



**FOWLER CITY COUNCIL MEETING  
AGENDA  
TUESDAY, APRIL 19, 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.

En cumplimiento con la Acta de Americanos con Discapacidades si necesita asistencia o adaptaciones para acceder a las Cámaras del Concejo de la Ciudad o participar en esta reunión, comuníquese con el secretario de la ciudad al (559) 834-3113 x102. También puede ponerse en contacto con el secretario si necesita servicios de traducción. La notificación al menos 48 horas antes de la reunión permitirá a la Ciudad hacer arreglos razonables para garantizar la accesibilidad.

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/85402393445?pwd=V2w2QkpsM3JCeTA3enVmNWx1b2VLUT09>

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

**Meeting ID: 854 0239 3445**

**Passcode: 750209**

**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 Pastor Mark Grice from the Worship Centre
4. Pledge of Allegiance
5. Ceremonial Presentation
  - 5-A. Fowler Youth Cheerleader Recognition
  - 5-B. APPROVE Proclamation “Day of Remembrance of the Armenian Genocide and Prevention of Future Genocides” – Councilmember Karnig Kazarian
6. 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.*

7. 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.*

- 7-A. RATIFY Warrants for April 19, 2022
- 7-B. APPROVE Minutes of the April 5, 2022 City Council Meeting
- 7-C. APPROVE Minutes of the April 11, 2022 City Council Special Meeting
- 7-D. APPROVE Resolution No. 2554, 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)
- 7-E. APPROVE Resolution No. 2555 declaring the property located at 119 South 6th Street (APN 343-172-09T) to be surplus pursuant to the Surplus Land Act (Planning)
- 7-F. Per Fowler Municipal Code 2-2.202 APPROVE Recommendation to Appoint Susie Rico-Vasquez to the Recreation Commission (Vacancy of Henrietta Martin) (City Manager)
- 8. Contested Consent Calendar – Items pulled from the Consent Calendar will be heard individually immediately after action is taken on the Consent Calendar.
- 9. General Administration
  - 9-A. Finance
    - i. Actions pertaining to the fiscal year 2021-22 third quarter financial report and budget amendments:
      - ACCEPT the fiscal year 2021-22 third quarter budget report.
      - ADOPT Resolution No. 2556 approving fiscal year 2021-22 proposed budget amendments.
  - 9-B. Public Works
    - i. Discuss and Consider Actions pertaining to the City of Fowler's Solar/Energy Conservation Project:
      - A. Receive analysis from ARC Alternatives regarding alternatives for Project procurement process.
      - B. Provide Staff direction on next steps for the Project, which may include authorizing the City Manager or designee to negotiate a Project Agreement with the selected vendor.
      - C. ADOPT Resolution No. 2557 approving California Energy Commission Energy Conservation Assistant Act (ECAA) loan application submittal and related CEQA exemption.
  - 9-C. City Manager's Office
    - i. Animal Control Update

10. Staff Communications (City Manager)
11. Councilmember Reports and Comments
12. Closed Session
  - 12-A. Government Code Section 54957.6  
Conference with Labor Negotiator  
Agency Designated Negotiator: Wilma Quan, City Manager  
Employee Organization: All unrepresented employees
  - 12-B. Government Code Section 54956.9(d)(2)  
Conference with Legal Counsel – Anticipated Litigation  
Significant Exposure to Litigation  
Unknown number of potential cases, but at least five
13. Adjourn

*Next Ordinance No. 2022-03*  
*Next Resolution No. 2558*

*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 Thursday, April 14, 2022.*

*Angela Vasquez*

*Angela Vasquez*  
*Deputy City Clerk*

# CITY OF FOWLER

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*Office of Councilmember Karnig Kazarian*

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# *Proclamation*

**WHEREAS**, the City of Fowler mourns with the sons, daughters, grandchildren, and great-grandchildren of the over 1.5 million innocent Armenians who perished from 1915 to 1923 in the mass and systematic extermination perpetrated by the Ottoman Empire; and

**WHEREAS**, after decades of capitulating to geopolitical pressures, a president of the United States, Joe Biden, unequivocally declared those atrocities as genocide, representing a historic step toward fully realizing our nation's commitment to human rights across the world and addressing generational victimization at home; and

**WHEREAS**, a dangerous precedent has been set in light of ongoing Turkish denial without any consequences, and we can no longer let the Armenian Genocide serve as a blueprint for further genocides; and

**WHEREAS**, evidence is mounting in Ukraine to support genocidal claims, and the City of Fowler supports the international community's unified response, which includes sanctions, to Russian aggression; and

**WHEREAS**, this global condemnation resulting in actionable steps such as sanctions would be strengthened as a deterrent by considering similar measures for the continued denial by the Turkish government of such a horrendous and well-documented act of genocide; and

**WHEREAS**, in remembering the Armenian Genocide, the City of Fowler also seeks to bring awareness to preventing future genocides.

**NOW, THEREFORE**, we, Councilmembers of the City of Fowler, do hereby proclaim that this City recognizes April 24, 2022, as:

## **DAY OF REMEMBRANCE OF THE ARMENIAN GENOCIDE AND PREVENTION OF FUTURE GENOCIDES**

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Mayor Pro-Tem Rodriquez

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Councilmember Karnig Kazarian

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Councilmember Juan Mejia

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Councilmember Daniel Parra

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CITY OF FOWLER  
WARRANTS LIST  
April 19, 2022

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<u>ACCOUNTS PAYABLE CHECKS</u>	<u>CHECK NUMBERS</u>	<u>CHECK DATES</u>	<u>AMOUNT</u>
Regular checks	39252-39330	April 6 thru April 13	\$ 381,745.99
TOTAL ACCOUNTS PAYABLE CHECKS			<u>\$ 381,745.99</u>
<u>PAYROLL COSTS</u>			
First April Bi-Monthly Payroll		April 15, 2022	\$107,025.79
TOTAL PAYROLL COSTS			<u>\$107,025.79</u>
TOTAL CASH DISBURSEMENTS			<u>\$ 488,771.78</u>

SUPERION  
 DATE: 04/14/2022  
 TIME: 11:38:58

CITY OF FOWLER  
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 1  
 ACCTPA21

SELECTION CRITERIA: transact.check\_no between '39252' and '39330'  
 ACCOUNTING PERIOD: 10/22

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	39252	04/06/22	14152	A-C ELECTRIC CO	5000	SERVICE	0.00	500.12
1001	39252	04/06/22	14152	A-C ELECTRIC CO	5000	SERVICE	0.00	675.00
1001	39252	04/06/22	14152	A-C ELECTRIC CO	5000	SERVICE	0.00	935.00
TOTAL CHECK							0.00	2,110.12
1001	39253	04/06/22	10007	ALERT-O-LITE, INC	6200	NO PARKING SIGN	0.00	34.97
1001	39253	04/06/22	10007	ALERT-O-LITE, INC	6200	NO PARKING SIGN	0.00	72.87
TOTAL CHECK							0.00	107.84
1001	39254	04/06/22	12489	BATTERY SYSTEMS INC	6200	BATTERY	0.00	150.13
1001	39255	04/06/22	10026	BCT CONSULTING	6030	COMPUTER SVC 4-1-22	0.00	246.10
1001	39255	04/06/22	10026	BCT CONSULTING	6150	COMPUTER SVC 4-1-22	0.00	246.30
1001	39255	04/06/22	10026	BCT CONSULTING	6120	COMPUTER SVC 4-1-22	0.00	246.30
1001	39255	04/06/22	10026	BCT CONSULTING	5000	COMPUTER SVC 4-1-22	0.00	246.30
1001	39255	04/06/22	10026	BCT CONSULTING	6030	COMPUTER SVC 3-31-22	0.00	375.00
1001	39255	04/06/22	10026	BCT CONSULTING	6150	COMPUTER SVC 3-31-22	0.00	375.00
1001	39255	04/06/22	10026	BCT CONSULTING	6120	COMPUTER SVC 3-31-22	0.00	375.00
1001	39255	04/06/22	10026	BCT CONSULTING	5000	COMPUTER SVC 3-31-22	0.00	375.00
TOTAL CHECK							0.00	2,485.00
1001	39256	04/06/22	11682	BRITZ SIMPLOT GROWER SOL	6200	SUPPLIES	0.00	1,544.05
1001	39257	04/06/22	10024	BSK ASSOCIATES	5000	NITRATE -N	0.00	114.00
1001	39257	04/06/22	10024	BSK ASSOCIATES	5000	TCP BY PRUGE	0.00	118.00
1001	39257	04/06/22	10024	BSK ASSOCIATES	5000	TRAY 51	0.00	203.00
TOTAL CHECK							0.00	435.00
1001	39258	04/06/22	10556	CNA SURETY DIRECT BILL	5000	USDA LOAN BOND INS	0.00	1,175.00
1001	39259	04/06/22	12654	COMCAST	6700	CABLE 03/25-04/24	0.00	107.23
1001	39260	04/06/22	14188	DATA TICKET	6120	TICKET COLLECTION FEE	0.00	93.50
1001	39261	04/06/22	11793	DON BERRY CONSTRUCTION	2110	ADAMS PH II & III	0.00	96,748.32
1001	39262	04/06/22	13275	FERGUSON WATERWORKS #142	5000	1 MACH10	0.00	79,987.65
1001	39263	04/06/22	10141	H & H TIRE SERVICES #3,	6200	BALANCE TIRE/TIRES	0.00	431.14
1001	39264	04/06/22	14238	INFOSEND, INC	5000	ARREAGE GRANT FLYER	0.00	636.93
1001	39265	04/06/22	14485	KOFF & ASSOCIATES, INC.	6020	CLASS & COMP STUDY	0.00	6,680.00
1001	39266	04/06/22	10194	LOZANO SMITH	6060	LEGAL SVCS THRU 2/22	0.00	958.00
1001	39267	04/06/22	14559	M.E.D. ENTERPRISES INC.	2000	CONSULTINGSVCMAR22	0.00	2,760.00
1001	39268	04/06/22	14600	MEDINA, RAUL L SR	500	UB REFUND	0.00	100.00
1001	39269	04/06/22	11653	MUNICODE	6025	COPIES OF CODE	0.00	904.43

SUPERION  
 DATE: 04/14/2022  
 TIME: 11:38:58

CITY OF FOWLER  
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 2  
 ACCTPA21

SELECTION CRITERIA: transact.check\_no between '39252' and '39330'  
 ACCOUNTING PERIOD: 10/22

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	39270	04/06/22	14428	NAVIA BENEFIT SOLUTIONS	6020	COBRA MAR22	0.00	36.45
1001	39271	04/06/22	10237	P G & E - SACRAMENTO	6200	363 N TEMPER 3-29-22	0.00	9.46
1001	39271	04/06/22	10237	P G & E - SACRAMENTO	5000	912 PALM 3-30-22	0.00	9.53
1001	39271	04/06/22	10237	P G & E - SACRAMENTO	2250	MAN/GLDST 3-29-22	0.00	18.79
1001	39271	04/06/22	10237	P G & E - SACRAMENTO	6130	127 S 6TH 3-29-22	0.00	20.21
1001	39271	04/06/22	10237	P G & E - SACRAMENTO	2250	700 MERCED #A 3-29-22	0.00	21.05
1001	39271	04/06/22	10237	P G & E - SACRAMENTO	2250	MANN/GOLD ST 3-25-22	0.00	29.07
1001	39271	04/06/22	10237	P G & E - SACRAMENTO	2250	300 MERCED 3-29-22	0.00	30.67
1001	39271	04/06/22	10237	P G & E - SACRAMENTO	2250	GLDST/MAN SIG 3-29-22	0.00	114.72
1001	39271	04/06/22	10237	P G & E - SACRAMENTO	5000	325 S 5TH 3-29-22	0.00	149.29
1001	39271	04/06/22	10237	P G & E - SACRAMENTO	2250	MERCED/8TH 3-29-22	0.00	197.62
1001	39271	04/06/22	10237	P G & E - SACRAMENTO	6150	122 S 5TH #A 3-29-22	0.00	201.94
TOTAL	CHECK						0.00	802.35
1001	39272	04/06/22	13095	PBM SUPPLY & MFG	6200	SUPPLIES	0.00	-265.90
1001	39272	04/06/22	13095	PBM SUPPLY & MFG	6200	SUPPLIES	0.00	288.24
1001	39272	04/06/22	13095	PBM SUPPLY & MFG	6200	SUPPLIES	0.00	316.45
TOTAL	CHECK						0.00	338.79
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	FUSD TRANSPORTATION	0.00	60.00
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	SPR21-04 MCDONALDS	0.00	120.00
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	CUP21-03 RECYCLING	0.00	120.00
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	T6259 CON PHASE	0.00	168.70
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	THREE CROWNS	0.00	280.06
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	SPR 21-22	0.00	360.00
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	CUP 21-05	0.00	360.00
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	T6188 PLANCHECK	0.00	360.00
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	TM5952 INSPECTION	0.00	404.44
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	MARHSALL II TTM	0.00	720.00
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	100	MAXCO	0.00	820.00
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	4TH/VINE WARRANTS	0.00	977.50
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	2300	GOLDEN STATE	0.00	1,300.00
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	LLA21-01 BEE SWEET	0.00	1,430.00
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	ENGINEERING SERVICES	0.00	1,500.00
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	FRESNO ST/8TH	0.00	1,582.50
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	WATER METER REPLACE	0.00	2,123.00
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	TCP COORDINATION	0.00	2,668.96
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	SPR 21-05 BEE SWEET	0.00	4,680.00
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	ENCRCHMT PERMIT	0.00	5,604.18
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	T6188 CONSTRUCTION	0.00	6,365.28
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	T6274 CONSTRUCTION	0.00	9,008.42
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	2110	ADAMS PHASE II	0.00	9,750.00
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	TM5952 PLANCHECK	0.00	9,929.24
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	6150	MISC ENGINEERING	0.00	15,567.56
1001	39274	04/06/22	12060	PETERS ENGINEERING GROUP	2110	ADAMS PHASE III	0.00	16,500.00
TOTAL	CHECK						0.00	92,759.84
1001	39275	04/06/22	10251	R & R AUTO REPAIR SHOP	6200	A/C SERVICE	0.00	142.21
1001	39275	04/06/22	10251	R & R AUTO REPAIR SHOP	6120	OIL CHANGE	0.00	202.13
TOTAL	CHECK						0.00	344.34



SUPERION  
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CITY OF FOWLER  
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 3  
 ACCTPA21

SELECTION CRITERIA: transact.check\_no between '39252' and '39330'  
 ACCOUNTING PERIOD: 10/22

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	39276	04/06/22	14479	RG POWER	6260	SUPPLIES	0.00	142.01
1001	39277	04/06/22	11195	ROBERT V JENSEN INC	6130	FUEL	0.00	112.34
1001	39278	04/06/22	13187	SECOND CHANCE ANIMAL SHE	6270	ANIMAL CONTROL SERV	0.00	1,000.00
1001	39279	04/06/22	13355	SITE ONE LANDSCAPE SUPPL	6260	SUPPLIES	0.00	395.17
1001	39280	04/06/22	10288	SMART & FINAL	6700	MARCH MEAL SENIORS	0.00	159.70
1001	39280	04/06/22	10288	SMART & FINAL	6700	SUPPLIES	0.00	331.28
TOTAL CHECK							0.00	490.98
1001	39281	04/06/22	10763	SUNBELT RENTALS	6260	EQUIPMENT RENTAL	0.00	30.13
1001	39282	04/06/22	10303	SWANSON-FAHRNEY FORD	6200	SERVICE	0.00	71.85
1001	39283	04/06/22	13543	UNIFIRST CORPORATION	6700	JANITORIAL	0.00	45.21
1001	39283	04/06/22	13543	UNIFIRST CORPORATION	6700	JANITORIAL	0.00	45.21
TOTAL CHECK							0.00	90.42
1001	39285	04/08/22	14608	GARY WINEBRENNER	6400	EASTER EGG BALLON GUY	0.00	165.00
1001	39286	04/08/22	14607	KIM'S BIRTHDAY PARTY PET	6400	EASTER EGG PETTING ZOO	0.00	623.00
1001	39287	04/13/22	14519	AMAZON CAPITAL SERVICES	6030	SUPPLIES-EXT CABLE	0.00	11.43
1001	39287	04/13/22	14519	AMAZON CAPITAL SERVICES	6400	EASTER HUNT SUPPLIES	0.00	580.10
TOTAL CHECK							0.00	591.53
1001	39288	04/13/22	14557	ARC ALTERNATIVES	5000	CONSULTING SERVICE	0.00	952.00
1001	39289	04/13/22	12285	ATT	6120	CITY INTERNET	0.00	781.97
1001	39290	04/13/22	10026	BCT CONSULTING	6160	MONITOR CABLE	0.00	26.14
1001	39291	04/13/22	14601	BEDROSIAN, CARLOTTA	500	UB REFUND	0.00	81.80
1001	39292	04/13/22	11792	CA BUILDING STANDARDS CO	6160	CA BSASRF JAN22-MAR22	0.00	955.80
1001	39293	04/13/22	10124	COUNTY OF FRESNO	6120	RMS/JMS	0.00	77.06
1001	39293	04/13/22	10124	COUNTY OF FRESNO	6120	DISPATCH	0.00	8,525.95
TOTAL CHECK							0.00	8,603.01
1001	39294	04/13/22	10088	DEPARTMENT OF CONSERVATI	6160	CASEISMIC JAN22-MAR22	0.00	6,018.86
1001	39295	04/13/22	10100	ECN POLYGRAPH & INVESTIG	6120	POLYGRAPH NEW HIRE	0.00	200.00
1001	39296	04/13/22	14243	FOWLER ACE HARDWARE	6120	PARK RESTROOM KEYS	0.00	24.32
1001	39297	04/13/22	14246	FOWLER ACE HARDWARE	6020	SUPPLIES - CLEANING	0.00	176.96
1001	39298	04/13/22	14247	FOWLER ACE HARDWARE	5000	WATER DEPT SUPPLIES	0.00	99.90

SUPERION  
 DATE: 04/14/2022  
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CITY OF FOWLER  
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 4  
 ACCTPA21

SELECTION CRITERIA: transact.check\_no between '39252' and '39330'  
 ACCOUNTING PERIOD: 10/22

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	39299	04/13/22	14248	FOWLER ACE HARDWARE	6130	ACETONE	0.00	13.58
1001	39299	04/13/22	14248	FOWLER ACE HARDWARE	6130	TOOL SET	0.00	15.79
1001	39299	04/13/22	14248	FOWLER ACE HARDWARE	6130	BOLT CUTTERS	0.00	49.03
1001	39299	04/13/22	14248	FOWLER ACE HARDWARE	6130	SLEDGE/MALLET	0.00	68.63
TOTAL CHECK							0.00	147.03
1001	39300	04/13/22	14249	FOWLER ACE HARDWARE	6260	PARKS SUPPLIES	0.00	181.44
1001	39301	04/13/22	10306	FOWLER FLORAL SHOP, THE	6010	CARDENAS SERVICE	0.00	762.83
1001	39302	04/13/22	11116	GRAINGER	5000	SUPPLIES	0.00	157.77
1001	39302	04/13/22	11116	GRAINGER	5000	H2O LEVEL INDICATOR	0.00	608.67
TOTAL CHECK							0.00	766.44
1001	39303	04/13/22	14259	IMAGESOURCE	6160	COPIER SVC. 4/5/22	0.00	64.90
1001	39303	04/13/22	14259	IMAGESOURCE	5000	COPIER SVC. 4/5/22	0.00	64.90
1001	39303	04/13/22	14259	IMAGESOURCE	6150	COPIER SVC. 4/5/22	0.00	64.90
1001	39303	04/13/22	14259	IMAGESOURCE	6020	COPIER SVC. 4/5/22	0.00	64.90
1001	39303	04/13/22	14259	IMAGESOURCE	6160	COPIER SVC 4/5/22	0.00	157.51
1001	39303	04/13/22	14259	IMAGESOURCE	5000	COPIER SVC 4/5/22	0.00	157.51
1001	39303	04/13/22	14259	IMAGESOURCE	6150	COPIER SVC 4/5/22	0.00	157.51
1001	39303	04/13/22	14259	IMAGESOURCE	6020	COPIER SVC 4/5/22	0.00	157.51
TOTAL CHECK							0.00	889.64
1001	39304	04/13/22	14610	JESSE HERNANDEZ	6130	FLOOD LIGHT REIMB	0.00	35.79
1001	39305	04/13/22	14603	KB HOME -SOUTH BAY	500	UB REFUND	0.00	58.17
1001	39306	04/13/22	14604	KB HOME -SOUTH BAY	500	UB REFUND	0.00	42.67
1001	39307	04/13/22	14605	KB HOME -SOUTH BAY	500	UB REFUND	0.00	45.77
1001	39308	04/13/22	14606	KB HOME -SOUTH BAY	500	UB REFUND	0.00	41.90
1001	39309	04/13/22	14609	KB HOME -SOUTH BAY	500	UB REFUND	0.00	56.62
1001	39310	04/13/22	14602	KEITHLEY, ANNA	500	UB REFUND	0.00	49.65
1001	39311	04/13/22	10290	LEAGUE OF CALIF CITIES-S	6160	GAFFERY MEETING	0.00	25.00
1001	39312	04/13/22	10190	LEXIS NEXIS	6120	ONLINE REPORTING	0.00	4,654.68
1001	39313	04/13/22	10191	LIFE ASSIST, INC	6130	IC506/IC508	0.00	64.62
1001	39313	04/13/22	10191	LIFE ASSIST, INC	6200	IC506/IC508	0.00	97.48
1001	39313	04/13/22	10191	LIFE ASSIST, INC	6020	IC506/IC508	0.00	97.48
TOTAL CHECK							0.00	259.58
1001	39314	04/13/22	10350	LK DESIGN	6020	WEBSITE MAINTENANCE	0.00	450.00
1001	39315	04/13/22	10201	METRO UNIFORM & ACCESSOR	6120	UNIFORM SORONDO	0.00	798.02
1001	39316	04/13/22	10203	MID VALLEY PACKAGING & S	6020	COPY PAPER	0.00	137.67

SUPERION  
 DATE: 04/14/2022  
 TIME: 11:38:58

CITY OF FOWLER  
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 5  
 ACCTPA21

SELECTION CRITERIA: transact.check\_no between '39252' and '39330'  
 ACCOUNTING PERIOD: 10/22

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	39316	04/13/22	10203	MID VALLEY PACKAGING & S	6020	SUPPLIES	0.00	395.92
TOTAL CHECK							0.00	533.59
1001	39317	04/13/22	14611	NATIONAL TRAINING CONCEP	6120	TUITION-CORTEZ	0.00	512.00
1001	39318	04/13/22	10215	NELSON HARDWARE & GIFTS	6200	JANITORIAL SUPPLIES	0.00	24.26
1001	39318	04/13/22	10215	NELSON HARDWARE & GIFTS	6200	SUPPLIES - BATTERY	0.00	104.14
TOTAL CHECK							0.00	128.40
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6200	5TH/FRESNO 3-31-22	0.00	7.73
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6200	MERCED/7TH 3-31-22	0.00	9.53
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6200	1291 W SOUTH 3-31-22	0.00	9.53
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6200	MERCED/6TH 3-31-22	0.00	9.53
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6200	5TH/FRESNO 3-31-22	0.00	12.36
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6200	127 S 6TH 3-31-22	0.00	23.98
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6200	7TH/TULARE 3-31-22	0.00	27.02
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6200	420 E MERCED 3-31-22	0.00	34.69
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6700	420 E MERCED 3-31-22	0.00	34.96
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6080	128 S 5TH 3-31-22	0.00	57.29
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6080	128 S 5TH 3-31-22	0.00	61.23
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6200	4218 GLDNSTAT 3-31-22	0.00	64.03
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6200	2831 E MANN 3-31-22	0.00	76.66
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6200	GLDNST B 3-31-22	0.00	126.17
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6200	212 E MERCED 3-31-22	0.00	130.70
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6260	9TH/MERCED 3-31-22	0.00	203.10
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6260	500 E MERCED 3-31-22	0.00	432.98
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6200	5TH/FRESNO 3-31-22	0.00	456.86
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	5000	TEMP/GOLDN 3-31-22	0.00	502.68
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6700	420 E MERCED 3-31-22	0.00	557.07
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	6080	MAIN/5TH 3-31-22	0.00	1,040.98
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	5000	ADAMS/5TH 3-31-22	0.00	2,116.80
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	5000	95 E ADAMS 3-31-22	0.00	5,327.94
1001	39319	04/13/22	10237	P G & E - SACRAMENTO	5000	SESWNW231521 3-31-22	0.00	9,706.82
TOTAL CHECK							0.00	21,030.64
1001	39320	04/13/22	13655	PROVOST & PRITCHARD	7100	GENERAL PLAN	0.00	23,241.63
1001	39321	04/13/22	10249	QUILL	6080	OFFICE-SUPPLIES	0.00	13.07
1001	39321	04/13/22	10249	QUILL	6080	OFFICE-SUPPLIES	0.00	81.60
1001	39321	04/13/22	10249	QUILL	6130	OFFICE-SUPPLIES	0.00	143.81
TOTAL CHECK							0.00	238.48
1001	39322	04/13/22	13354	QUINN CAT	5000	SERVICE GENERATOR	0.00	135.00
1001	39322	04/13/22	13354	QUINN CAT	5000	SERVICE GENERATOR	0.00	135.00
TOTAL CHECK							0.00	270.00
1001	39323	04/13/22	10251	R & R AUTO REPAIR SHOP	6200	A/C SERVICE	0.00	183.71
1001	39324	04/13/22	11195	ROBERT V JENSEN INC	5000	FUEL	0.00	202.78
1001	39325	04/13/22	14072	ROBINA WRIGHT ARCHITECT	6160	PC BP21-0386	0.00	734.80
1001	39325	04/13/22	14072	ROBINA WRIGHT ARCHITECT	6160	PC BP21-0385	0.00	927.28

SUPERION  
 DATE: 04/14/2022  
 TIME: 11:38:58

CITY OF FOWLER  
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 6  
 ACCTPA21

SELECTION CRITERIA: transact.check\_no between '39252' and '39330'  
 ACCOUNTING PERIOD: 10/22

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
TOTAL CHECK							0.00	1,662.08
1001	39326	04/13/22	10289	SOUTH COUNTY VETERINARY	6270	DISPOSAL OF DOG	0.00	40.00
1001	39327	04/13/22	10085	STATE OF CA DEPARTMENT O	6120	FINGERPRINT	0.00	115.00
1001	39328	04/13/22	10763	SUNBELT RENTALS	6260	SKIDSTEER RENT	0.00	4,811.24
1001	39329	04/13/22	13543	UNIFIRST CORPORATION	6700	JANITORIAL	0.00	46.21
1001	39329	04/13/22	13543	UNIFIRST CORPORATION	6130	MATS & MOPS/CLOTHS	0.00	69.09
1001	39329	04/13/22	13543	UNIFIRST CORPORATION	6130	MATS & MOPS/CLOTHS	0.00	69.09
1001	39329	04/13/22	13543	UNIFIRST CORPORATION	6130	MATS & MOPS	0.00	69.09
1001	39329	04/13/22	13543	UNIFIRST CORPORATION	6260	UNIFORMS	0.00	235.89
1001	39329	04/13/22	13543	UNIFIRST CORPORATION	6200	UNIFORMS	0.00	253.74
1001	39329	04/13/22	13543	UNIFIRST CORPORATION	5000	UNIFORM	0.00	261.63
TOTAL CHECK							0.00	1,004.74
TOTAL CASH ACCOUNT							0.00	376,568.82
TOTAL FUND							0.00	376,568.82

SUPERION  
DATE: 04/14/2022  
TIME: 11:38:58

CITY OF FOWLER  
CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 7  
ACCTPA21

SELECTION CRITERIA: transact.check\_no between '39252' and '39330'  
ACCOUNTING PERIOD: 10/22

FUND - 212 - ARPA FUNDING

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	39284	04/06/22	12060	PETERS ENGINEERING GROUP	2120	WATER SYS RRA&EDP	0.00	1,267.10
1001	39284	04/06/22	12060	PETERS ENGINEERING GROUP	2120	WATER METER CONNECT	0.00	1,279.32
TOTAL CHECK							0.00	2,546.42
TOTAL CASH ACCOUNT							0.00	2,546.42
TOTAL FUND							0.00	2,546.42

SUPERION  
DATE: 04/14/2022  
TIME: 11:38:58

CITY OF FOWLER  
CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 8  
ACCTPA21

SELECTION CRITERIA: transact.check\_no between '39252' and '39330'  
ACCOUNTING PERIOD: 10/22

FUND - 790 - FIRE STATION PROJECT

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	39330	04/13/22	12582	DARLEY	7900	HOSES	0.00	2,630.75
TOTAL CASH ACCOUNT							0.00	2,630.75
TOTAL FUND							0.00	2,630.75
TOTAL REPORT							0.00	381,745.99

**MINUTES OF THE FOWLER CITY COUNCIL MEETING**  
**Tuesday April 5, 2022**

Mayor Pro-Tem Rodriquez called the meeting to order at 7:00 p.m.

Councilmembers Present:     Rodriquez, Kazarian, Mejia, Parra

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

**5. CEREMONIAL PRESENTATIONS**

*Presentations in honor of Mayor David Cardenas were given by staff from Congressman David Valadao, Assemblyman Joaquin Arambula, Fowler Unified School District, and City of Fowler Councilmembers.*

**6. PUBLIC COMMENT**

*Patric Jones addressed the Council.*

**7. CONSENT CALENDAR**

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

**8. CONTESTED CONSENT CALENDAR**

*N/A*

**9. GENERAL ADMINISTRATION**

**9-A. City Attorney's Office**

- i. APPROVE Resolution No. 2553, 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 Cross reported the State of California is still operating under a State of Emergency. He recommended the APPROVAL of Resolution No. 2553 Authorizing Continued Use of Remote Teleconferencing.*

**Councilmember Parra made a motion to APPROVE Resolution No. 2553, 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, seconded by Councilmember Kazarian. The motion carried by a Roll Call vote: Ayes: Parra, Kazarian, Mejia, Rodriquez**

**9-B. PUBLIC WORKS**

- i. CONSIDER alternatives and provide staff direction regarding potential request to Caltrans to add median treatment to the State Route 99 improvement project.**

*City Engineer David Peters presented three design concepts. Council selected design option 2 to be presented to Caltrans.*

**Councilmember Parra made a motion to APPROVE design option 2 for State Route 99 median treatment, seconded by Councilmember Kazarian. The motion carried by a Roll Call vote: Ayes: Parra, Kazarian, Mejia, Rodriquez.**

**9-C. CITY MANAGERS OFFICE**

- i. COVID-19 update**

*City Manager Quan reported staff continue to keep in close communication with FCDPH on any regulatory changes.*

*Various Councilmembers requested a special meeting be held to discuss filling the vacancy on the City Council. The City Council Special Meeting will be Monday, April 11, 2022 at 1:00 p.m.*

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

*Community Development Director Gaffery announced the city was awarded a Caltrans Sustainable Communities Grant in the amount of \$125,000.*

*City Engineer Peters reported during Spring break there will be striping improvements to Sunnyside and Armstrong Avenues.*

*Recreation Coordinator Hernandez provided an update on the Easter Egg Scavenger Hunt.*

*Fire Chief Lopez provided an overview of year-to-date fire and medical statistics.*



*Police Chief Alcaraz announced there will be a Sunrise Community Fellowship Service at Panzak Park on April 17, 2022.*

**11. COUNCILMEMBER REPORTS AND COMMENTS**

*No reports or comments.*

**12. CLOSED SESSION**

*No reportable action was taken on the three items.*

**13. ADJOURNMENT**

**Having no further business, Mayor Pro-Tem Rodriquez adjourned the meeting at 8:45 p.m.**

**MINUTES OF THE FOWLER CITY COUNCIL MEETING  
SPECIAL MEETING  
Monday April 11, 2022**

Mayor Pro-Tem Rodriquez called the meeting to order at 1:03 p.m.

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

City Staff Present: City Manager Quan, City Attorney Cross, Public Works Director Dominguez, Community Development Director Gaffery, Recreation Coordinator Hernandez, Finance Director Moreno

**3. Discuss and Consider Options for Filling the Vacancy on the City Council for remainder of Former Mayor Cardenas' term, including a Potential Appointment to Fill the Vacancy or Leaving the Vacancy to be Filled at the Regular Municipal Election to be held on November 8, 2022.**

*Councilmember Kazarian shared criteria he recommended be used in determining how to fill the vacancy. Mayor Pro-Tem Rodriquez expressed a need to fill the vacancy. Councilmember Mejia expressed a desire to not fill the vacancy. Councilmember Parra stated he would like a process for the public to submit their interest in the vacancy, but indicated he would also be open to not filling the vacancy.*

*Various members of the public addressed the Council.*

**Councilmember Kazarian made a motion to appoint Leonard Hammer to the vacant City Council seat, seconded by Mayor Pro-Tem Rodriquez. The motion failed: Ayes: Kazarian, Rodriquez. Noes: Mejia, Parra.**

**Councilmember Kazarian made a motion to appoint Gary Mukai to the vacant City Council seat. Motion not seconded; motion failed.**

**Councilmember Kazarian made a motion to appoint Patric Jones to the vacant City Council seat. Motion not seconded; motion failed.**

**Councilmember Mejia made a motion to leave the seat vacant until the November 8, 2022 election, seconded by Councilmember Parra. The motion carried by roll call vote: Ayes: Mejia, Parra, Rodriquez. Noes: Kazarian.**

*There was discussion and public comment. City Attorney Cross provided information on the vacancy process, May 10, 2022 deadline, and the re-nominating process.*

**4. ADJOURNMENT**

**Having no further business, Councilmember Mejia motioned to adjourn, seconded by Councilmember Parra. The meeting adjourned at 1:43 p.m.**



## CITY COUNCIL OF THE CITY OF FOWLER

ITEM NO: 7-D

### REPORT TO THE CITY COUNCIL

April 19, 2022

**FROM** SCOTT CROSS, City Attorney

### **SUBJECT**

APPROVE Resolution No. 2554, 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. 2554 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 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.

### **ENVIRONMENTAL REVIEW**

This action does not constitute a “project” pursuant to the California Environmental Quality Act.

### **FISCAL IMPACT**

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

### **CONFLICT OF INTEREST**

Staff is not aware of any conflicts of interest.

### **Attachments**

- Resolution No. 2554

**RESOLUTION NO. 2554**

**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 ACCORANCE 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, BE IT RESOLVED** by the City Council of the City of Fowler 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.

**PASSED, APPROVED AND ADOPTED** this 19th day of April 2022, at a regular meeting of the Fowler City Council by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

**APPROVED:**

\_\_\_\_\_  
Mark Rodriquez, Mayor Pro-Tem

**ATTEST:**

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



## CITY COUNCIL OF THE CITY OF FOWLER

ITEM NO: 7-E

### REPORT TO THE CITY COUNCIL

April 19, 2022

**FROM** THOMAS W. GAFFERY IV, Community Development Director

### **SUBJECT**

APPROVE Resolution No. 2555 declaring the property located at 119 South 6th Street (APN 343-172-09T) to be surplus pursuant to the Surplus Land Act.

### **RECOMMENDATION**

Staff recommend the City Council approve a resolution declaring the property located at 119 South 6th Street (APN 343-172-09T) to be surplus pursuant to the Surplus Land Act.

### **BACKGROUND**

The City of Fowler is subject to the State of California's Surplus Land Act which places requirements on the City prior to disposing real property. Some of these include:

- The City must take formal action in a regular public meeting declaring land surplus.
- The City may not negotiate with interested entities from including deal terms that would reduce or disallow residential use of the site.
- The City must send a notice of availability to specified agencies and housing sponsors that have notified the Department of Housing and Community Development of their interest and allow sixty days for a response.
- The City must, prior to agreeing to the terms for the disposition of surplus land, provide specified information about the disposition process to the Department of Housing and Community Development (HCD). HCD then has thirty days to review the information and submit written findings.

Declaring the above referenced property surplus will allow the City to fulfill the requirements of the Surplus Land Act and move forward with disposition. The parcel is in the Form Based Code zone area, its proposed General Plan planned land use is Community Commercial, and the parcel is approximately a quarter acre. Staff have not yet obtained an appraisal or comparable values for the area.

## **ENVIRONMENTAL REVIEW**

This does not constitute a “project” pursuant to the California Environmental Quality Act.

## **FISCAL IMPACT**

The sale of the property could generate one-time proceeds.

## **CONFLICT OF INTEREST**

Staff is not aware of any conflicts of interest.

### Attachments

- Resolution No. 2555
- Vicinity Map



## **RESOLUTION NO. 2555**

### **A RESOLUTION OF THE COUNCIL OF THE CITY OF FOWLER, CALIFORNIA, DECLARING THE PROPERTY AT 119 SOUTH 6TH STREET (APN 343-172-09T) TO BE SURPLUS AND DIRECTING CITY STAFF TO COMPLY WITH THE SURPLUS LAND ACT**

**WHEREAS**, under the Surplus Land Act, Government Code Section 54220-54234, surplus land is defined as "land owned in fee simple by any local agency for which the local agency's governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency's use."; and

**WHEREAS**, land shall be declared either "surplus land" or "exempt surplus land," as supported by written findings, before a local agency may take any action to dispose of it consistent with an agency's policies or procedures; and

**WHEREAS**, "agency's use" shall include, but not be limited to, land that is being used, or is planned to be used pursuant to a written plan adopted by the local agency's governing board, for work or operations, including, but not limited to, utility sites, watershed property, land being used for conservation purposes, land for demonstration, exhibition, or educational purposes related to greenhouse gas emissions, and buffer sites near sensitive governmental uses, including, but not limited to, waste water treatment plants, but shall not include commercial or industrial uses or activities, including nongovernmental retail, entertainment, or office development or property disposed of for the sole purpose of investment or generation of revenue; and

**WHEREAS**, City staff has identified 119 South 6th Street (APN 343-172-09T) as potential surplus real property; and

**WHEREAS**, pursuant to Government Code Section 54222, City staff will send a written offer to sell the surplus property to the entities and agencies identified in Government Code Section 54222 et seq. If one of the entities/agencies desires to purchase the property after having received notice, it must indicate its intent to do so in writing within 60 days of receiving the notice, and the City and the other entity/agency may negotiate price and terms for the disposition of the property; and

**WHEREAS**, pursuant to Government Code Section 54230.5, City staff will provide to the Department of Housing and Community Development a description of the notices of availability sent, and negotiations conducted with any responding entities, in regard to the disposal of each parcel of surplus land; and

**WHEREAS**, in the event no agreement is reached between the City and any interested entity/agency to whom notice is provided, City staff will present Council with proposals for disposition of the surplus property.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fowler that:

1. The City Council hereby declares 119 South 6th Street (APN 343-172-09T) and any rights, title and interest herein, surplus.
2. City staff is hereby directed to send all notices and take all actions required by the Surplus Property Land Act.

**PASSED, APPROVED AND ADOPTED** this 19th day of April 2022, at a regular meeting of the Fowler City Council by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

**APPROVED:**

\_\_\_\_\_  
Mark Rodriquez, Mayor Pro-Tem

**ATTEST:**

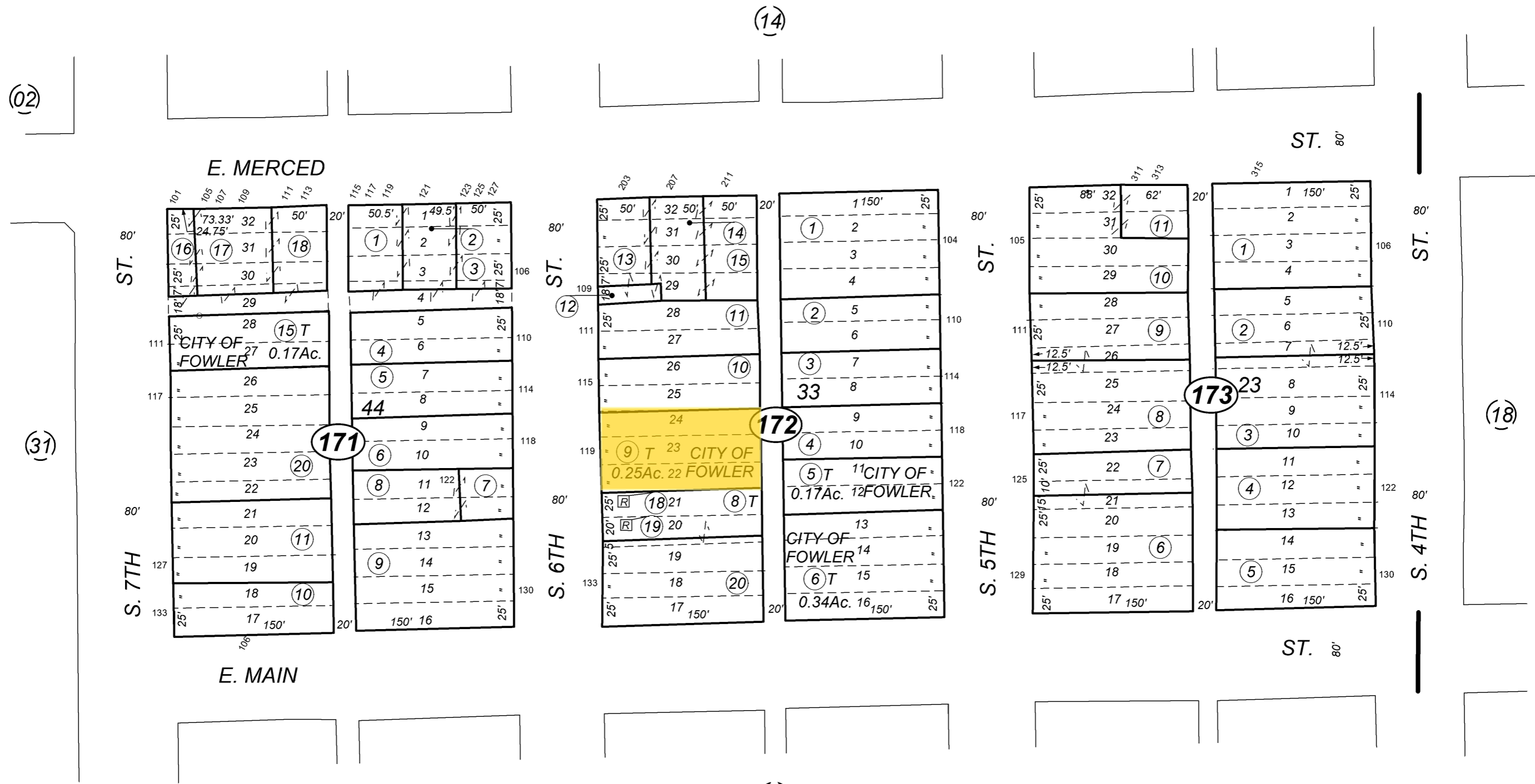
\_\_\_\_\_  
Angela Vasquez, Deputy City Clerk

-NOTE-  
This map is for Assessment purposes only.  
It is not to be construed as portraying legal  
ownership or divisions of land for purposes  
of zoning or subdivision law.

# SUBDIVIDED LAND IN POR. SEC. 15, T.15S., R.21E., M.D.B.& M.

Tax Rate Area  
4-000  
4-016

# 343-17



Town of Fowler - Plat Bk. 4, Pg. 15  
Town of Fowler and Villa Lots - Plat Bk. 5, Pg. 7

Note - Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles



## CITY COUNCIL OF THE CITY OF FOWLER

ITEM NO: 9-Ai

### **REPORT TO THE CITY COUNCIL**

April 19, 2022

**FROM** MARGARITA MORENO, Finance Director

### **SUBJECT**

Actions pertaining to the fiscal year 2021-22 third quarter financial report and budget amendments:

- ACCEPT the fiscal year 2021-22 third quarter budget report.
- ADOPT Resolution No. 2556 approving fiscal year 2021-22 proposed budget amendments.

### **RECOMMENDATION**

Staff recommend City Council accept the fiscal year 2021-22 third quarter financial report and adopt Resolution No. 2556 approving fiscal year 2021-22 budget amendments.

### **BACKGROUND**

The quarterly report summarizes the City's revenue and expenditure activity for the third quarter of the fiscal year from July 1, 2021 through March 31, 2022. The third quarter budget reports provide the data to inform any necessary budget amendments to ensure that the budget is balanced at the end of the fiscal year. As such, staff recommend budget amendments based on one-time revenues and expenses in the third quarter of the fiscal year. Below is a summary of revenues received and expenditures made for each fund type through March 31, 2022.

### **GENERAL FUND**

The General Fund covers core services such as police, fire, public works, community development, parks, recreation, and the senior center. Sales and property taxes are the two largest sources of revenue in the General Fund. Revenues in the General Fund are at 64% and expenditures are at 70% for the third quarter, as follows:

## REVENUES

As summarized in Attachment A, March 31, 2022 is 75% of the fiscal year 2022. The General Fund revenues received were at 64% of the annual budget estimates. Key revenues receipts appear to be on target with the revenue estimates.

### PROPERTY TAX

*Revenues are at 59% of budget*

A major portion of property tax revenue was distributed to the City in December. The city received \$550,147, 59% of the estimate. The next major distribution will occur in June.

### PERMITS/LICENSES

*Revenues are at 141% of budget*

The City received 141% of permits/licenses fees through March 31, 2022. Charges for services are higher through March 31, 2022. Building permits are at \$617,333 and plan check fees at \$240,968 which make up a large portion of these estimated revenues. Increased permits and development activity are responsible for the increase. Several budget amendments are proposed to account for the projected growth in development activity.

### FINES & FEES

*Revenues are at 56% of budget*

Fines and Fees are at 56% through March 31, 2022.

### USE OF MONEY & PROPERTY RENTAL INCOME

*Revenues are at 52% of budget*

Revenues from rental and interest income are on target. The majority of rental income are received from Unwired broadband for the water tower.

### MOTOR VEHICLE IN LIEU

*Revenues are at 52% of budget*

The motor vehicle in lieu revenues are property tax shares allocated to cities and counties by the State. Revenues received through the third quarter is at \$421,332, 52% of estimate.

### SALES TAX

*Revenues are at 61% of budget*

The Sales tax revenues represent the largest funding source in the General Fund. At 61% actual revenues collected in the third quarter, revenues are on target through the third quarter.

### TRANSIENT OCCUPANCY TAX

*Revenues are at 50% of budget*

Transient occupancy taxes are received on a quarterly basis, reflecting \$74,304 of estimate through the third quarter.

### FRANCHISE FEES

*Revenues are at 68% of budget*

Franchise fees are received in a quarterly basis, total received through third quarter is \$262,785, 68% of estimate budget.

#### SERVICES & OTHER FEES

*Revenues are at 58% of budget*

Revenues from services & other fees are currently at 58% and are anticipated to meet budgeted expectations. These revenues are from various sources such as recreation, inspection, planning, park maintenance, and special police services.

#### GRANT

*Revenues are at 11% of budget*

Grant funding received through third quarter is at \$23,354. Staff anticipate grants to be on target at end of year.

#### OTHER MISC REVENUE

*Revenues are at 254% of budget*

Revenues from other sources are currently at 254%. These miscellaneous revenues include donations, P.O.S.T reimbursements, restitution, and other refunds. It is typical for revenues in this category to reflect higher percentages than budgeted. A proposed budget amendment is requested for one-time revenues received for sale of real property.

#### TRANSFER IN

*Revenues are at 0% of budget*

A general ledger entry will be done to allocate the transfer in and transfer out to the appropriate funds at year end.

### EXPENDITURES

As summarized in Attachment A, the city has expended roughly 70% of its appropriations as of March 31, 2022. All departments are on target to their budgeted lines from actual to budget through the third quarter.

As summarized in Attachment B, the summary of all funds revenues reflects the revenues and expenditures through the third quarter by fund type as summarized below:

### ENTERPRISE FUNDS

#### WATER UTILITY

*Revenues 75% | Expenses 61%*

Through March 31, 2022, expenses are at 61% of budget and revenues slightly higher at 75% of budget. A budget amendment is proposed to adjust revenues to actual for the Water Arrearage Grant of \$141,948.

### SPECIAL REVENUES FUNDS

#### UTILITY USERS TAX

*Revenues 81% | Expenses 20%*

Utility User's Tax are paid to the city one month in arrears. At third quarter revenues received are at \$325,815, or 81% of budget, and expenses at 12%. An end of year transfer entry will be done to reconcile all transfers from UUT.

#### DISTRICT SALES TAX (MEASURE N)

*Revenues 111% | Expenses 6%*

District Sales Tax Funds are received on a monthly basis. Revenues are \$1,105,515 through the third quarter. Expenses are currently at 6% of budget. A budget amendment is proposed to adjust revenues to account for projected growth in district sales tax.

#### COPS GRANT

*Revenues 97% | Expenses 15%*

COPS grant reimbursement are processed once expenses are made. The expenses will be adjusted at year end.

#### RECYCLE GRANT

*Revenues 0% | Expenses 60%*

Recycle Grant is at 0% through the third quarter. Expenses are at 60%, staff anticipates to be on target at end of year.

#### GAS TAX

*Revenues 59% | Expenses 93%*

Highway User Tax (gas tax) revenues are received monthly. The 93% reflects principal & interest payments made through the third quarter for debt service on the Merced Street Rehab.

#### STREETS PROJECTS

*Revenues 100% | Expenses 111%*

Street Projects reimbursement are processed once expenses are made reflecting revenues at 100% and expenses at 111%. A budget amendment is proposed to adjust to actual expenses for Adams construction.

#### ARPA

*Revenues 100% | Expenses 16%*

The budgeted first tranche of the American Rescue Plan Act (ARPA) funds has been received at 100% in revenues. Expenses budgeted at 16% for these funds include employee premium pay, Council Chambers AV modernization, and water meter upgrades.

#### LTF ART 3 & 8

*Revenues 0% | Expenses 28%*

LTF revenues are generated from Fresno County. Expenses include utilities, PG&E, and street sweeping.

#### MEASURE C

*Revenues 110% | Expenses 1%*

\$263,423 in monthly Measure C revenues have been received thus far. Budgeted expenses include ADA repairs and Paving projects to be completed by end of year.

#### SB1 RMRA

*Revenues 82% | Expenses 0%*

SB1 revenues are received monthly from the State. Budgeted expenses include street paving projects to be completed by end of year.

CDBG

*Revenues 101% | Expenses 0%*

Community Development Block Grant reflects 101% of revenues received through the third quarter reflecting a one-time loan payoff and 0% in expense.

AB1600 IMPACT FEES

Due to high volume of development activity in the city and the newly-adopted impact fees, the various AB1600 revenues are reflecting a range from 108% to 180% through the third quarter.

DEBT SERVICE FUNDS

The long-term debt report for the 1993-1 funds, Fire Station, and the Financing Authority are all showing expenses up to 94% through the third quarter. This is due to a significant debt service payment being made in September. These payments are made semiannually. Additionally, principal payments are paid in the fall and not in the spring. Revenues and expenses are projected to meet the budgeted amount at year end.

SUCCESSOR AGENCY

The RDA is responsible for the 2010 refunding bonds debt service. Two payments are made annually. Expenses are currently at 65% of budget.

BUDGET AMENDMENTS

As summarized in Attachment C, staff propose several third quarter budget amendments to align the expenditures and revenues to the budget. The following budget amendments are proposed:

GENERAL FUND

Revenues

Adjustments are needed to bring revenues and expenses to actual. Adjustments to Building Permits, Plan Check Fees, Franchise Fees, Gen Plan Update, Grant Revenue, Miscellaneous Revenues, and Other Reimbursements are needed to accommodate increased revenues.

Expenses

The fiscal year 2021-22 budget reflects the process of staff developing a city budget using unaudited data, operating fiscal year 2020-21 via continuing resolution, and the lack of sufficient information to have a true "base budget." Adjustments are needed to various categories across departments professional services, legal services, fuel, one-time expenses related to computer support, and a change in utilities cost distribution.

SPECIAL REVENUE FUNDS



District Sales Tax  
Adjust to actual unbudgeted district sales tax growth.

Debt Service 88-1  
Adjust to actual unbudgeted revenues for current year secure taxes.

Assessment District 93-1  
Adjust to actual unbudgeted revenues for current year secure taxes.

Assessment District 94-1  
Adjust to actual unbudgeted revenues for prepaid property assessment.

Utility Users Tax  
Adjust to actual unbudgeted onetime expenses for professional services.

AB1600 Impact Fees Funds  
Several adjustments to revenue funds are needed due to increased development activity.

Street Projects  
An adjustment is needed to record the ongoing expenses to Adams Phase 2 & 3 construction, the expense must be made in order to receive reimbursement.

## ENTERPRISE FUNDS

Water Fund  
An adjustment to budgeted revenues is needed due a one-time water grant for the Water Arrearage Grant.

TCP Fund  
An adjustment is needed to increase revenues for funding received for the TCP settlement.

## ENVIRONMENTAL REVIEW

This action does not constitute a “project” pursuant to the California Environmental Quality Act.

## FISCAL IMPACT

Revenues and expenditures for all fund types are on target for the third quarter.

## CONFLICT OF INTEREST

Staff is not aware of any conflicts of interest.

## Attachments

- A General Fund Summary
- B All Fund Summary
- C Resolution No. 2556, Budget Amendment

**ATTACHMENT A**

**GENERAL FUND SUMMARY**

<b><u>REVENUES</u></b>	<b>BUDGET 2021-2022</b>	<b>REVENUES AS OF 3/31/2022</b>	<b>PERCENTAGE REVENUES 3/31/2022</b>
PROPERTY TAX	928,250	550,147	59%
PERMITS/LICENSES	677,200	956,248	141%
FINES & FEES	11,500	6,487	56%
USE OF MONEY & PROPERTY RENTAL	14,500	7,591	52%
VLF	807,700	421,332	52%
SALES TAX	1,650,000	1,003,671	61%
TRANSIENT OCCUPANCY TAX	150,000	74,304	50%
FRANCHISE FEES	387,200	262,785	68%
SERVICES FEES & OTHER	103,050	59,843	58%
GRANTS	205,800	23,354	11%
OTHER MISC/REIMB REVENUE	120,650	306,026	254%
TRANSFER IN	722,887	0	0%
<b>TOTAL REVENUES</b>	<b>\$5,778,737</b>	<b>\$3,671,788</b>	<b>64%</b>

<b><u>EXPENDITURES</u></b>	<b>BUDGET 2021-2022</b>	<b>EXPENDITURES AS OF 3/31/2022</b>	<b>PERCENTAGE EXPENDITURES 3/31/2022</b>
CITY COUNCIL	44,380	17,513	39%
ADMINISTRATION	410,570	269,021	66%
CITY CLERK	85,122	51,434	60%
FINANCE	388,692	312,935	81%
CITY ATTORNEY	160,000	166,033	104%
GENERAL GOVERNMENT	283,296	285,929	101%
POLICE	2,103,049	1,373,745	65%
FIRE	248,058	128,570	52%
ANIMAL CONTROL	16,500	8,834	54%
PUBLIC WORKS-STREET	597,487	433,579	73%
PLANNING	579,498	489,479	84%
BUILDING	342,181	249,131	73%
PUBLIC WORKS-PARK MAINT	314,185	148,024	47%
RECREATION	118,190	83,732	71%
SENIOR CENTER	155,329	70,905	46%
<b>TOTAL EXPENSES</b>	<b>\$5,846,537</b>	<b>\$4,088,864</b>	<b>70%</b>

**ATTACHMENT B**

**ALL FUND SUMMARY**

**GENERAL FUND**

General Fund \$5,778,737 \$3,671,788 64%

**ENTERPRISE FUNDS**

Water Utility 1,546,600 1,162,894 75%  
 Water Well Maintenance 113,000 112,512 100%  
 Groundwater Recharge CID 0 0 0%  
 TCP 1,815 601,881 0%  
 Sub-total \$1,661,415 \$1,877,287 113%

**SPECIAL REVENUE FUNDS**

Utility Users Tax 400,500 325,815 81%  
 District Sales Tax 1,000,000 1,105,515 111%  
 COPS Grant 125,000 121,285 97%  
 Recycle Grant 5,000 0 0%  
 Gas Tax 157,482 93,293 59%  
 Streets Projects 348,504 348,504 100%  
 ARPA Funding 812,156 812,156 100%  
 LTF Article 3 16,000 0 0%  
 LTF Article 8 665,300 0 0%  
 Measure C 238,424 263,423 110%  
 Road Maint & Rehab SB1 123,983 101,172 82%  
 CDBG 239,000 241,302 101%  
 AB1600 General Service 60,000 107,404 179%  
 AB1600 Law Enforcement 69,000 104,066 151%  
 AB1600 Fire 85,000 127,116 150%  
 AB1600 Streets 80,000 86,306 108%  
 AB1600 Parks 260,000 335,411 129%  
 AB1600 Water 140,000 251,628 180%  
 AB1600 Ground Wtr Rchrg 30,000 55,030 183%  
 AB1600 Sewer 280,400 435,035 155%  
 AB1600 Storm Drain 128,000 157,856 123%  
 Fire Station Bldg 35,000 0 0%  
 Caltrans SR 99/Manning 150 132 88%  
 AB1600 99/Merced Signalization 0 0 0%  
 Sub-total \$5,298,899 \$5,072,448 6%

**DEBT SERVICE FUNDS**

Debt Service 88-1 0 34,663 0%  
 Assesmt Dist 1993-R Debt Svc 25,044 100,804 403%  
 Assesmt Dist 1993-1 Hospital Bdg Lease 18,000 16,800 93%  
 Assesmt Dist 1993-1 Merced Rehab 97,600 90,400 93%  
 Fire Station Debt Svc 50,025 33,813 68%  
 Assesmt Dist 1994-R Debt Svc 154,340 2,174 1%  
 Sub-total \$345,009 \$278,653 81%

**SUCCESSOR AGENCY FUND**

Successor Agency 2000 RDA Loan 137,250 17,550 13%  
 Sub-total \$137,250 \$17,550 13%

**FINANCE AUTHORITY FUND**

Public Financing Authority (PFA) 392,234 0 0%  
 Sub-total \$392,234 0 0%

**EXPENSES**

**2021-2022 BUDGET REVENUES AS OF 03/31/2022 PERCENT REC'S YTD**

\$5,846,537 \$4,088,864 70%

1,904,486 1,165,149 61%  
 0 0 0%  
 195,684 194,520 99%  
 1,469,000 45,767 3%  
 \$3,569,170 \$1,405,436 39%

336,525 68,283 20%  
 662,562 39,746 6%  
 265,000 39,746 15%  
 5,000 3,000 60%  
 97,600 90,400 93%  
 920,095 1,025,095 111%  
 760,302 124,850 16%  
 0 0 0%  
 116,257 32,111 28%  
 635,000 3,193 1%  
 0 0 0%  
 0 740 0%  
 200,000 0 0%  
 68,000 0 0%  
 0 0 0%  
 68,000 4,897 7%  
 0 3,120 0%  
 0 7,390 0%  
 0 0 0%  
 0 0 0%  
 35,000 24,744 71%  
 0 0 0%  
 0 0 0%  
 \$4,169,341 \$1,467,314 35%

\$0 0 0.0%  
 25,044 25,043 100%  
 18,000 16,800 93%  
 97,600 90,400 93%  
 50,000 48,327 97%  
 154,340 143,882 93%  
 \$344,984 \$324,452 94%

193,835 125,316 65%  
 \$193,835 \$125,316 65%

392,096 7,699 2%  
 \$392,096 \$7,699 2%

ATTACHMENT C



**REQUEST FOR BUDGET AMENDMENT  
Resolution No. 2556**

Requested by: Margarita Moreno		Budget Amounts	
Account Numbers:	Fund Name Description	Increase	Decrease
<b>Revenues</b>			
100-3102	Building Permits	\$ 148,000	
100-3107	Plan Check Fees	\$ 141,000	
100-3413	Franchise Fees-SKF Sewer	\$ 32,500	
100-3528	Gen Plan Update Fees	\$ 12,900	
100-3640	Grant Revenue	\$ 4,600	
100-3706	Miscellaneous Revenues	\$ 180,725	
100-3709	Other Reimbursement	\$ 5,800	
201-3403	District Sales Tax	\$ 105,600	
320-3001	Current Year-Secure	\$ 34,662	
325-3001	Current Year -Secure	\$ 77,698	
330-3014	Prepaid Property Assesment	\$ 2,174	
500-3640	Grant Revenue	\$ 141,948	
503-3706	Miscellaneous Revenues	\$ 600,000	
710-3810	Gen Svcs Development Fees	\$ 47,405	
720-3820	Law Enf Development Fees	\$ 35,065	
730-3830	Fire Prot Development Fees	\$ 42,116	
740-3840	Street Development Fees	\$ 6,306	
750-3850	Park Development Fees	\$ 75,411	
760-3860	Water Development Fees	\$ 171,995	
765-3895	Development Fees	\$ 25,030	
770-3870	Sewer Development Fees	\$ 115,036	
780-3880	Storm Drain Dev Fees	\$ 29,885	
<b>Expenses</b>			
6080-5035	Wellness	\$ 7,940	
6080-5110	Special Dept Expense	\$ 2,900	
6030-5230	Computer Support Service	\$ 5,000	
6060-5620	Legal	\$ 7,000	
6150-5220	Professional Services	\$ 55,000	
6160-5220	Professional Services	\$ 60,000	
6160-5272	State Fees	\$ 14,000	
6200-5170	Utilities	\$ 25,000	
6260-5170	Utilities		\$ 25,000
6260-5210	Fuel	\$ 2,500	
2000-5220	Professional Services	\$ 10,000	
2040-5110	Professional Services	\$ 25,000	
211-5708	Street Project	\$ 105,000	
500-5176	Permits Fees	\$ 13,000	
500-5210	Fuel	\$ 4,000	
760-5510	Engineering Consulting	\$ 3,120	
780-5110	Special Dept Expense	\$ 7,390	

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

To align expenses and revenues to third quarter FY 2021/22 budget, staff request budget amendments to the following funds:

**General Fund Revenues: Third quarter adjustments for projected year-end to actual:**

- Building Permits, \$148,000: Additional funding due to increased development activity.
- Plan Check Fees, \$141,000: Additional funding due to increased development activity.
- Franchise Fees-SKF Sewer, \$32,500: Adjust to actual unbudgeted franchise fees.
- Gen Plan Update Fees, \$12,900: Additional funding due to increased development activity.
- Grant Revenue, \$4,600: Adjust to actual one-time unbudget reimbursement.
- Miscellaneous Revenues, \$180,725: sale of real property.
- Other Reimbursement, \$5,800: To adjust to actual unbudgeted risk mgmt reimbursement.

**General Fund Expenses: Third quarter adjustments for projected year-end to actual:**

- General Government, \$7,940: Unbudgeted employee payout, \$2,900: Increase on onetime expenses.
- Finance, \$5,000: Unbudgeted increase in computer support services.
- City Attorney, \$7,000: Increase legal activity.
- Planning, \$55,000: Adjustment reflects increased expenses in contracted Professional Services, and \$14,000 State Fees to be offset by increased development activity.
- Building, \$60,000: Adjustment reflects increased expenses in contracted Professional Services offset by increased development activity.
- Park Maintenance, (\$25,000): To adjust Utilities to Street Maintenance, and increase of \$2,500 due to increase of cost of fuel.
- Street Maintenance, \$25,000: To adjust utilities from Park Maintenance.

**Special Revenue Funds: Third quarter adjustments for projected year-end to actual:**

- District Sales Tax, \$105,600: To adjust to actual increased district sales tax.
- Debt Service 88-1, \$34,662: Unbudgeted revenues to current year secure taxes to adjust to actual.
- Assessment District 93-1, \$77,698: Unbudgeted revenues to current year secure taxes to adjust to actual.
- Assessment District 94-1, \$2,174: Unbudgeted revenues to prepaid property assesment taxes to adjust to actual.
- Gen Svcs Development Fees,\$47,405: To adjust to actual revenues due to increased development activity.
- Law Enf Development Fees, \$35,065: To adjust to actual revenues due to increased development activity.
- Fire Prot Development Fees, \$42,116: To adjust to actual revenues due to increased development activity.
- Street Development Fees,\$6,306: To adjust to actual revenues due to increased development activity.
- Park Development Fees, \$75,411: To adjust to actual revenues due to increased development activity.
- Water Development Fees, \$171,995: To adjust to actual revenues due to increased development activity.
- Development Fees Sewer, \$25,030: To adjust to actual revenues due to increased development activity.
- Development Fees, \$115,036: To adjust to actual revenues due to increased development activity.
- Storm Drain Dev Fees Fund, \$29,885: To adjust to actual revenues due to increased development activity.
- Utility Users Tax Fund, \$10,000: Unbudgeted professional services to adjust to actual.
- Utility Users Tax Fund/Recreation, \$10,000: Unbudgeted professional services, and \$25,000 FUSD agreement to adjust to actual.
- AB1600 Water Fund, \$3,120: To increase engineering consulting to be offsett by increase development activity.
- AB1600 Storm Drain Fund, \$7,390: To increase special dept expense to be offsett by increase development activity.
- Street Projects Fund, \$105,000: To adjust to actual revenues for reimbursement of expense of Adams reconstruction.

**Enterprise Funds:Third quarter adjustments for projected year-end to actual :**

- Water Fund, \$141,948: increase revenues due to the city receiving the Water Arrearage Grant funding, 13,000: increase expenses in permits to be offset by revenues, \$4,000: increase expense due to increase of fuel to computer support services.
- TCP Fund, \$600,000 settlement revenue received to adjust revenue to actual.

Finance Director

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

City Manager

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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

Journal Entry No. \_\_\_\_\_ Date Posted \_\_\_\_\_ By: \_\_\_\_\_

**RESOLUTION NO. 2556**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF FOWLER  
APPROVING AND ADOPTING BUDGET AMENDMENTS FOR VARIOUS FUNDS FOR  
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**, a budget amendment is necessary to align the expected revenues and expected expenses.

**WHEREAS**, the budget amendment attached hereto as Attachment C specifies the various proposed budget amendments for various funds.

**NOW, THEREFORE, BE IT RESOLVED**, the Fowler City Council hereby resolves that the FY 2021/2022 budget be amended as described in Attachment C hereto to provide the necessary funding to various funds.

**PASSED, APPROVED AND ADOPTED** this 19th day of April 2022, at a regular meeting of the Fowler City Council by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**APPROVED:**

\_\_\_\_\_  
Mark Rodriguez, Mayor Pro-Tem

**ATTEST:**

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



## CITY COUNCIL OF THE CITY OF FOWLER

ITEM NO: 9-Bi

### REPORT TO THE CITY COUNCIL

April 19, 2022

**FROM** DARIO DOMINGUEZ, Public Works Director

### **SUBJECT**

Discuss and Consider Actions pertaining to the City of Fowler's Solar/Energy Conservation Project:

- A. Receive analysis from ARC Alternatives regarding alternatives for Project procurement process.
- B. Provide Staff direction on next steps for the Project, which may include authorizing the City Manager or designee to negotiate a Project Agreement with the selected vendor.
- C. ADOPT Resolution No. 2557 approving California Energy Commission Energy Conservation Assistant Act (ECAA) loan application submittal and related CEQA exemption.

### **RECOMMENDATION**

Staff recommend City Council provide direction on this item.

### **BACKGROUND**

On October 5, 2020, the City released a Request for Qualifications (RFQ) for the Energy Conservation and Energy Generation Project and received one response from Sitelogiq Inc. Sitelogiq proposed two solar array sites at the cost of \$1,339,595.00. Staff began negotiations with Sitelogiq and in the course of negotiations, Staff felt it was in the best interest of the City to solicit additional proposals and include additional potential sites. As part of this due diligence, Staff contacted four additional solar companies and received two additional proposals for three total solar array sites within the City. Staff provided SitelogIQ with the opportunity to revisit its proposal and provide an updated proposal including the opportunity to include the third solar array site proposed in the other two proposals.

On July 20, 2021, Staff presented the three proposals to City Council. Each solar provider was available to answer City Council questions about their proposals and qualifications. During that meeting, City

Council directed Staff to meet with each solar provider to obtain additional information, obtain a breakdown of their cost estimates and return to Council.

Staff requested the additional information from each of the solar providers and provided a week to respond. Subsequently, one of the solar providers withdrew from the process. On August 3, 2021, Staff presented a side-by-side comparison of the remaining two proposals. After much discussion, City Council directed Staff to work with a third-party solar consultant to review the proposals and bring one recommendation back to City Council.

Per the City of Fowler Informal Competitive Purchasing Policy, Staff solicited three bids for the third-party analysis. ARC Alternatives was selected to perform the third-party analysis based upon their experience, cost, and ability to complete the work in a timely matter. On December 7, 2021, ARC Alternatives virtually attended a City Council meeting to present findings and answer questions. Mr. Russell Driver, Principal and Co-Founder of ARC Alternatives, and Simon Olivieri, Senior Engineer with ARC Alternatives presented the findings, recommendations and answered questions. One such recommendation was the City should only pursue solar on the Fire Station site. During that meeting, City Council directed Staff to continue to work with ARC Alternatives to pursue additional vendor bids and work with SitelogIQ on a possible cost reduction.

ARC Alternatives worked with Staff to develop a procurement process to solicit pricing for the Fire Station solar project. The Request for Proposals was released on January 31, 2022, and closed on March 4, 2022. ARC Alternatives will be virtually attending the City Council meeting to present the findings, recommendations, and answer any questions City Council may have. Staff will seek direction from City Council on next steps, which may include contract negotiations with the recommended firm.

Concurrently with the procurement process, ARC Alternatives has been working with Staff to submit the California Energy Commission ECAA loan application. Should City Council direct staff to begin negotiations with a selected vendor, the vendor's scope will include completion of the interconnection application with Pacific Gas & Electric to ensure the City's project is grandfathered under Net Energy Metering (NEM) 2.0. City Council direction on a preferred vendor and their respective pricing will also be needed to finalize the ECAA loan application.

## **ENVIRONMENTAL REVIEW**

Solar/energy conservation improvements at existing facilities is categorically exempt pursuant to CEQA Guidelines section 15301.

## **FISCAL IMPACT**

None at this time. Should City Council direct Staff to begin negotiations with a selected vendor and approve the submittal of the ECAA loan application, the pricing from that vendor would be included in the ECAA loan application and a contract with the selected vendor and applicable loan documents for the ECAA loan would be brought to City Council for approval at a subsequent meeting.

## **Attachments**

- Resolution No. 2557 - Approving California Energy Commission ECAA loan application submittal
- CEQA Categorical Exemption



**RESOLUTION NO. 2557**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF FOWLER  
APPROVING AND AUTHORIZING SUBMITTAL OF ENERGY EFFICIENCY LOAN  
APPLICATION TO THE CALIFORNIA ENERGY COMMISSION**

**WHEREAS**, the City of Fowler endorses the goal of energy efficiency and development of energy efficient and renewable energy generation projects for use at existing City facilities and sites; and

**WHEREAS**, the City Council has received and reviewed information and data presented by City staff and a City consultant, ARC Alternatives, demonstrating that the anticipated savings in energy consumption realized by a proposed solar/energy efficiency improvement project will exceed the cost of the proposed project; and

**WHEREAS**, the California Energy Commission (“CEC”) provides loans to local governments to finance energy efficiency improvements, and the City desires to pursue a CEC energy efficiency loan for the proposed project, and ARC Alternatives is qualified and capable of preparing and submitting a CEC loan application on behalf of the City; and

**WHEREAS**, it has been determined that the proposed project is Categorical Exempt from the requirements of the California Environmental Quality Act (“CEQA”) per CEQA Guidelines section 15301 (Class 1 – Existing Facilities).

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

1. The City of Fowler is authorized to apply for an energy efficiency loan from the California Energy Commission to implement solar/energy efficiency measures.
2. The City Council finds that the proposed solar/energy efficiency improvement project is categorically exempt under CEQA Guidelines section 15301 (Class 1 – Existing Facilities).
3. ARC Alternatives is authorized to apply for a CEC energy efficiency loan on behalf of the City of Fowler to finance and implement the proposed project, and if the City is recommended for funding by the California Energy Commission, the City Manager is authorized to accept a loan of up to \$ \_\_\_\_\_ on behalf of the City of Fowler without further action of the City Council.
4. The amount of the loan will be paid in full, plus interest, under the terms and conditions of any applicable Loan Agreement, Promissory Note and Tax Certificate of the California Energy Commission.
5. The City Manager or designee is hereby authorized and empowered to execute in the name of the City of Fowler all necessary documents to implement and carry out the purpose of this resolution, and to undertake all actions necessary to undertake and complete the energy efficiency project.

\*\*\*\*\*

The foregoing Resolution was duly passed, approved, and adopted on April 19, 2022, at a regular meeting of the Fowler City Council by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**APPROVED:**

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Mark Rodriguez, Mayor Pro Tem

**ATTEST:**

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Angela Vasquez, Deputy City Clerk

# Notice of Exemption

## Appendix E

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**From:** (Public Agency): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Address)

Project Title: \_\_\_\_\_

Project Applicant: \_\_\_\_\_

Project Location - Specific:

Project Location - City: \_\_\_\_\_ Project Location - County: \_\_\_\_\_

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: \_\_\_\_\_

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: \_\_\_\_\_
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

Lead Agency

Contact Person: \_\_\_\_\_ Area Code/Telephone/Extension: \_\_\_\_\_

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?    Yes    No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency    Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_