



**FOWLER CITY COUNCIL MEETING  
AGENDA  
TUESDAY, JANUARY 18, 2022  
7:00 P.M.  
CITY COUNCIL CHAMBER  
128 SOUTH 5TH STREET  
FOWLER, CA 93625**

In compliance with the Americans with Disabilities Act, if you need assistance or accommodations to access the City Council Chambers or participate in this meeting, please contact the Clerk at (559) 834-3113 x102. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

City Council meetings are open to the public at the physical address listed above. There are numerous ways to participate in the City Council meetings: you may attend in person, you may appear by telephone as described below, or you may submit written comments via email to [avasquez@ci.fowler.ca.us](mailto:avasquez@ci.fowler.ca.us). Please include your name and reference the agenda item you are commenting on, if any. Written comments received that do not specify an agenda item will be marked for the general public comment portion of the agenda. Emails received by 8:00 am on the date of the meeting will be provided to the City Council at the meeting and made part of the record of proceedings but will not be read aloud.

Consistent with Government Code 54953 as amended by AB 361, and City Council Resolution No. 2522, this meeting may be accessed by members of the public or City Council members via Zoom.

**The telephone number and Zoom link listed below will provide access to the meeting via teleconference or video conference.**

<https://us06web.zoom.us/j/85293557600?pwd=UWJscDNncG5QUm4xbDA2VUVkZnl4QT09>

**Telephone Number: (253) 215-8782**

**Meeting ID: 852 9355 7600**

**Passcode: 574504**

**Persons accessing the meeting will have an opportunity to provide comments at appropriate times during the meeting. To speak during a public comment period, press \*9 on your phone to raise your hand or click “raise hand” in the webinar. At the appropriate time, you will be prompted to unmute yourself, and asked to identify yourself when providing public comment.**

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](http://www.fowlercity.org).

Resolutions and Ordinances - 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. Invocation by Gurudwara Gur Nanak Parkash
4. Pledge of Allegiance
5. Public Comment

*This portion of the meeting is 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.*

6. Consent Calendar

*Items on the Consent Calendar are considered routine and include a recommended action from Staff and shall be acted on by one motion of the Council. If a Councilmember requests additional information or would like to pull an item for discussion, that item shall be pulled from the Consent Calendar and acted upon separately. A Councilmember may register an action on an individual item without pulling the item from the Consent Calendar. A motion to approve the Consent Calendar is deemed to include a motion to waive the full reading of any ordinance or resolution on the Consent Calendar. For adoption of ordinances, only those which received a unanimous vote of the Councilmembers present at introduction shall be eligible for placement on the Consent Calendar.*

6-A. RATIFY Warrants for January 18, 2022

6-B. APPROVE Minutes of the January 4, 2022 City Council Meeting

6-C. APPROVE Resolution No. 2533, A Resolution of the City Council of the City of Fowler Authorizing Continued Use of Remote Teleconferencing for City Council Meetings and Commission Meetings During Declared State of Emergency in Accordance with Government Code Section 54953 as amended by AB 361. (City Attorney)

6-D. Actions pertaining to the modernization of the audio-visual system in Council Chambers.

- APPROVE First Amendment to the Agreement for Purchase and Installation of Audio-Visual Equipment dated October 5, 2021 between the City of Fowler and NTM Productions.
  - ADOPT Resolution No. 2534 amending the 2021-2022 Adopted Budget to appropriate \$3,200 in Coronavirus State and Local Fiscal Recovery funds received under the American Rescue Plan Act (ARPA) (City Clerk)
- 6-E. ADOPT amendments to Sections 8-1.01, 8-1.02, 8-1.03, and 8-1.05 of the Fowler Municipal Code and the repeal of Sections 8-1.04.1 through Sections 8-1.04.4 related to the adoption of the California Building Code. (Planning, Introduced 01/04/22)
- 6-F. APPROVE Resolution No. 2535 Authorizing Submittal of a Grant Application for the Per Capita Program Funds (Public Works)
- 6-G. APPROVE a Memorandum of Understanding (MOU) between the City of Fowler and Fowler Unified School District (District) for contributions towards the community's continued use of the District's recreational facilities in an amount not to exceed \$50,000 total for Fiscal Years (FY) 2021-2022 and 2022-2023. (Public Works)
7. General Administration
- 7-A. Planning
- i. ADOPT Ordinance 2022-02, an Ordinance of the City Council of the City of Fowler Amending the Official Zoning Map of the City to Reflect a Change of Zone for Assessor's Parcel No. 340-130-14, submitted by Sunshine Raisin Corporation for approximately 29.04 acres on the east side of South Armstrong Avenue between East Adams and East Hogan Avenues (Introduced 01/04/22)
- 7-B. Public Works
- i. 2022 Special Events Update (Informational)
  - ii. ADOPT revised improvement standards regarding street name signs
- 7-C. City Manager's Office
- i. COVID-19 Update
  - ii. Direct the City Manager to form a committee of City staff and community members to plan the Fowler Sesquicentennial and appoint a City Council liaison to the committee.
8. Staff Communications (City Manager)
9. Councilmember Reports and Comments
10. Closed Session

- 10-A. Government Code Section 54956.8  
Conference with Real Property Negotiator  
Property: APNs 343-300-65, 343-280-60, and 343-280-61  
Agency Negotiator: Wilma Quan, City Manager  
Negotiating Party: Stanley Simonian  
Under Negotiation: Price and terms
- 10-B. Government Code Section 54957.6  
Conference with Labor Negotiator  
Agency Representative: City Manager  
Employees: All Unrepresented Employees

11. Adjourn

*Next Ordinance No. 2022-03*  
*Next Resolution No. 2537*

*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, January 14, 2022.*

*Angela Vasquez*

*Angela Vasquez*  
*Deputy City Clerk*

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CITY OF FOWLER  
WARRANTS LIST  
January 18, 2022

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	<u>CHECK NUMBERS</u>	<u>CHECK DATES</u>	<u>AMOUNT</u>
<u>ACCOUNTS PAYABLE CHECKS</u>			
Regular checks	38811-38862	Dec 22 thru Jan 11	\$ 708,677.20
TOTAL ACCOUNTS PAYABLE CHECKS			<u>\$ 708,677.20</u>
<u>PAYROLL COSTS</u>			
Second December Bi-Monthly Payroll		December 31, 2021	98,130.86
First January Bi-Monthly Payroll		January 15, 2022	100,199.65
TOTAL PAYROLL COSTS			<u>\$ 198,330.51</u>
TOTAL CASH DISBURSEMENTS			<u>\$ 907,007.71</u>

SUPERION  
DATE: 01/13/2022  
TIME: 16:32:00

PAGE NUMBER: 1  
ACCTPA21

CITY OF FOWLER  
CHECK REGISTER - DISBURSEMENT FUND

SELECTION CRITERIA: transact.check\_no between '38811' and '38862'  
ACCOUNTING PERIOD: 7/22

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	38811	12/22/21	11793	DON BERRY CONSTRUCTION	2110	ADAMS PHASE 2 & 3	0.00	494,531.58
1001	38812	12/22/21	10905	FRESNO COUNTY RECORDER	8500	616 E ADAMS RECONV	0.00	20.00
1001	38812	12/22/21	10905	FRESNO COUNTY RECORDER	8500	616 E ADAMS RECONV	0.00	40.00
TOTAL CHECK								
1001	38813	01/05/22	10007	ALERT-O-LITE, INC	6260	STAKES BLUE	0.00	9.29
1001	38813	01/05/22	10007	ALERT-O-LITE, INC	6260	PLASTIC BOOTS	0.00	18.96
1001	38813	01/05/22	10007	ALERT-O-LITE, INC	6200	PARKA JACKET	0.00	97.50
TOTAL CHECK								
1001	38814	01/05/22	14519	AMAZON CAPITAL SERVICES	6160	OFFICE SUPPLIES	0.00	27.24
1001	38814	01/05/22	14519	AMAZON CAPITAL SERVICES	6120	OFFICE SUPPLIES	0.00	85.53
1001	38814	01/05/22	14519	AMAZON CAPITAL SERVICES	6120	OFFICE SUPPLIES	0.00	150.02
1001	38814	01/05/22	14519	AMAZON CAPITAL SERVICES	6120	MEMBERSHIP FEE	0.00	195.07
1001	38814	01/05/22	14519	AMAZON CAPITAL SERVICES	6120	OFFICE SUPPLIES	0.00	271.28
1001	38814	01/05/22	14519	AMAZON CAPITAL SERVICES	6120	TONER	0.00	678.88
TOTAL CHECK								
1001	38815	01/05/22	10549	AT&T MOBILITY	6120	AIR CARD	0.00	1,408.02
1001	38816	01/05/22	10026	BCT CONSULTING	5000	COMPUTER SERVICES	0.00	199.98
1001	38816	01/05/22	10026	BCT CONSULTING	6030	COMPUTER SERVICES	0.00	199.99
1001	38816	01/05/22	10026	BCT CONSULTING	6120	COMPUTER SERVICES	0.00	199.99
1001	38816	01/05/22	10026	BCT CONSULTING	6030	COMPUTER SERVICES	0.00	245.00
1001	38816	01/05/22	10026	BCT CONSULTING	6120	COMPUTER SERVICES	0.00	245.00
1001	38816	01/05/22	10026	BCT CONSULTING	5000	COMPUTER SERVICES	0.00	245.00
1001	38816	01/05/22	10026	BCT CONSULTING	6120	COMPUTER SERVICES	0.00	332.38
1001	38816	01/05/22	10026	BCT CONSULTING	5000	COMPUTER SERVICES	0.00	332.38
1001	38816	01/05/22	10026	BCT CONSULTING	6030	COMPUTER SERVICES	0.00	332.39
1001	38816	01/05/22	10026	BCT CONSULTING	6120	COMPUTER SERVICES	0.00	332.39
1001	38816	01/05/22	10026	BCT CONSULTING	6150	COMPUTER SERVICES	0.00	375.00
1001	38816	01/05/22	10026	BCT CONSULTING	6120	COMPUTER SERVICES	0.00	375.00
1001	38816	01/05/22	10026	BCT CONSULTING	5000	COMPUTER SERVICES	0.00	375.00
TOTAL CHECK								
1001	38817	01/05/22	13636	BIG TEX	6260	ADAPTER	0.00	29.41
1001	38817	01/05/22	13636	BIG TEX	6260	TRAILER PULLEY	0.00	239.75
TOTAL CHECK								
1001	38818	01/05/22	11291	THE BUSINESS JOURNAL	6150	PUBLICATIONS	0.00	100.00
1001	38818	01/05/22	11291	THE BUSINESS JOURNAL	6150	PUBLICATIONS	0.00	112.50
1001	38818	01/05/22	11291	THE BUSINESS JOURNAL	6150	PUBLICATIONS	0.00	250.00
1001	38818	01/05/22	11291	THE BUSINESS JOURNAL	6150	PUBLICATIONS	0.00	375.00
TOTAL CHECK								
1001	38819	01/05/22	14053	CENTRAL VALLEY GUNS	6120	AMMUNITION	0.00	1,822.38
1001	38820	01/05/22	14131	CENTRAL VALLEY SWEEPING,	2250	STREET/LEAF SWEEPER	0.00	4,250.00

SUPERION  
DATE: 01/13/2022  
TIME: 16:32:00

SELECTION CRITERIA: transact.check\_no between '38811' and '38862'  
ACCOUNTING PERIOD: 7/22

CITY OF FOWLER  
CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 2  
ACCTPA21

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	38821	01/05/22	10358 CITY OF FRESNO STREET MA	6200	SIGNAL LIGHT MAINT	0.00	3,180.41
1001	38822	01/05/22	10064 COLONIAL LIFE INSURANCE	100	EMPLOYEE BENEFITS	0.00	100.70
1001	38822	01/05/22	10064 COLONIAL LIFE INSURANCE	100	EMPLOYEE BENEFITS	0.00	142.02
TOTAL CHECK						0.00	242.72
1001	38823	01/05/22	11226 COMMUNITY MEDICAL CENTER	6120	BLOOD DRAW	0.00	175.00
1001	38824	01/05/22	14429 CORE & MAIN	5000	WATER LIDS	0.00	1,857.59
1001	38825	01/05/22	14512 CSG CONSULTANTS	6160	PLAN CHECK	0.00	287.50
1001	38825	01/05/22	14512 CSG CONSULTANTS	6160	PLAN CHECK	0.00	2,539.97
TOTAL CHECK						0.00	2,827.47
1001	38826	01/05/22	10077 DALE BRISCO, INC	5000	FLANGE	0.00	450.00
1001	38827	01/05/22	12582 DARLEY	6130	BATTERY FOR SCENE LIG	0.00	84.28
1001	38827	01/05/22	12582 DARLEY	6130	HELMET LIGHTS	0.00	445.87
TOTAL CHECK						0.00	530.15
1001	38828	01/05/22	10488 FOWLER UNIFIED SCHOOL DI	6120	FUEL NOV	0.00	2,446.61
1001	38828	01/05/22	10488 FOWLER UNIFIED SCHOOL DI	6120	FUEL SEPT & OCT	0.00	5,489.95
TOTAL CHECK						0.00	7,936.56
1001	38829	01/05/22	12567 FRESNO MOBILE RADIO INC	6200	RADIO SERVICES	0.00	240.00
1001	38830	01/05/22	13496 KEENAN & ASSOCIATES	8500	EMPLOYEE BENEFITS	0.00	314.82
1001	38830	01/05/22	13496 KEENAN & ASSOCIATES	6025	EMPLOYEE BENEFITS	0.00	413.27
1001	38830	01/05/22	13496 KEENAN & ASSOCIATES	6400	EMPLOYEE BENEFITS	0.00	768.90
1001	38830	01/05/22	13496 KEENAN & ASSOCIATES	6700	EMPLOYEE BENEFITS	0.00	768.90
1001	38830	01/05/22	13496 KEENAN & ASSOCIATES	6030	EMPLOYEE BENEFITS	0.00	1,039.14
1001	38830	01/05/22	13496 KEENAN & ASSOCIATES	6160	EMPLOYEE BENEFITS	0.00	1,127.10
1001	38830	01/05/22	13496 KEENAN & ASSOCIATES	6150	EMPLOYEE BENEFITS	0.00	1,753.23
1001	38830	01/05/22	13496 KEENAN & ASSOCIATES	6020	EMPLOYEE BENEFITS	0.00	2,078.82
1001	38830	01/05/22	13496 KEENAN & ASSOCIATES	100	EMPLOYEE BENEFITS	0.00	2,316.40
1001	38830	01/05/22	13496 KEENAN & ASSOCIATES	5000	EMPLOYEE BENEFITS	0.00	5,080.35
1001	38830	01/05/22	13496 KEENAN & ASSOCIATES	6200	EMPLOYEE BENEFITS	0.00	6,456.77
1001	38830	01/05/22	13496 KEENAN & ASSOCIATES	6120	EMPLOYEE BENEFITS	0.00	12,182.30
TOTAL CHECK						0.00	34,300.00
1001	38831	01/05/22	12076 KEY DESIGN LOCKSMITHING	6700	KEY REPLACEMENT	0.00	146.15
1001	38832	01/05/22	13981 LEIST AND ASSOCIATES	6120	IA INVESTIGATION	0.00	4,568.80
1001	38833	01/05/22	10350 LK DESIGN	6020	WEBSITE MAINTENANCE	0.00	450.00
1001	38834	01/05/22	10203 MID VALLEY PACKAGING & S	6200	TISSUE CLEANER	0.00	133.19
1001	38834	01/05/22	10203 MID VALLEY PACKAGING & S	6120	GLOVES/TOWELS	0.00	133.21
1001	38834	01/05/22	10203 MID VALLEY PACKAGING & S	6020	TISSUE/CLEANER	0.00	133.21
1001	38834	01/05/22	10203 MID VALLEY PACKAGING & S	6130	TISSUE/CLEANER	0.00	133.21
1001	38834	01/05/22	10203 MID VALLEY PACKAGING & S	6260	TISSUE/CLEANER	0.00	133.21

SUPERION  
DATE: 01/13/2022  
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CITY OF FOWLER  
CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 3  
ACCTPA21

SELECTION CRITERIA: transact.check\_no between '38811' and '38862'  
ACCOUNTING PERIOD: 7/22

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
TOTAL CHECK								
1001	38835	01/05/22	14428	NAVIA BENEFIT SOLUTIONS	6020	COBRA MONTHLY FEE DEC	0.00	666.03
1001	38836	01/05/22	10885	NELSONS POWER CENTER	6700	TOILET SUPPLIES	0.00	36.45
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	SUMNER/MAGNOLIA	0.00	16.26
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	SUMNER	0.00	3.59
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	LIGHTS	0.00	7.20
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	5000	PALM/MAGNOLIA	0.00	7.69
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	WALTER/FRESNO	0.00	10.84
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	ADAMS/DEANN	0.00	11.54
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	T5041	0.00	11.57
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	T5090	0.00	12.33
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	TEMP/PARLIER	0.00	17.09
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	MERCED AND 3RD	0.00	25.17
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	T5834 PHASE 2	0.00	33.48
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	LIGHTS	0.00	36.97
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	5000	T5212 SUMMER RANCH	0.00	42.39
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	T5088	0.00	77.30
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	2250	GOLDEN ST AND ADAMS	0.00	82.07
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	GOLDEN ST LIGHTS	0.00	85.04
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	T5088 FOWLER RANCH	0.00	116.88
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	T5198 SOUTH AVE	0.00	120.19
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	CLAYTON/3RD	0.00	125.31
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	PLANNING OFFICE	0.00	148.11
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6150	LIGHTS	0.00	153.41
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6260	LIGHTS	0.00	187.43
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	2250	MERCED AND 8TH	0.00	202.11
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6700	SENIOR CENTER	0.00	245.77
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	5000	WELL SITE 7	0.00	363.82
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6260	LIGHTS	0.00	459.82
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6260	CITY HALL	0.00	462.36
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6080	WELL SITE 8	0.00	1,022.39
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	5000	LIGHTS	0.00	1,848.42
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	WELL SITE 4	0.00	3,854.90
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	5000	WELL SITE 5A	0.00	4,855.36
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	5000	LIGHTS	0.00	8,527.11
1001	38837	01/05/22	10237	P G & E - SACRAMENTO	6200	LIGHTS	0.00	20,039.75
TOTAL CHECK							0.00	43,197.41
1001	38838	01/05/22	14513	PAC-AIR INC.	6020	CITY HALL AC REPAIRS	0.00	158.84
1001	38838	01/05/22	14513	PAC-AIR INC.	6120	PD AC REPAIRS	0.00	270.19
1001	38838	01/05/22	14513	PAC-AIR INC.	6020	CITY HALL AC REPAIRS	0.00	356.29
1001	38838	01/05/22	14513	PAC-AIR INC.	6010	CHAMBER AC REPAIRS	0.00	586.54
TOTAL CHECK							0.00	1,371.86
1001	38839	01/05/22	13655	PROVOST & PRITCHARD	6150	SPR 21-12 JAYS	0.00	8.40
1001	38839	01/05/22	13655	PROVOST & PRITCHARD	6150	ANNEX PREZONE 19-03	0.00	404.20
1001	38839	01/05/22	13655	PROVOST & PRITCHARD	6150	SPR 21-22	0.00	479.90
1001	38839	01/05/22	13655	PROVOST & PRITCHARD	6150	CUP 21-04	0.00	550.10
1001	38839	01/05/22	13655	PROVOST & PRITCHARD	6150	CUP 21-03	0.00	801.10
1001	38839	01/05/22	13655	PROVOST & PRITCHARD	6150	TTM 21-0015	0.00	1,653.28



SUPERION  
DATE: 01/13/2022  
TIME: 16:32:00

SELECTION CRITERIA: transact.check\_no between '38811' and '38862'  
ACCOUNTING PERIOD: 7/22

CITY OF FOWLER  
CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 4  
ACCTPA21

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	38839	01/05/22	13655	PROVOST & PRITCHARD	6150	ANNEX PREZONE 19-03	0.00	4,299.00
1001	38839	01/05/22	13655	PROVOST & PRITCHARD	6150	ON CALL SERVICES	0.00	8,144.81
1001	38839	01/05/22	13655	PROVOST & PRITCHARD	6150	ON CALL SVCS	0.00	15,066.52
TOTAL CHECK								31,407.31
1001	38840	01/05/22	10249	QUILL	6150	MARKER RED MAGNUM	0.00	23.23
1001	38840	01/05/22	10249	QUILL	6150	FELLOWES CROSSHRDDR	0.00	108.12
1001	38840	01/05/22	10249	QUILL	6025	FILE/TAPE/ZIP	0.00	111.59
1001	38840	01/05/22	10249	QUILL	6150	CALCU/PPR/HGHLT	0.00	118.33
1001	38840	01/05/22	10249	QUILL	6150	HANG/METLTAB/GELGLDN	0.00	118.61
TOTAL CHECK								479.88
1001	38841	01/05/22	14418	R&S ERECTION TRI-COUNTY,	6130	REPAIR ON BAY DOORS	0.00	1,181.25
1001	38842	01/05/22	11195	ROBERT V JENSEN INC	6200	FUEL - STREETS	0.00	110.71
1001	38842	01/05/22	11195	ROBERT V JENSEN INC	6130	FUEL - FIRE	0.00	182.43
1001	38842	01/05/22	11195	ROBERT V JENSEN INC	6260	FUEL - PARKS	0.00	673.01
1001	38842	01/05/22	11195	ROBERT V JENSEN INC	5000	FUEL - WATER	0.00	1,034.56
TOTAL CHECK								2,000.71
1001	38843	01/05/22	10518	SIGNMAX!	6200	WASHERS	0.00	8.67
1001	38843	01/05/22	10518	SIGNMAX!	6200	STOP SIGN	0.00	95.89
1001	38843	01/05/22	10518	SIGNMAX!	6200	TRUCK ROUTE SIGNS	0.00	2,273.19
TOTAL CHECK								2,377.75
1001	38844	01/05/22	13647	SUN LIFE FINANCIAL	8500	EMPLOYEE BENEFITS	0.00	10.61
1001	38844	01/05/22	13647	SUN LIFE FINANCIAL	6400	EMPLOYEE BENEFITS	0.00	33.18
1001	38844	01/05/22	13647	SUN LIFE FINANCIAL	6700	EMPLOYEE BENEFITS	0.00	33.18
1001	38844	01/05/22	13647	SUN LIFE FINANCIAL	6260	EMPLOYEE BENEFITS	0.00	66.36
1001	38844	01/05/22	13647	SUN LIFE FINANCIAL	6150	EMPLOYEE BENEFITS	0.00	86.25
1001	38844	01/05/22	13647	SUN LIFE FINANCIAL	6030	EMPLOYEE BENEFITS	0.00	112.78
1001	38844	01/05/22	13647	SUN LIFE FINANCIAL	6020	EMPLOYEE BENEFITS	0.00	150.61
1001	38844	01/05/22	13647	SUN LIFE FINANCIAL	5000	EMPLOYEE BENEFITS	0.00	190.43
1001	38844	01/05/22	13647	SUN LIFE FINANCIAL	6160	EMPLOYEE BENEFITS	0.00	254.15
1001	38844	01/05/22	13647	SUN LIFE FINANCIAL	6200	EMPLOYEE BENEFITS	0.00	368.28
1001	38844	01/05/22	13647	SUN LIFE FINANCIAL	6120	EMPLOYEE BENEFITS	0.00	787.33
1001	38844	01/05/22	13647	SUN LIFE FINANCIAL	100	EMPLOYEE BENEFITS	0.00	1,330.17
TOTAL CHECK								3,423.33
1001	38845	01/05/22	10763	SUNBELT RENTALS	6400	LIFT RENTAL/XMAS TREE	0.00	850.51
1001	38846	01/05/22	10665	TAPCO, INC	6200	STP SIGNS	0.00	3,584.64
1001	38847	01/05/22	10325	TULARE COUNTY JAIL INDUS	6120	PLAQUE	0.00	43.32
1001	38847	01/05/22	10325	TULARE COUNTY JAIL INDUS	6130	PLAQUE FIRE DEPT	0.00	104.84
TOTAL CHECK								148.16
1001	38848	01/05/22	13543	UNIFIRST CORPORATION	6020	ADMIN SUPPLIES	0.00	47.04
1001	38848	01/05/22	13543	UNIFIRST CORPORATION	6020	ADMIN SUPPLIES	0.00	54.61
1001	38848	01/05/22	13543	UNIFIRST CORPORATION	6130	FIRE SUPPLIES	0.00	63.76
1001	38848	01/05/22	13543	UNIFIRST CORPORATION	6260	PARKS UNIFORMS	0.00	185.40
1001	38848	01/05/22	13543	UNIFIRST CORPORATION	5000	WATER DEPT	0.00	185.40

SUPERION  
DATE: 01/13/2022  
TIME: 16:32:00

PAGE NUMBER: 5  
ACCTPA21

CITY OF FOWLER  
CHECK REGISTER - DISBURSEMENT FUND

SELECTION CRITERIA: transact.check\_no between '38811' and '38862'  
ACCOUNTING PERIOD: 7/22

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	38848	01/05/22	13543	UNIFIRST CORPORATION	6200	STREETS UNIFORMS	0.00	205.57
TOTAL	CHECK						0.00	741.78
1001	38849	01/05/22	10725	VERIZON WIRELESS	6120	CELL PHONE	0.00	512.51
1001	38850	01/05/22	11335	VISION SERVICE PLAN - (C 8500		EMPLOYEE BENEFITS	0.00	4.93
1001	38850	01/05/22	11335	VISION SERVICE PLAN - (C 6400		EMPLOYEE BENEFITS	0.00	9.85
1001	38850	01/05/22	11335	VISION SERVICE PLAN - (C 6700		EMPLOYEE BENEFITS	0.00	9.85
1001	38850	01/05/22	11335	VISION SERVICE PLAN - (C 6150		EMPLOYEE BENEFITS	0.00	12.80
1001	38850	01/05/22	11335	VISION SERVICE PLAN - (C 6160		EMPLOYEE BENEFITS	0.00	14.77
1001	38850	01/05/22	11335	VISION SERVICE PLAN - (C 6260		EMPLOYEE BENEFITS	0.00	19.69
1001	38850	01/05/22	11335	VISION SERVICE PLAN - (C 6260		EMPLOYEE BENEFITS	0.00	19.69
1001	38850	01/05/22	11335	VISION SERVICE PLAN - (C 6260		EMPLOYEE BENEFITS	0.00	25.59
1001	38850	01/05/22	11335	VISION SERVICE PLAN - (C 6030		EMPLOYEE BENEFITS	0.00	43.31
1001	38850	01/05/22	11335	VISION SERVICE PLAN - (C 6020		EMPLOYEE BENEFITS	0.00	85.65
1001	38850	01/05/22	11335	VISION SERVICE PLAN - (C 5000		EMPLOYEE BENEFITS	0.00	127.99
1001	38850	01/05/22	11335	VISION SERVICE PLAN - (C 6200		EMPLOYEE BENEFITS	0.00	225.45
1001	38850	01/05/22	11335	VISION SERVICE PLAN - (C 6120		EMPLOYEE BENEFITS	0.00	301.09
1001	38850	01/05/22	11335	VISION SERVICE PLAN - (C 100		EMPLOYEE BENEFITS	0.00	900.66
TOTAL	CHECK						0.00	
1001	38851	01/11/22	14519	AMAZON CAPITAL SERVICES	6160	OFFICE SUPPLIES	0.00	148.20
1001	38851	01/11/22	14519	AMAZON CAPITAL SERVICES	6400	CHILDRENS SHOPPING DY	0.00	256.67
TOTAL	CHECK						0.00	404.87
1001	38852	01/11/22	11291	THE BUSINESS JOURNAL	6150	PUBLICATIONS	0.00	125.00
1001	38852	01/11/22	11291	THE BUSINESS JOURNAL	6150	PUBLICATIONS	0.00	137.50
1001	38852	01/11/22	11291	THE BUSINESS JOURNAL	6150	PUBLICATIONS	0.00	150.00
1001	38852	01/11/22	11291	THE BUSINESS JOURNAL	6150	PUBLICATIONS	0.00	150.00
1001	38852	01/11/22	11291	THE BUSINESS JOURNAL	6150	PUBLICATIONS	0.00	362.50
1001	38852	01/11/22	11291	THE BUSINESS JOURNAL	6150	PUBLICATIONS	0.00	512.50
TOTAL	CHECK						0.00	1,437.50
1001	38853	01/11/22	12654	COMCAST	6700	CABLE 12/25-1/24 2022	0.00	105.42
1001	38854	01/11/22	14243	FOWLER ACE HARDWARE	6120	FUEL KEYS	0.00	16.28
1001	38854	01/11/22	14243	FOWLER ACE HARDWARE	6120	FUEL KEYS	0.00	34.19
TOTAL	CHECK						0.00	50.47
1001	38855	01/11/22	14252	FOWLER ACE HARDWARE	6400	SUPPLIES TREE LIGHTIN	0.00	77.31
1001	38856	01/11/22	14259	IMAGESOURCE	6160	COPIER SVCS	0.00	226.04
1001	38856	01/11/22	14259	IMAGESOURCE	5000	COPIER SVCS	0.00	226.04
1001	38856	01/11/22	14259	IMAGESOURCE	6150	COPIER SVCS	0.00	226.04
1001	38856	01/11/22	14259	IMAGESOURCE	6020	COPIER SVCS	0.00	226.04
TOTAL	CHECK						0.00	904.16
1001	38857	01/11/22	10458	IRVINE & JACHENS, INC	6120	REFURBISH BADGES	0.00	175.00
1001	38858	01/11/22	10203	MID VALLEY PACKAGING & S	6200	COPY PAPER	0.00	41.03
1001	38858	01/11/22	10203	MID VALLEY PACKAGING & S	6020	COPY PAPER	0.00	82.06
TOTAL	CHECK						0.00	123.09

SUPERION  
DATE: 01/13/2022  
TIME: 16:32:00  
CITY OF FOWLER  
CHECK REGISTER - DISBURSEMENT FUND

SELECTION CRITERIA: transact.check\_no between '38811' and '38862'  
ACCOUNTING PERIOD: 7/22

FUND - 100 - GENERAL FUND									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT	
1001	38859	01/11/22	13187	SECOND CHANCE ANIMAL SHE	6270	ANIMAL CONTROL SERV	0.00	1,000.00	
1001	38860	01/11/22	10288	SMART & FINAL	6700	SNR CTR HOLIDAY LUNCH	0.00	1,157.95	
1001	38861	01/11/22	13543	UNIFIRST CORPORATION	6700	JANITORIAL 12/25/21	0.00	39.34	
1001	38861	01/11/22	13543	UNIFIRST CORPORATION	6700	JANITORIAL 01/04/22	0.00	39.66	
TOTAL CHECK								79.00	
TOTAL CASH ACCOUNT								664,217.63	
TOTAL FUND								664,217.63	

SUPERION  
DATE: 01/13/2022  
TIME: 16:32:00  
CITY OF FOWLER  
CHECK REGISTER - DISBURSEMENT FUND  
SELECTION CRITERIA: transact.check\_no between '38811' and '38862'  
ACCOUNTING PERIOD: 7/22

FUND - 212 - ARPA FUNDING					-----DESCRIPTION-----	SALES TAX	AMOUNT
CASH ACCT	CHECK NO	ISSUE DT	VENDOR NAME	DEPT			
1001	38862	01/11/22	14545 NTM PRODUCTIONS	2120	COUNCIL AUDIO VISUAL	0.00	44,459.57
TOTAL CASH ACCOUNT						0.00	44,459.57
TOTAL FUND						0.00	44,459.57
TOTAL REPORT						0.00	708,677.20

**MINUTES OF THE FOWLER CITY COUNCIL MEETING**  
**Tuesday January 4, 2022**

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

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

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

**5. PUBLIC COMMENT**

*Randy McFarland addressed the Council.*

**6. CONSENT CALENDAR**

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

**7. GENERAL ADMINISTRATION**

**7-A. FINANCE**

**i. ACCEPT the FY 2020/21 Development Impact Fee Annual Report**

*Finance Director Moreno reported the Mitigation Fee Act requires local agencies to submit an annual report detailing the status of development impact fees. She stated the City of Fowler's Development Impact Fees Annual Report provides information on the amount of development impact fees collected and expended, and the interest earned on unexpended funds for fiscal year ending June 30, 2021. Finance Director Moreno stated staff recommend City Council review, receive, and file the FY 2020/21 Development Impact Fee Annual Report. She stated the Reports are unaudited and upon the financial audit reports completion for FY 19/20 and 20/21 any changes made at that time will be reflected in next year's Development Impact Fees Report for FY 21/22.*

*Councilmember Kazarian inquired about how monies are allocated to each account and encouraged staff to place these funds in interest bearing accounts. Finance Director Moreno stated she will present a treasurer's report that will include information on interest earnings with the mid-year report.*

**Councilmember Kazarian made a motion to ACCEPT the FY 2020/21 Development Impact Fee Annual Report, seconded by Mayor Pro-Tem Rodriquez. The motion carried by roll call vote: Ayes: Kazarian, Rodriquez, Cardenas, Mejia, Parra.**

**7-B. PLANNING**

- i. Consider INTRODUCTION of amendments to Sections 8-1.01, 8-1.02, 8-1.03, and 8-1.05 of the Fowler Municipal Code and the repeal of Sections 8-1.04.1 through Sections 8-1.04.4 related to the adoption of the California Building Code.**

*Community Development Director Gaffery provided an overview of the proposed Code changes. He reported the amendments will specify the current edition of the California Building Code (CBC) is the version of the CBC adopted by the City. Community Development Director Gaffery stated this change will make the Fowler Municipal Code (FMC) consistent with the current CBC and will not require future updates to the FMC when the California Building Code changes.*

**Mayor Pro-Tem Rodriquez made a motion to consider INTRODUCTION of amendments to Sections 8-1.01, 8-1.02, 8-1.03, and 8-1.05 of the Fowler Municipal Code and the repeal of Sections 8-1.04.1 through Sections 8-1.04.4 related to the adoption of the California Building Code, seconded by Councilmember Kazarian. The motion carried by roll call vote: Ayes: Rodriquez, Kazarian, Cardenas, Mejia, Parra.**

- ii. Public Hearing to CONSIDER Planning Case No. 21-0015, a Tentative Subdivision Map (TSM), Prezone, Annexation, and Adoption of a Mitigated Negative Declaration, submitted by Sunshine Raisin Corporation for approximately 29.04 acres on the east side of South Armstrong Avenue between East Adams and East Hogan Avenues.**

*Mayor Pro-Tem Rodriquez and Councilmember Kazarian recused themselves due to each owning interests in real property within 500' of the project. City Attorney Cross noted all three Councilmembers participating would need to vote in favor of this item to be considered approved.*

*City Planner Marple provided an overview of Tentative Tract Map No. 21-0015. She reported the applicant is requesting to subdivide the subject property into 74 lots, prezone the property to R-1-10, annex into the City of Fowler, and create a 1.4-acre park. City Planner Marple stated the proposed map is consistent with the General Plan and the design or improvement of the proposed subdivision is consistent with the plans and policies of the City of*

*Fowler. She also reported the site is physically suitable for the development and proposed density. City Planner Marple stated staff prepared a proposed Mitigated Negative Declaration in accordance with CEQA requirements which was circulated for public review and comment. She also reported a public notice was placed in The Business Journal and staff did not received any letters or emails expressing opposition.*

*City Planner Marple reported the Planning Commission heard this item on November 7, 2021. She stated public testimony was received and as a result the Planning Commission added a condition for a walkway and recommended approval. Staff recommends the City Council approve Planning Case No. 21-0015.*

*Various Councilmembers shared their concerns regarding the city's water capacity and the need for a water model study. City Manager Quan stated staff will ask the city's water consultant to develop a scope and present options to Council in a workshop.*

*Fowler residents Lei Steele and Steve Barela addressed the Council.*

*The Council moved out of this item temporarily as Councilmember Parra lost connection.*

*Councilmember Parra regained connection.*

**Councilmember Mejia made a motion to ACCEPT Resolution No. 2529 requesting that the Local Agency Formation Commission undertake proceedings for the Annexation of Tentative Subdivision Map No. 21-0015, seconded by Councilmember Parra. The motion carried by roll call vote: Mejia, Parra, Cardenas.**

**Councilmember Parra made a motion to ADOPT Resolution No. 2530 APPROVING Tentative Tract Map No. 21-0015 with the stipulation this be the last map approved until a comprehensive water model study that Council approves before allowing anymore building to take place, seconded by Councilmember Mejia. The motion carried by roll call vote: Parra, Mejia, Cardenas.**

**Councilmember Mejia made a motion to ACCEPT Resolution No. 2531 ADOPTING a Mitigated Negative Declaration for Tentative Tract Map No. 21-0015, seconded Councilmember Parra. The motion carried by roll call vote: Mejia, Parra, Cardenas.**

**Councilmember Mejia made a motion to APPROVE First Reading of Ordinance 2022-02, an Ordinance of the City Council of the City of Fowler Amending the Official Zoning Map of the City to reflect a change of Zone for Assessor's Parcel No. 340-130-14, seconded by Councilmember Parra. The motion carried by roll call vote: Parra, Mejia, Cardenas.**

**7-C. CITY MANAGER'S OFFICE**

**i. COVID-19 Update**

*City Manager Quan thanked staff for their work on the audio/visual upgrade and reported a contract change order will be presented for the Council's iPads. City Manager Quan reported the Fresno County Department of Public Health's data shows Fowler's vaccination rate is nearly 73% and staff continues to keep in close communication with FCDPH on any regulatory changes. She announced Fowler will be hosting this year's Blossom Trail opening ceremonies and more information will be shared at the next Council meeting.*

**8. STAFF COMMUNICATIONS – (CITY MANAGER)**

**8-A. CITY CLERK DEPARTMENT**

*Deputy City Clerk Vasquez announced a mandatory Harassment in the Workplace training is scheduled for January 12, 2022.*

**8-B. PUBLIC WORKS DEPARTMENT**

*Public Works Director Dominguez updated Council on the water meter replacement project. He also stated staff submitted grant applications under the Prop 69 Per Capita Program and an Arrearage Payment Program grant through the California Water Board. He reported Golden State Boulevard pothole repair work continues, and that staff will remove the Christmas decorations next week. He also stated staff is working with PG&E for corrections on Adams Avenue, and staff are researching the street signs in the Kb Home subdivision that are missing the City's seal. Mayor Pro-Tem Rodriquez thanked the Public Works staff for their hard work.*

**9. COUNCILMEMBER REPORTS AND COMMENTS**

*Mayor Cardenas announced he will not attend the next Council meeting as he will be out of town at a conference and requested Mayor Pro-Tem to lead the meeting.*

**10. CLOSED SESSION**

*No reportable action was taken on the item.*



## **11. ADJOURNMENT**

**Having no further business, the meeting adjourned at 8:59 p.m.**



## FOWLER CITY COUNCIL

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ITEM NO: 6-C

### REPORT TO THE CITY COUNCIL

January 18, 2022

**FROM:** Scott Cross, City Attorney

### SUBJECT

Approve Resolution No. 2533, A Resolution of the City Council of the City of Fowler Authorizing Continued Use of Remote Teleconferencing for City Council Meetings and Commission Meetings During Declared State of Emergency in Accordance with Government Code Section 54953 as amended by AB 361

### RECOMMENDATION

Approve Resolution No. 2533 if the City Council makes the findings required by Government Code Section 54953(e)(3) to continue to allow City Council members to attend City Council meetings via remote teleconferencing without following typical Brown Act requirements for teleconference participation by City Council members at City Council meetings. The Resolution also authorizes the City's other commissions to continue meeting remotely for as long as the City Council authorizes.

### BACKGROUND

The City Council approved Resolution No. 2522 on October 19, 2021, authorizing remote teleconferencing for City Council and City commission meetings in accordance with Government Code Section 54953 as amended by AB 361 during the COVID-19 declared emergency. To continue with the "relaxed" remote teleconferencing for City Council and other commission meetings Government Code Section 54953 requires the City Council to make findings every 30 days that (1) it has reconsidered the circumstances of the state of emergency, and either (a) the state of emergency continues to directly impact the ability of the members to meet safely in person, or (b) state or local officials continue to impose or recommend measures to promote social distancing.

Fowler City Council meetings are currently conducted in a manner that allows the public and Council members to attend in person or via teleconference in compliance with all applicable legal requirements. Approving this resolution would not change the way members of the public are allowed to participate in meetings (both in-person and teleconference attendance is allowed) and would also allow City Council members to continue to attend meetings via teleconference, if desired, without complying with the typical Brown Act requirements for teleconferencing attendance at City Council meetings.

The proclaimed COVID-19 emergency is still in effect and there may be occasions when the proclaimed emergency directly impacts the ability of members of the public or Council members to meet safely in person. Also, some state and local officials continue to recommend measures to promote social distancing. As a result, the necessary findings can be made, if desired, to continue with remote teleconferencing for City Council and other commission meetings. These findings must be made every 30 days to continue with the relaxed Brown Act teleconference requirements.

## **FISCAL IMPACT**

No fiscal impact is anticipated whether this Resolution is approved or not.

Attachments:

- Resolution No. 2533

## **RESOLUTION NO. 2533**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOWLER AUTHORIZING CONTINUED USE OF REMOTE TELECONFERENCING FOR CITY COUNCIL MEETINGS AND COMMISSION MEETINGS DURING DECLARED STATE OF EMERGENCY IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953 AS AMENDED BY AB 361**

**WHEREAS**, on March 4, 2020, the Governor of California declared a state of emergency in the State as a result of the COVID-19 pandemic; and

**WHEREAS**, pursuant to Resolution 2461, approved by the Fowler City Council on March 17, 2020, the City Council declared a local emergency as a result of the threatened spread of COVID-19 in the City, surrounding areas, and the state; and

**WHEREAS**, on March 17, 2020, with the issuance of Executive Order N-29-20, the Governor suspended certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other remote means; and

**WHEREAS**, on June 11, 2021, the Governor issued Executive Order N-08-21, which placed an end date of September 30, 2021, for agencies to meet remotely; and

**WHEREAS**, AB 361 was enacted on September 16, 2021, enacting certain changes to the Brown Act for teleconferencing and remote participation at public meetings as set forth in Government Code Section 54953; and

**WHEREAS**, the state of emergency proclaimed by the Governor on March 4, 2020, has not been rescinded and remains in effect; and

**WHEREAS**, the City Council has determined that teleconferencing from remote locations by the public and City Council members has not limited participation of members of the public, Council members, or other attendees at City Council or other City commission meetings; and

**WHEREAS**, on October 19, 2021, the City Council approved Resolution No. 2522 authorizing remote teleconferencing for City Council and City commission meetings in accordance with Government Code Section 54953 as amended by AB 361; and

**WHEREAS**, Government Code Section 54953, as amended by AB 361, requires the City Council to make certain findings every 30 days after approving Resolution No. 2522 in order to continue with remote teleconferencing.

### **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOWLER RESOLVES AS FOLLOWS:**

1. The City Council has reconsidered the circumstances of the COVID-19 state of emergency and finds that the following circumstances exist:

A. The state of emergency continues to directly impact the ability of members of the public, City Council members, and members of other City commissions to meet safely in person; and

B. State or local officials continue to recommend measures to promote social distancing.

2. This Resolution shall be effective immediately and a similar resolution shall be a standing item on City Council meeting agendas each month to reconsider the circumstances of the COVID-19 state of emergency and determine whether the state of emergency continues to directly impact the ability of members of the public, City Council members, and members of other City commissions to meet safely in person, or whether state or local officials continue to impose or recommend measures to promote social distancing, until the necessary findings required for continuing remote teleconferencing are no longer approved by the City Council.

The foregoing resolution of the City Council of the City of Fowler was duly and regularly introduced and approved at a regular meeting of the City Council on January 18, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

\_\_\_\_\_  
David Cardenas, Mayor

ATTEST:

\_\_\_\_\_  
Angela Vazquez, Deputy City Clerk



## FOWLER CITY COUNCIL

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ITEM NO: 6-D

### REPORT TO THE CITY COUNCIL

January 18, 2022

**FROM:** Angela Vasquez, Deputy City Clerk

### SUBJECT

Actions pertaining to the modernization of the audio-visual system in Council Chambers.

- APPROVE First Amendment to the Agreement for Purchase and Installation of Audio-Visual Equipment dated October 5, 2021 between the City of Fowler and NTM Productions
- ADOPT Resolution No. 2534 amending the 2021-2022 Adopted Budget to appropriate \$3,200 in Coronavirus State and Local Fiscal Recovery funds received under the American Rescue Plan Act (ARPA)

### RECOMMENDATION

Staff recommend the City Council approve First Amendment to the Agreement for Purchase and Installation of Audio-Visual Equipment dated October 5, 2021 between the City of Fowler and NTM Productions and Adopt Resolution No. 2534.

### BACKGROUND

On August 17, 2021, the City Council allocated \$50,000 for the modernization of the audio-visual system in Council Chambers. The project replaced aged speakers and microphones, installed a larger display screen for the public, installed fixed cameras for improved video quality during meetings, and staff have transitioned City Council meetings to zoom.

During the project install, staff determined iPads would be a better solution than fixed monitors for Councilmember viewing and also determined a non-directional microphone would be better suited for certain meeting situations. This will make these modifications to the scope. The total for Audio-Visual upgrade including this change order is \$53,200. The City received a 100% refund for the monitors that were not installed.

## **FISCAL IMPACT**

The appropriation of ARPA Funds will not adversely impact existing City funds, operations, or budgeted programs and projects.

### **Attachments:**

- First Amendment to the Agreement for Purchase and Installation of Audio-Visual Equipment
- Resolution 2534

**FIRST AMENDMENT TO THE AGREEMENT FOR PURCHASE AND INSTALLATION  
OF AUDIO-VISUAL EQUIPMENT DATED OCTOBER 5, 2021  
BETWEEN THE CITY OF FOWLER AND NTM PRODUCTIONS**

- A. The City desires modifications to the products and services beyond the scope of the Agreement.
- B. The total amount paid by the City to NTM Productions as stated in Section 4 of the Agreement is revised to not exceed fifty three thousand two hundred dollars (\$53,200).
- C. All other terms and conditions remain unchanged. It is the intention of the parties that except for the changes explicitly listed above, all other terms and conditions of the Agreement and any other Exhibits, Attachments or Addenda thereto shall remain in full force and effect.

**IN WITNESS WHEREOF**, the Parties have entered into this First Amendment as of the last date set forth below.

Dated: \_\_\_\_\_, 2022

**CITY OF FOWLER**

By \_\_\_\_\_  
Wilma Quan  
City Manager  
City of Fowler  
128 South 5th Street  
Fowler, CA 93625

Dated: \_\_\_\_\_, 2022

**NTM PRODUCTIONS**

By \_\_\_\_\_  
Nathan McGuigan  
12542 Marlin Ave  
Visalia, CA 93291  
nathan@ntmproductions.com  
(559) 901-1462



**RESOLUTION NO. 2534**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF FOWLER  
APPROVING AND ADOPTING THE BUDGET AMENDMENT FOR CHANGE ORDER  
MADE TO THE CITY COUNCIL AUDIO-VISUAL SYSTEM FISCAL YEAR 2021/2022**

**WHEREAS**, the FY 2021/2022 Annual Budget reflects the City of Fowler's ongoing commitment to providing core services; and

**WHEREAS**, the FY 2021/2022 Annual Budget was approved by the City Council on June 15, 2021, by Resolution 2504, and any subsequent amendments must be approved by Resolution; and

**WHEREAS**, the budget amendment request attached hereto specifies the details of the proposed change order no. 1 with NTM Productions for the modernization of the audio-visual system in Council Chambers in the ARPA Fund.

**NOW, THEREFORE, BE IT RESOLVED**, the Fowler City Council hereby resolves the FY 2021/2022 budget be amended for the modernization of the audio-visual system in Council Chambers appropriation as described in the attachment hereto.

**PASSED, APPROVED AND ADOPTED** this 18th day of January 2022, at a regular meeting of the Fowler City Council by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**APPROVED:**

\_\_\_\_\_  
David Cardenas, Mayor

**ATTEST:**

\_\_\_\_\_  
Angela Vasquez, Deputy City Clerk



## REQUEST FOR BUDGET AMENDMENT

### Resolution 2534

Requested by: Margarita Moreno				
Account Numbers:		Fund Name Description	Budget Amounts	
			Increase	Decrease
Revenues:				
212		ARPA Fund Balance	\$3,200	
Appropriations:				
212.5715		Equipment- Audio-Visual system	\$ 3,200	

**Reason(s) for Budget Amendment:**

To align the expenses and revenues to the first quarter of FY 2021/2022 budget, staff is requesting budget amendments to the following funds:

- To appropriate additional funding for the modernization of the audio-visual system to council chambers change order.

Department Director Angela Vasquez Date 01/14/22

**Approval Required Budget Amendment:**

Finance Director \_\_\_\_\_ Date \_\_\_\_\_  
Signature

City Manager \_\_\_\_\_ Date \_\_\_\_\_  
Signature

City Council: ☐ Approved ☐ Resolution # \_\_\_\_\_ ☐ Denied Date \_\_\_\_\_



## FOWLER CITY COUNCIL

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ITEM NO: 6-E

### REPORT TO THE CITY COUNCIL

January 18, 2022

**FROM:** Thomas W. Gaffery IV, Community Development Director

### SUBJECT

ADOPT amendments to Sections 8-1.01, 8-1.02, 8-1.03, and 8-1.05 of the Fowler Municipal Code and the repeal of Sections 8-1.04.1 through Sections 8-1.04.4 related to the adoption of the California Building Code.

### RECOMMENDATION

Staff recommend the City Council adopt amendments to Sections 8-1.01, 8-1.02, 8-1.03, and 8-1.05 of the Fowler Municipal Code and the repeal of Sections 8-1.04.1 through Sections 8-1.04.4 related to the adoption of the California Building Code.

### BACKGROUND

This item was introduced at the January 4, 2022 City Council Meeting.

The California Building Code is updated on a triennial basis. The Fowler Municipal Code currently references the 1994 version of the Uniform Building Code. These amendments will specify the current edition of the California Building Code is the version of the California Building Code adopted by the City. This change will make the Fowler Municipal Code consistent with the current California Building Code and not require future updates to the Fowler Municipal Code when the California Building Code changes. These amendments will also specify that administrative citations pursuant to Chapter 8 of Title 1 of the Fowler Municipal Code and all other enforcement mechanisms authorized by the Fowler Municipal Code and state law are available for enforcing violations of the Building Code.

### ENVIRONMENTAL REVIEW

This change to Fowler Municipal Code is not a “project” pursuant to the California Environmental Quality Act (“CEQA”) as defined by Public Resource Code section 21065 and CEQA Guidelines Section 15378. Adoption of the proposed ordinance will not cause a direct or indirect change in the environment.

## **FISCAL IMPACT**

There is no fiscal impact associated with this change to the Fowler Municipal Code.

### **Attachment**

- Redline of Proposed Fowler Municipal Code
- Ordinance No. 2022-01

## Chapter 1 - BUILDING CODE

### 8-1.01 - Adoption of the ~~Uniform-California~~ Building Code.

~~The City adopts the 1994 edition of the Uniform Building Code, Volumes 1, 2, and 3, regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all buildings or structures in the City of Fowler; providing for the issuance of permits and collection of fees therefor; providing for penalties for violation thereof, three (3) copies of which are on file in the office of the City Clerk, one of the three (3) copies of the Building Code may be kept on file in the office of the Building Official.~~

The City adopts by specific reference thereto and incorporation herein by said reference, in their entirety, the California Building Code, current edition, including appendix chapters, amendments, supplements, and errata as promulgated by the California Building Standards Commission; the California Fire Code, current edition, including those sections and appendices as more specified in Chapter 14.35; and the National Fire Codes, current edition, as adopted by the National Fire Protection Association. One paper copy of each shall be maintained on file and available for public inspection during normal business hours at Fowler City Hall.

(Ord. 13-6 §§ 4, 6; Ord. 81-6 § 2, 7-2-81; Ord. 88-5, 7-21-88; Ord. 93-5 § 1, 9-2-93; Ord. 94-8 § 1, 2-2-95)

### 8-1.02 - Definitions.

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

- (a) "Building Official" means the officer or other designated authority charged with the administration and enforcement of this code, or the building official's duly authorized representative.
- (b) "City" means the City of Fowler.
- (c) "City Attorney" means the City Attorney of the City of Fowler.
- ~~(d) "Construction" means and includes the construction, erection, enlargement, alteration, conversion, demolition, or movement of any building or structure within the City of Fowler.~~

(Ord. 13-6 § 1; Ord. 88-5, 7-21-88; Ord. 94-8 § 1, 2-2-95)

### 8-1.03 - Administration.

The provisions of this chapter ~~and the Building Code~~ shall be administered by the office of the Building Official, personnel provided therefor from time to time by the City Manager, or other designee appointed by the City Manager of the City.

(Ord. 13-6 § 3; Ord. 88-5, 7-21-88; Ord. 94-8 § 1, 2-2-95)

### 8-1.04 - ~~Additions.~~ REPEALED

~~In addition to the Uniform Building Code, 1994 Edition, Volumes 1, 2, and 3 published by the International Conference of Building Officials, the following Appendix Chapter shall be enforceable:~~

- ~~(1) Volume 1, Appendix Chapters 3, 4, 11, 12, 15, 29, 30, 33 and 34;~~
- ~~(2) Volume 2, Appendix Chapter 16, Division III.~~

(Ord. 13-6; Ord. 94-8 § 1, 2-2-95)

~~8-1.04.1 – Amendments – Section 104. REPEALED~~

~~Subsection (e) of Section 104 of said Building Code is hereby amended to read as follows:~~

~~—Sec. 104. Application to existing buildings and structures. (e) Moved buildings and temporary buildings. Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.~~

~~—Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the building official for a limited period of time. Such buildings or structures need not comply with the type of construction or fire resistive time periods required by this code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.~~

~~—There is established a Moved Building Review Committee. This Committee shall consist of the City Administrator, Superintendent of Public works, City Planner, and the Building Official. In all cases, except for single family dwellings, the Chief of the Fire Department shall be a member of this committee. Committee members may delegate their responsibilities to their deputies or subordinates.~~

(Ord. 93-5 § 2, 9-2-93)

~~8-1.04.2 – Amendments – Section 504. REPEALED~~

~~Section 504 of said Building Code is deleted.~~

(Ord. 93-5 § 2, 9-2-93)

~~8-1.04.3 – Amendments – Appendix Chapter 12 Section 1243(a)(9). REPEALED~~

~~Appendix Chapter 12 Sec. 1243 (a)(9) of said Building Code is deleted.~~

(Ord. 93-5 § 2, 9-2-93)

~~8-1.04.4 – Amendments – Section 3802. REPEALED~~

~~Subsection (a) of Section 3802 of said Building Code is hereby amended to read as follows:~~

~~—Sec. 3802. Automatic Fire Extinguishing Systems. (a) Where required. Notwithstanding any other provisions of this code, standard automatic sprinklers systems shall be installed and maintained according to the latest adopted edition of the appropriate National Fire Protection Association Standards and their Appendices as adopted in the National Fire Code in All Group A, B, E, I, M, H4, and H5 occupancies exceeding 5,000 square feet in gross floor area; Group H divisions 1 and 2, occupancies exceeding 1,500 square feet in gross floor area, when such areas have any eaves or overhang exceeding a distance of three (3) feet from the wall or support, the gross roof area shall be used to determine the need for automatic fire sprinklers, which shall include, but not be limited to, covered walkways, patios, porches, or any architectural feature attached to or within ten (10') feet of the structure. In existing buildings where an automatic fire sprinkler system does exist, and a change in the character of occupancy or use is made, or the floor area is changed, and the gross floor area exceeds the areas set forth herein, an automatic sprinkler system shall be installed through the structure. This section shall not apply to Group R, Division 1, or Group R, Division 3, structures.~~

(Ord. 93-5 § 2, 9-2-93)

8-1.05 - Violations—~~Penalties.~~ Enforcement.

Violations of this Chapter may be enforced by one or more of the following non-exclusive remedies:

- (a) Abatement. Abatement and cost recovery pursuant to Chapters 22 and 23 of Title 5 of the Municipal Code.
- (b) Administrative Citation. Administrative citation pursuant to Title 1, Chapter 8 of the Municipal Code.
- (c) Criminal Complaint or Citation. Misdemeanor enforcement pursuant to Title 1, Chapter 2 of the Municipal Code.
- (d) Injunction. Injunctive relief.
- (e) Receivership. Receiverships pursuant to Health and Safety Code section 17980.7.
- (f) Unlawful Business Practice. Unlawful business practices pursuant to Business and Professions Code section 17200.
- (g) State Housing Law. State housing law as set forth in Health and Safety Code section 17910 et seq.
- (h) Other. Any other available remedy set forth in the Municipal Code or state law.

~~Any person who shall violate or fail to comply with any provision of said Building Code, shall be punishable as set forth in Chapter 2 of Title 1 of the Fowler Municipal Code.~~

(Ord. 13-6 § 2; Ord. 94-8 § 1, 2-2-95)

ORDINANCE NO. 2022- 01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOWLER AMENDING  
CHAPTER 1, OF TITLE 8 OF THE FOWLER MUNICIPAL CODE, RELATED TO THE  
ADOPTION OF THE CALIFORNIA BUILDING CODE

THE CITY COUNCIL OF THE CITY OF FOWLER DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 01 of Chapter 1, of Title 8 of the Fowler Municipal Code is hereby amended as follows:

Adoption of the California Building Code.

The City adopts by specific reference thereto and incorporation herein by said reference, in their entirety, the California Building Code, current edition, including appendix chapters, amendments, supplements, and errata as promulgated by the California Building Standards Commission; the California Fire Code, current edition, including those sections and appendices as more specified in Chapter 14.35; and the National Fire Codes, current edition, as adopted by the National Fire Protection Association. One paper copy of each shall be maintained on file and available for public inspection during normal business hours at Fowler City Hall.

SECTION 2. Section 02 of Chapter 1, of Title 8 of the Fowler Municipal Code is hereby amended as follows:

Definitions.

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

- (a) "Building Official" means the officer or other designated authority charged with the administration and enforcement of this code, or the building official's duly authorized representative.
- (b) "City" means the City of Fowler.
- (c) "City Attorney" means the City Attorney of the City of Fowler.

SECTION 3. Section 03 of Chapter 1, of Title 8 of the Fowler Municipal Code is hereby amended as follows:

Administration.

The provisions of this chapter shall be administered by the office of the Building Official, the City Manager, or other designee appointed by the City Manager.

SECTION 4. Section 8-1.04, Section 8-1.04.1, Section 8-1.04.2, Section 8-1.04.3 and Section 8-1.04.4, of Chapter 1, of Title 8 of the Fowler Municipal Code, are hereby repealed.



SECTION 5. Section 05 of Chapter 1, of Title 8 of the Fowler Municipal Code is hereby amended as follows:

#### Violations – Enforcement

Violations of this Chapter may be enforced by one or more of the following non-exclusive remedies:

- (a) Abatement. Abatement and cost recovery pursuant to Chapters 22 and 23 of Title 5 of the Municipal Code.
- (b) Administrative Citation. Administrative citation pursuant to Title 1, Chapter 8 of the Municipal Code.
- (c) Criminal Complaint or Citation. Misdemeanor enforcement pursuant to Title 1, Chapter 2 of the Municipal Code.
- (d) Injunction. Injunctive relief.
- (e) Receivership. Receiverships pursuant to Health and Safety Code section 17980.7.
- (f) Unlawful Business Practice. Unlawful business practices pursuant to Business and Professions Code section 17200.
- (g) State Housing Law. State housing law as set forth in Health and Safety Code section 17910 et seq.
- (h) Other. Any other available remedy set forth in the Municipal Code or state law.

SECTION 6. The City Council has determined that this change to Fowler Municipal Code is not a “project” pursuant to the California Environmental Quality Act (“CEQA”) as defined by Public Resource Code section 21065 and CEQA Guidelines Section 15378. Adoption of the proposed ordinance will not cause a direct or indirect change in the environment.

SECTION 7. This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 8. The City Clerk is further directed to cause this ordinance or a summary of this ordinance to be published once in a newspaper of general circulation published and circulated within the City of Fowler, within fifteen (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 (5) days prior to the City 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.

The foregoing ordinance was introduced at a regular meeting of the City Council held on January 4, 2022, and was adopted at a regular meeting of said Council held on \_\_\_\_\_, 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
David Cardenas, Mayor

ATTEST:

\_\_\_\_\_  
Angela Vasquez, Deputy City Clerk



## FOWLER CITY COUNCIL

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ITEM NO: 6-F

### REPORT TO THE CITY COUNCIL

January 18, 2022

**FROM:** Dario Dominguez, Public Works Director

### SUBJECT

APPROVE Resolution No. 2535 Authorizing Submittal of a Grant Application for the Per Capita Program Funds

### RECOMMENDATION

Staff recommend the City Council approve Resolution No. 2535 authorizing submittal of a grant application to the State Department of Parks and Recreation Per Capita Program Funds.

### BACKGROUND

This program originates from Proposition 68, and approved by voters on June 5, 2018. Funds for the program were appropriated via State Budget. Funds are provided for two programs, as described below:

General Per Capita Program: \$185 million funds are available for local park rehabilitation, creation, and improvement grants to local governments on a per capita basis. Grant recipients are encouraged to utilize awards to rehabilitate existing infrastructure and to address deficiencies in neighborhoods lacking access to the outdoors.

Urban County Per Capita: Approximately \$14 million additional funds are available for Per Capita grants to cities and districts in urbanized counties (a county with a population of 500,000 or more) providing park and recreation services within jurisdictions of 200,000 or less in population. An entity eligible to receive funds under this subdivision shall also be eligible to receive funds available under the General Per Capita Program.

The City will submit grant applications for two projects. The first application in the amount of \$127,000 is for construction of a new park located on a City owned parcel located on 5<sup>th</sup> Street near Harris Court. The new park will have a play structure, grass area, BBQ pits, tables and benches. The second application in the amount of \$53,814 is for improvements to Donny Wright Park including a shade structure, BBQ pits, tables, benches, fitness equipment, and dog park enhancements.

This grant program does not require the City to provide matching funds.

## **ENVIRONMENTAL REVIEW**

Submitting the grant applications is not considered a “project” as defined by Public Resource Code section 21065 and CEQA Guidelines Section 15378. Submitting the application will not cause a direct or indirect change in the environment. However, the City reviewed the proposed projects and determined that the Donny Wright Park Improvements will be categorically exempt from CEQA through a Class 1 Existing Facility exemption (CEQA Guidelines section 15301) and the new Harris Park will be categorically exempt from CEQA through a Class 32 In-Fill Development exemption (CEQA Guidelines section 15332).

## **FISCAL IMPACT**

If awarded, the City will receive \$180,814.

### **Attachments:**

- Resolution No. 2535

## **RESOLUTION NO. 2535**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOWLER APPROVING APPLICATIONS FOR PER CAPITA GRANT FUNDS FOR HARRIS PARK AND DONNY WRIGHT PARK IMPROVEMENTS**

**WHEREAS**, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application(s); and

**WHEREAS**, said procedures established by the State Department of Parks and Recreation require the grantee's Governing Body to certify by resolution the approval of project application(s) before submission of said applications to the State; and

**WHEREAS**, the City of Fowler ("City"), as grantee, intends to apply for the Per Capita Grant Program for Harris Park and Donny Wright Park Improvements, as set forth in the applications and hereby incorporated by reference; and

**WHEREAS**, the Fowler City Council, as the Governing Body of grantee, find it to be in the best interest of the City of Fowler to apply for the Per Capita Grant Program for Harris Park and Donny Wright Park Improvements; and

**WHEREAS**, the City of Fowler, as grantee, will enter into a contracts with the State of California to complete projects.

**NOW, THEREFORE, BE IT RESOLVED**, the Fowler City Council hereby:

1. Approves the filing of project applications for Per Capita program grant projects for Harris Park and Donny Wright Park Improvements ("Projects").
2. Certifies that said grantee has or will have available, prior to commencement of project work utilizing Per Capita funding, sufficient funds to complete the Projects.
3. Certifies that the grantee has or will have sufficient funds to operate and maintain the Projects.
4. Certifies that all Projects proposed will be consistent with the park and recreation element of the City's General Plan or recreation plan (PRC §80063(a)).
5. Certifies that these funds will be used to supplement, not supplant, local revenues in existence as of June 5, 2018 (PRC §80062(d)).
6. Certifies that it will comply with the provisions of §1771.5 of the California Labor Code.
7. (PRC §80001(b)(8)(A-G)) To the extent practicable, as identified in the "Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters," dated January 12, 2017, the City will consider a range of actions that include, but are not limited to, the following:

(A) Conducting active outreach to diverse populations, particularly minority, low income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.

(B) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.

(C) Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.

(D) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.

(E) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.

(F) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.

(G) Identifying possible staff liaisons to diverse populations.

8. Agrees that to the extent practicable, the project(s) will provide workforce education and training, contractor and job opportunities for disadvantaged communities (PRC §80001(b)(5)).

9. Certifies that the grantee shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient's annual expenditures. (PRC §80062(d)).

10. Certifies that the grantee has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Procedural Guide.

11. Delegates the authority to the City Manager, or designee to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope(s).

12. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

**PASSED, APPROVED AND ADOPTED** this 18th day of January 2022, at a regular meeting of the Fowler City Council by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

**APPROVED:**

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David Cardenas, Mayor

**ATTEST:**

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Angela Vasquez, Deputy City Clerk



## FOWLER CITY COUNCIL

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ITEM NO: 6-G

### REPORT TO THE CITY COUNCIL

January 18, 2022

**FROM:** Wilma Quan, City Manager

### SUBJECT

APPROVE a Memorandum of Understanding (MOU) between the City of Fowler and Fowler Unified School District (District) for contributions towards the community's continued use of the District's recreational facilities in an amount not to exceed \$50,000 total for Fiscal Years (FY) 2021-2022 and 2022-2023.

### RECOMMENDATION

Staff recommend approval of the MOU between the City of Fowler and District for contributions towards the community's continued use of the District's recreational facilities in an amount not to exceed \$50,000 for FY 2021-2021 and 2022-2023.

### BACKGROUND

The District has made its recreational facilities available during non-school hours for Fowler youth groups and other Fowler community use for over 40 years at no charge. The District and City collectively desire the continued use of the District's recreational facilities at no charge for the Fowler community.

The City understands there is a financial burden on the District to make these recreational facilities available at no charge to the community. Therefore, the City finds it to be in the best interest of the community to provide funding to the District to help offset the cost for maintenance and overhead for the community's continued use of District facilities. District and City staff have negotiated a City contribution of \$25,000 annually for two consecutive years. If approved, the first contribution will be made prior to May 1, 2022, for 2021-2022 school year; and before September 30, 2022, for the 2022-2023 school year. The maximum contribution associated with this MOU shall not exceed \$50,000.

The City and District had a similar MOU dated May 17, 2016. That agreement also included a City contribution of \$25,000 per year for a three year term. That MOU expired in 2019.



The District's Board considered the MOU at its regularly scheduled Board meeting on January 12, 2022. The attached MOU was approved by the Board and subsequently signed by the District's Superintendent.

### **FISCAL IMPACT**

Funds associated with the first contribution of \$25,000 are available in the FY 2021-22 budget, and will be brought to Council for appropriation during the mid-year budget update in February 2022. Funds associated with the FY 2022-2023 contribution will be included in the proposed FY 2022-23 budget for Council's consideration.

#### **Attachments:**

- MOU between the City of Fowler and Fowler Unified School District

**MEMORANDUM OF UNDERSTANDING  
CITY OF FOWLER AND FOWLER UNIFIED SCHOOL DISTRICT  
CONTRIBUTION TOWARDS RECREATIONAL FACILITIES**

This Memorandum of Understanding ("MOU") is entered into this 1st day of January 2022 between the Fowler Unified School District ("District") and the City of Fowler ("City") with respect to the following Recitals:

Whereas, District has made its recreational facilities available after school hours to Fowler youth groups and other Fowler community use for over 40 years at no charge; and

Whereas, a list of facilities provided by District is attached as **Exhibit A**; and

Whereas, District and City desire that District recreational facilities continue to be made available for the Fowler community and Fowler youth groups use at no charge; and

Whereas, the City understands there is a financial burden on the District to make its recreational facilities available at no charge and finds it to be in the best interest of the City to provide additional funding to the District for the maintenance of District recreational facilities.

Now, therefore, in recognition of the recreational facilities provided by the District at no charge to Fowler youth groups and for other Fowler community use, District and City agree as follows:

1. **City Contribution.** City shall contribute to District \$25,000 for each of two (2) consecutive school years beginning with the 2021-2022 school year. For the 2021 - 2022 school year, the City agrees to provide the District the sum of \$25,000 on or before May 1, 2022. For the 2022 – 2023 school year, the City agrees to provide the District the sum of \$25,000 on or before September 30, 2022. The maximum contribution by City pursuant to this MOU shall be \$50,000.

If the City budget does not appropriate sufficient funds for this MOU, then City may elect to terminate this Agreement and the City shall have no further obligation to pay any funds to the District. City budget decisions are subject to the discretion of the City Council.

2. **Use of City Contribution.** The purpose of City's financial contribution to District is to make District recreational facilities available for Fowler youth groups and for other Fowler community use at no charge. District agrees to use the City's contribution solely for the purposes of maintaining District recreational facilities and to offset costs associated with the use of the recreation facilities in order to make the recreational facilities available for use by Fowler youth groups and the general Fowler community after school hours at no charge. District is required to allow the public to use school facilities pursuant to the Civic Center Act (Education Code

section 38130, et seq.) and thereunder may charge users the direct costs for the use of school facilities. Notwithstanding the Civic Center Act, District agrees that no charge or costs shall be required for the use of District's recreational facilities by Fowler youth groups and the general Fowler community unless specifically required by law.

3. **Availability of Recreational Facilities.** District agrees to continue to provide the recreational facilities to the community at no charge and in accordance with existing or greater availability.

**Reserved Rights.** Use of District facilities is at the discretion of the District. District schools, athletics, programs, and clubs maintain priority in the use of District facilities. The District reserves the right to deny use of District facilities when such use interferes with the normal operation of the District.

4. **City Role and Responsibilities.** District acknowledges and agrees that City's role and responsibilities pursuant to this MOU are strictly financial. City shall not have any responsibility or obligation to maintain or secure District's recreational facilities or undertake any other responsibility, obligation, or liability as if City were a user of said recreational facilities, unless City is actually the user of District's recreational facilities and not simply because City is a party to this MOU. District shall indemnify, defend, and hold City harmless for all claims arising from the use of District's recreational facilities by third-parties when City is not an actual user of said recreational facilities when such claim arises.
5. **Amendments.** The parties may mutually agree to amend this MOU.
6. **Authority.** The parties represent that this MOU has been approved by their respective governing bodies following an open public meeting.

CITY OF FOWLER

FOWLER UNIFIED SCHOOL DISTRICT

\_\_\_\_\_  
Wilma Quan, City Manager

\_\_\_\_\_  
Dr. Paul Marietti, Superintendent

Date: \_\_\_\_\_

Date: 01/14/2022

**EXHIBIT A**  
**DISTRICT RECREATIONAL FACILITIES**

<b>Marshall Elementary</b>	Classrooms
	Cafeteria
	Softball Field
	Fields

<b>Fremont Elementary</b>	Classrooms
	Auditorium
	Cafeteria
	Basketball Courts
	Fields

<b>Sutter Middle School</b>	Classrooms
	Cafeteria
	Gymnasium
	Softball/Baseball Fields
	Practice / Soccer Fields
	Basketball Courts

<b>Fowler High School</b>	Classrooms
	Cafeteria
	Auditorium
	Football Stadium
	Varsity Baseball Field
	Junior Varsity Softball Field
	Tennis Courts
	Swimming Pool
	All Weather Track
	Football / Soccer field

<b>Fowler Academy</b>	Classrooms
	Cal Ripkin Jr. Baseball Field
	Softball Field
	Fields

**FOWLER HIGH SCHOOL**

Baseball Fields	May-July: Youth Baseball/Babe Ruth (After FHS practice/games or weekends ONLY) July-September: Youth Baseball Games/Tournaments
All-Weather Track	Year-round community use
Football Stadium	August-December: FHS/Pop Warner Football Games ONLY Early July: 4 <sup>th</sup> of July Celebration
Basketball Gym	January-March: Boys/Girls AAU/Youth Basketball (After FHS Practice/Games or Weekends ONLY)
Swimming Pool	May-July: Youth Recreation/Swimming – Fowler Youth Teams ONLY Late May-Early August: City of Fowler Recreation Swimming

**FOWLER ACADEMY CAMPUS/RECREATIONAL FACILITY**

Baseball Field	February-May: Youth Baseball (Anytime except FHS JV SB game days-then after games finish) June-July: Youth Baseball – Fowler Youth Teams ONLY
Softball Field	February-May: Youth Softball (After FHS JV SB Practice/games or Weekends ONLY) May-July: Youth Softball – Fowler Youth Teams ONLY*
Soccer Fields	July-November: Pop Warner Football/Flag Football (practices only)



## FOWLER CITY COUNCIL

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ITEM NO: 7-Ai

### REPORT TO THE CITY COUNCIL

January 18, 2022

**FROM:** Dawn E. Marple, City Planner

### SUBJECT

ADOPT Ordinance No. 2022-02, an Ordinance of the City Council of the City of Fowler Amending the Official Zoning Map of the City to Reflect a Change of Zone for Assessor's Parcel No. 340-130-14, submitted by Sunshine Raisin Corporation for approximately 29.04 acres on the east side of South Armstrong Avenue between East Adams and East Hogan Avenues.

### RECOMMENDATION

Staff recommend the City Council adopt Ordinance No. 2022-02.

### BACKGROUND

Ordinance No. 2022-02 was introduced at the January 4, 2022 regular City Council meeting. The Planning Commission recommended approval at its November 4, 2021, regular meeting.

The Project proposes rezoning to the R-1-10 (One Family Residential – 10,000 square foot minimum lot) zone district, which would allow lots with a minimum area of 10,000 square feet and would facilitate development at a density consistent with the range prescribed in the General Plan's Low Density Residential designation.

Council members Rodriguez and Kazarian own property within 500-feet and recused themselves and did not participate in the introduction of the ordinance at the January 4, 2022, meeting.

### Attachments

- Figure 1 – Aerial Photo
- Figure 2 – General Plan
- Figure 3 – Zoning
- Figure 4 – Subdivision Map
- City Council Ordinance No. 2022-02

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Figure 1: Aerial Photo

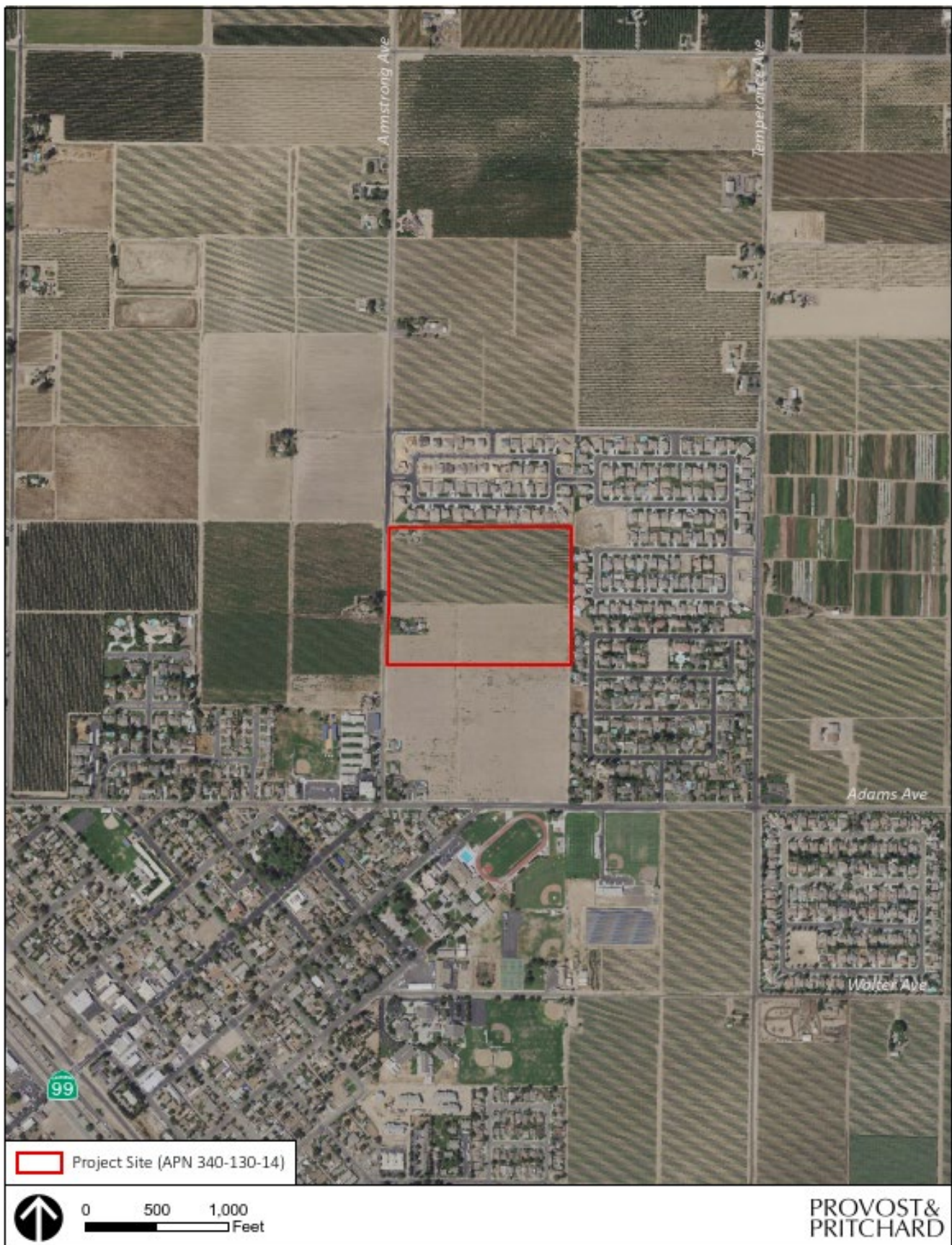




Figure 2: General Plan

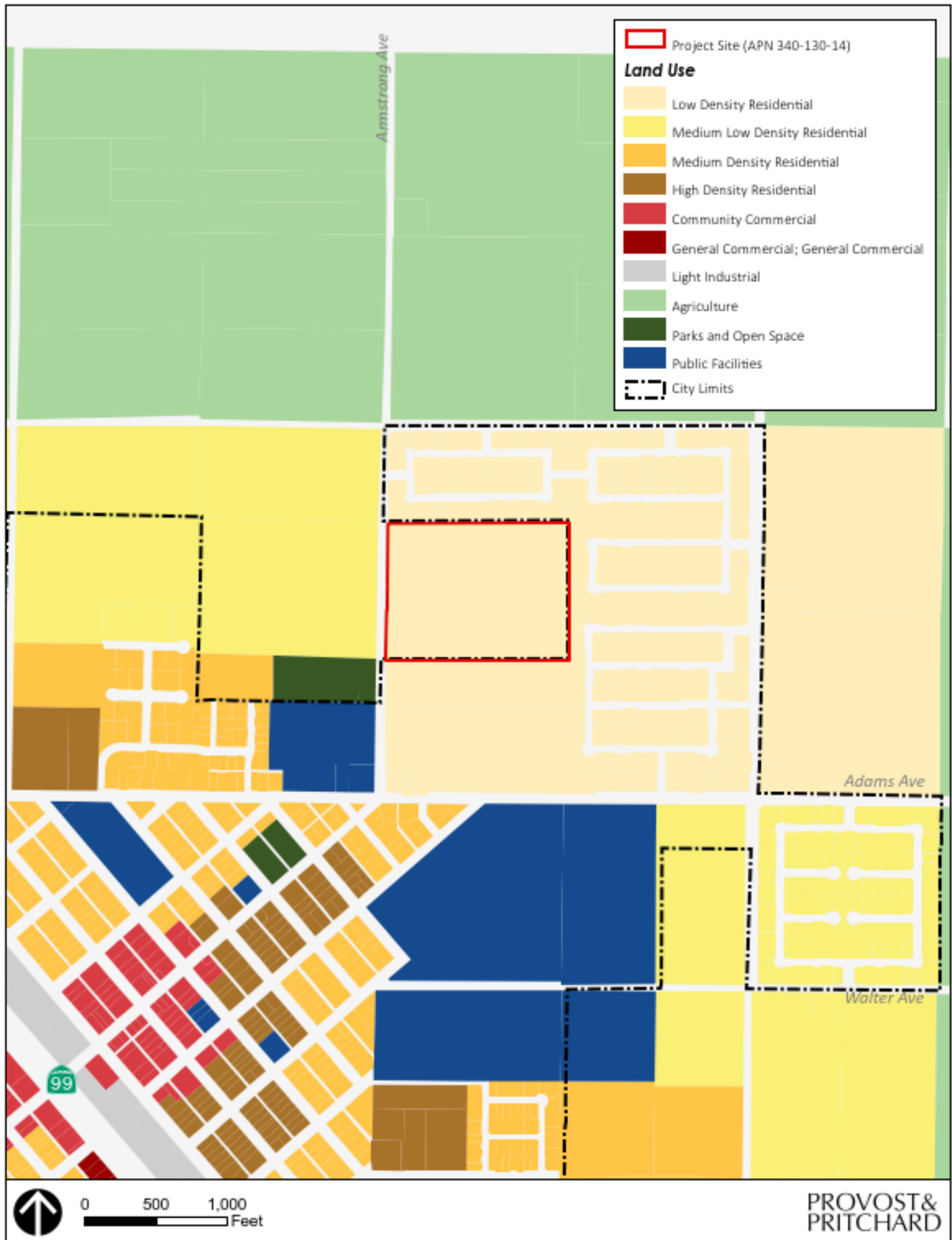


Figure 3: Zoning

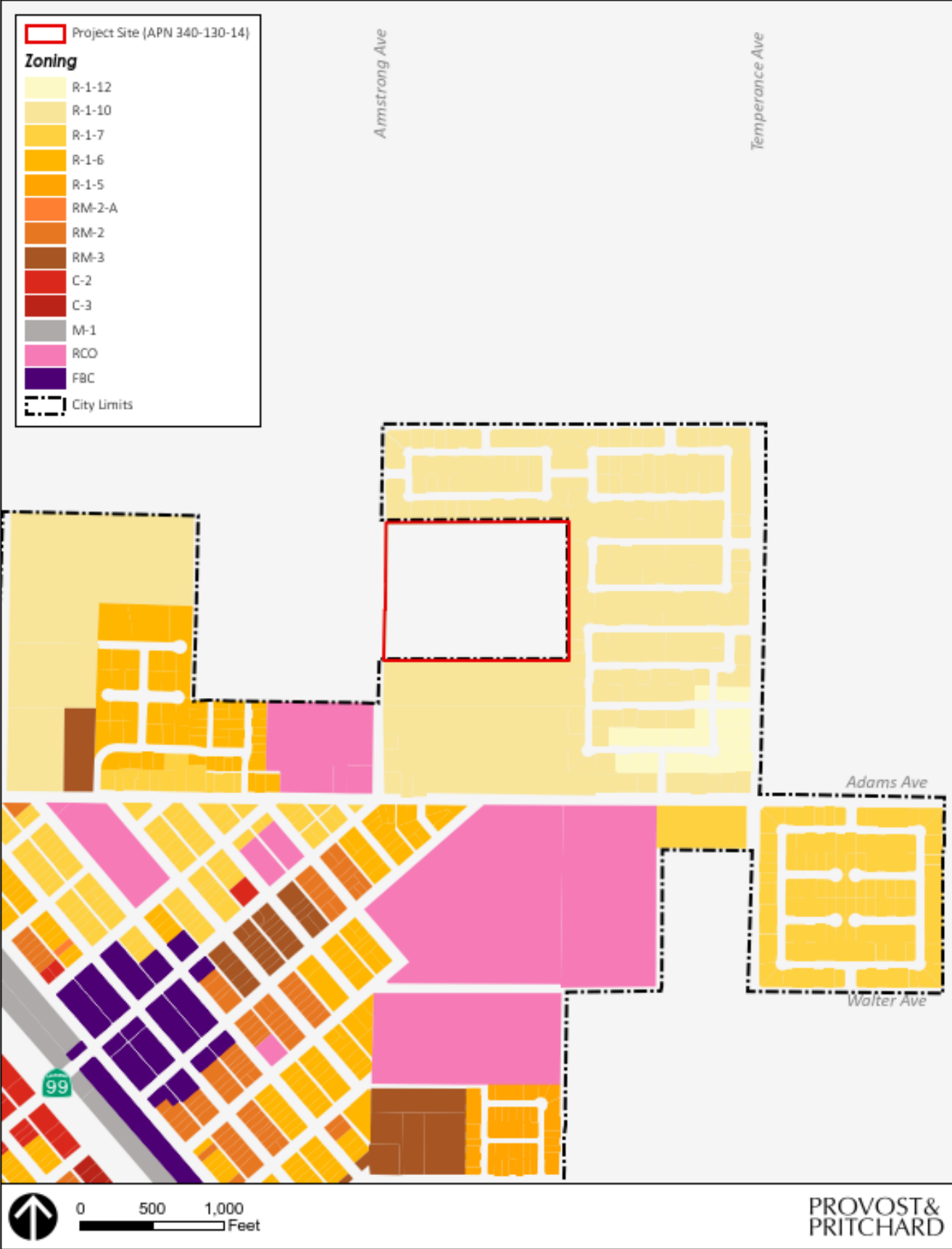
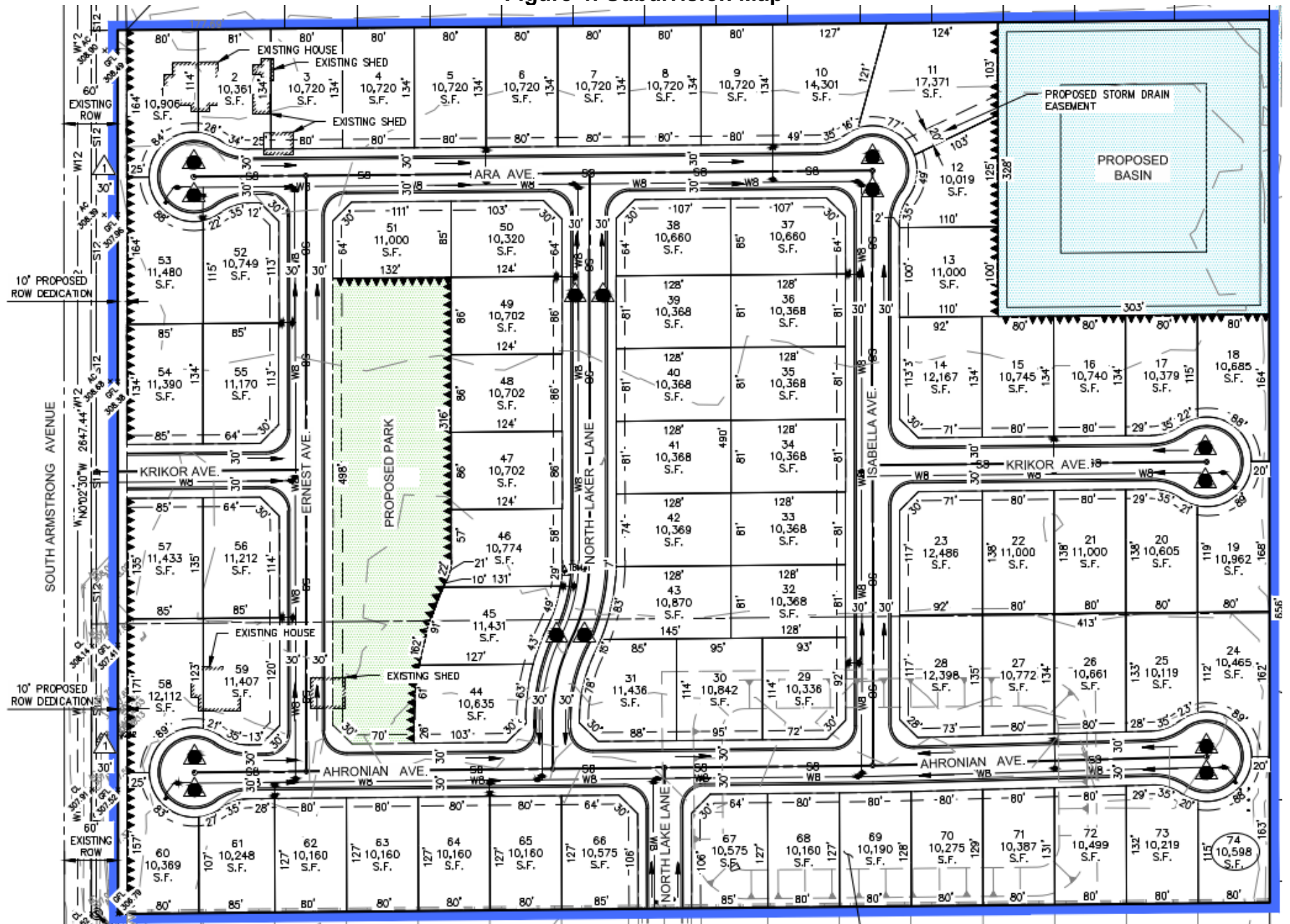


Figure 4: Subdivision Map



ORDINANCE NO. 2022-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOWLER AMENDING  
THE OFFICIAL ZONING MAP OF THE CITY TO REFLECT A CHANGE OF ZONE  
FOR ASSESSOR'S PARCEL NO. 340-130-14

THE CITY COUNCIL OF THE CITY OF FOWLER DOES ORDAIN AS FOLLOWS:

SECTION 1. The Official Zoning Map of the City of Fowler is hereby amended to indicate Assessor's Parcel No. 340-130-14 as R-1-10 (One Family Residential – 10,000 square foot minimum lot size) as indicated in Exhibit "A" hereto.

SECTION 2. This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 3. The City Clerk is further directed to cause this ordinance or a summary of this ordinance to be published once in a newspaper of general circulation published and circulated within the City of Fowler, within fifteen (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 (5) days prior to the City 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.

The foregoing ordinance was introduced at a regular meeting of the City Council held on January 4, 2022, and was adopted at a regular meeting of said Council held on \_\_\_\_\_, 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
David Cardenas, Mayor

ATTEST:

\_\_\_\_\_  
Angela Vasquez, Deputy City Clerk



## FOWLER CITY COUNCIL

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ITEM NO: 7-Bi

### REPORT TO THE CITY COUNCIL

January 18, 2022

**FROM** Dario Dominguez, Public Works Director

### SUBJECT

2022 Special Events Update (Informational)

### RECOMMENDATION

None

### BACKGROUND

Staff continues to develop an integrated events management process between Public Works, Police Department, Senior/Recreation, and City Administration. We are providing you an informational calendar of events and their road closure impacts for the 2022 calendar year.

### FISCAL IMPACT

Historically the City has separately tracked the staffing and related costs for City-sponsored and non-City-sponsored special events. All the costs are currently absorbed by individual departments such as Public Works, Police Department, Fire Department and the Recreation Coordinator. Staff continue to track City event support expenses and will provide an update at a future meeting.

### Attachments:

- 2022 Events Calendar

**City of Fowler Community Events Calendar  
2022**

<b>Date</b>	<b>Activity</b>	<b>City Event</b>	<b>Facilities</b>	<b>Road Closure</b>
Friday, February 4, 2022	Blossom Trail Opening Ceremony	Y	Fowler Packing	None
Saturday, March 26, 2022	Spring Fest	Y	Merced St	Merced St from 2nd to 4th
Saturday, April 9, 2022	Easter Egg Hunt	Y	Panzak Park	None
TBD Spring 2022	Mayor's Breakfast	Y	Worship Centre	None
Monday, July 4, 2022	4th of July	Y	Fowler High	None
Wednesday, August 3, 2022	Farmers Market	Y	Panzak Park	2nd bet Merced/Tuol.
Wednesday, August 10, 2022	Farmers Market	Y	Panzak Park	2nd bet Merced/Tuol.
Wednesday, August 17, 2022	Farmers Market	Y	Panzak Park	2nd bet Merced/Tuol.
Wednesday, August 24, 2022	Farmers Market	Y	Panzak Park	2nd bet Merced/Tuol.
Wednesday, August 31, 2022	Farmers Market	Y	Panzak Park	2nd bet Merced/Tuol.
Wednesday, September 7, 2022	Farmers Market	Y	Panzak Park	2nd bet Merced/Tuol.
Wednesday, September 14, 2022	Farmers Market	Y	Panzak Park	2nd bet Merced/Tuol.
Wednesday, September 21, 2022	Farmers Market	Y	Panzak Park	2nd bet Merced/Tuol.
Wednesday, September 28, 2022	Farmers Market	Y	Panzak Park	2nd bet Merced/Tuol.
Saturday, October 1, 2022	Lions Club Fall Fest	N	Panzak Park	6th fr Merced to Tuol.; Merced fr 6th to 1st; 3rd fr Tuol. to Merced; 2nd fr Tuol. to Merced; 1st fr Merced to Main
TBD October 2022	Rajinder Brar/Nonprofit	N	Panzak Park	None
Wednesday, October 5, 2022	Farmers Market	Y	Panzak Park	2nd bet Merced/Tuol.
TBD	Sesquicentennial	Y	TBD	TBD

**City of Fowler Community Events Calendar  
2022**

Date	Activity	City Event	Facilities	Road Closure
TBD October 2022	Pharoahs Car Club of Fowler	N	Panzak Park	Merced fr 1st to 5th (based on entries, soft closure at 4th/Merced intersection), 2nd & 3rd bet Merced/Tuol.
Wednesday, October 12, 2022	Farmers Market	Y	Panzak Park	2nd bet Merced/Tuol.
Wednesday, October 19, 2022	Farmers Market	Y	Panzak Park	2nd bet Merced/Tuol.
Saturday, October 22, 2022	Jr High Band Review	N	Panzak, Sr Center	6th fr Merced to Main; Merced fr 6th to 2nd; Main fr 3rd to 6th; 3rd fr Tuol. To Fresno; 2nd fr Tuol. to Main; Walter fr Fresno to Temperance
Wednesday, October 26, 2022	Trunk or Treat	Y	Panzak, Sr Center	Merced from 2nd to 4th
Friday, November 11, 2022	Veterans Day Event	N	Veterans Park	1st/Merced triangle
Friday, November 11, 2022	Veterans Day Walk-Run-Bike	N	Veterans Park	None
TBD November 2022	Sikh Parade	N	TBD	TBD
Saturday, December 3, 2022	Christmas Tree Lighting	Y	6th/Merced	Merced from Flower Shop to 7th
Saturday, December 10, 2022	Childrens Shopping Day	Y	Senior Center	None



## FOWLER CITY COUNCIL

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ITEM NO: 7-Bii

### REPORT TO THE CITY COUNCIL

January 18, 2022

**FROM** David Peters, City Engineer

### SUBJECT

ADOPT revised improvement standards regarding street name signs

### RECOMMENDATION

Staff recommend City Council adopt Resolution No. 2536 approving revised Standard Plan ST-18 pertaining to street name signs.

### BACKGROUND

The Fowler City Council previously approved improvement standards for various public infrastructure facilities related to streets, water and sewer systems, etc. Occasionally these standards require modifications. Standard Plan ST-18, Street Name Signs is proposed to be revised to include the city logo and street address. This standard will reflect recent field practices related to manufacture and installation of street name signs in new developments. A copy of the proposed revised standard is attached to this report.

### FISCAL IMPACT

There is no fiscal impact to the City since the changes are negligible from a cost perspective and the majority of new street signs are installed at developer's expense.

### Attachments

- Resolution No. 2536
- Revised Standard Plan ST-18



**RESOLUTION NO. 2536**

**A RESOLUTION ADOPTING REVISED PUBLIC WORKS DESIGN STANDARDS  
FOR THE DESIGN OF PUBLIC INFRASTRUCTURE FACILITIES**

**WHEREAS**, the City of Fowler has previously utilized and adopted improvement standards for construction of public infrastructure facilities; and

**WHEREAS**, periodic revisions to the improvement standards are necessary to ensure proper design, construction and function of streets, sanitary sewer and stormwater infrastructure and other miscellaneous facilities; and

**WHEREAS**, revised standard plans ST-18 (revised 1-13-2022) has been revised to reflect recent manufacturing and field practices.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOWLER RESOLVES  
AS FOLLOWS:**

1. Effective immediately, revised Standard Plan ST-18 (dated January 13, 2022) is hereby adopted for inclusion in the City Improvement Standards and replaces all previous versions of this standard plan.

The foregoing resolution of the City of Fowler was duly and regularly adopted by the City Council of the City of Fowler at a regular meeting held on January 18, 2022, by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

\_\_\_\_\_  
David Cardenas, Mayor

ATTEST:

\_\_\_\_\_  
Angela Vasquez, Deputy City Clerk

