need for providing a template on contractors that have been award for a project, were other bids looked at and was this lowest bid.

Councilmember Kazarian made a motion to waive the second reading and approve Ordinance No. 2020-03 (Alterative #2), "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 Rodriquez. The motion carried by roll call vote: Ayes: Cardenas, Hammer, Kazarian, Parra, Rodriquez. Noes: None. Abstain: None. Absent: None.

FINANCE DIRECTOR'S REPORT

No report was given.

POLICE DEPARTMENT REPORT

No report was given.

FIRE DEPARTMENT REPORT

Fire Chief Lopez was not present but did provide a monthly statistics report for the month of February.

CITY ATTORNEY'S REPORT

No report was given.

CONSENT CALENDAR

The consent calendar consisted of: A) Ratification of Warrants – May 5, 2020; B) Approve Minutes of the City Council Meeting – April 21, 2020.

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

COMMITTEE REPORTS

Mayor Cardenas attended a Fresno COG meeting on Thursday and said Resolution 2020-09 has been approved for the City of Fowler's 2019-20 Transportation Development Act claims for \$596,876.

Mayor Pro-Tem Hammer took the opportunity to thank Jocy's Restaurant and Councilmember Parra for providing a hot meal to the Senior citizens of Fowler last week.

Councilmember Parra said Fresno EOC will be at the Senior Center giving out food to the community tomorrow. Also a local business, California Hats, donated 40 face masks to the City of Fowler employees.

ADJOURNMENT

Having no further business, Councilmember Parra made a motion, seconded by Councilmember Rodriquez to adjourn. The motion carried and the meeting adjourned at 7:56p.m.