

**MINUTES OF THE FOWLER CITY COUNCIL SPECIAL MEETING
Tuesday, February 7, 2023**

Mayor Parra called the meeting to order at 6:06 p.m.

Councilmembers Present: Parra, Mejia, Gill, Hammer, Kazarian (via teleconference)

City Staff Present: City Manager Tucker, City Attorney Cross, Public Works Director Dominguez, Community and Economic Development Director Gaffery, Recreation Supervisor Hernandez, City Planner Marple, Finance Director Moreno, Police Chief Reid, Deputy City Clerk Vasquez

5. CEREMONIAL PRESENTATION

Accounting Assistant, Nancy Mares, was recognized as Employee of the Quarter.

6. PUBLIC COMMENT

No members of the public spoke.

7. CONSENT CALENDAR

City Attorney Cross noted Item 7-C (AB 361) may expire at the end of February 2023 due to the Governor declaring an end to the state of emergency. AB 2449 is an alternative option to AB 361. Mayor Parra requested City Attorney Cross provide the AB 2449 language to the Council for their review.

Mayor Pro-Tem Mejia made a motion to approve Item 7-A and Items 7C-7G of the consent calendar, seconded by Councilmember Gill. The motion carried by roll call vote: Ayes: Mejia, Gill, Hammer, Kazarian, Parra

8. CONTESTED CONSENT CALENDAR

Councilmember Kazarian requested to abstain from Item 7-B.

Mayor Pro-Tem Mejia made a motion to approve Item 7-B of the consent calendar, seconded by Councilmember Hammer. The motion carried by roll call vote: Ayes: Mejia, Hammer, Gill, Parra. Abstain: Kazarian

9. GENERAL ADMINISTRATION

9-A. Finance

- i. **Actions pertaining to the fiscal year 2022-23 mid-year budget report and budget amendments:**
 - 1. **ACCEPT the fiscal year 2022-23 mid-year budget report**
 - 2. **ADOPT Resolution No. 2624 approving fiscal year 2022-23 proposed budget amendments**

Councilmember Hammer made a motion to ACCEPT the fiscal year 2022-23 mid-year budget report and ADOPT Resolution No. 2624 approving fiscal year 2022-23 proposed budget amendments, seconded by Councilmember Gill. The motion carried by roll call vote: Ayes: Hammer, Gill, Kazarian, Mejia, Parra

9-B. Planning

- i. **WORKSHOP on Downtown Streetscape Conceptual Plan**
- ii. **Actions pertaining to proposed Rezone No. 22-0010, an ordinance to adopt an amended zoning map of 113 South 9th Street (APN:343-162-12) from the C-2 (Community Commercial) zone district to the RM-2-A (Multi-Family Residential – 3,500 square foot lot area) zone district, and the adoption of a finding that the zoning amendment is consistent with the City’s General Plan (CEQA Guidelines § 15183)**
 - 1. **ADOPT a Consistency Finding pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15183; and**
 - 2. **INTRODUCTION of Ordinance No. 2023-01, amending the zoning map of 113 South 9th Street (APN: 343-2162-12) from the C-2 (Community Commercial) zone district to the RM-2-A (Multi-Family Residential – 3,500 square foot lot area) zone district**

Councilmember Mejia made a motion to ADOPT a Consistency Finding pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15183; and INTRODUCTION of Ordinance No. 2023-01, amending the zoning map of 113 South 9th Street (APN: 343-2162-12) from the C-2 (Community Commercial) zone district to the RM-2-A (Multi-Family Residential – 3,500 square foot lot area) zone district, seconded by Councilmember Hammer. The motion carried by roll call vote: Ayes: Mejia, Hammer, Gill, Kazarian, Parra

iii. **Actions pertaining to Conditional Use Permit No. 19-02 for a request to construct a 34-room, two-story hotel and a 2,150-square foot residence, at 312 West Tuolumne Street (APN: 343-110-13)**

1. **ADOPT a categorical exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332**
2. **APPROVE Resolution No. 2625, reversing the Planning Commissioner's decision and approving Conditional Use Permit No. 19-02**

Mayor Parra asked the applicant, Bhupinder Bajwa, if he would like to speak. Mr. Bajwa stated that he would like the item re-heard at Planning Commission as there was an absence when it was heard.

Mayor Parra made a motion to send Item 9-Biii 1 & 2 back to Planning Commission to reconsider as a five-member body for a vote, seconded by Councilmember Gill. The motion carried by roll call vote: Ayes: Parra, Gill, Hammer, Mejia. Noes: Kazarian

iv. **Actions pertaining to annual State-mandated fire safety inspections for certain occupancies**

1. **APPROVE an agreement with Fire Safety Solutions, Inc. for fire safety inspections services on a time and materials basis in an amount not to exceed \$49,000**
2. **APPROVE Resolution No. 2626 approving updated fire safety inspection fees**

Councilmember Hammer made a motion to APPROVE an agreement with Fire Safety Solutions, Inc. for fire safety inspections services on a time and materials basis in an amount not to exceed \$49,000 and APPROVE Resolution No. 2626 approving updated fire safety inspection fees, seconded by Councilmember Kazarian. The motion carried by roll call vote: Ayes: Hammer, Kazarian, Gill, Mejia, Parra

9-C. Police

i. **Actions pertaining to replacement of the Fowler Police Department service weapon from the .40 caliber Glock 22 to the 9mm Sig Sauer P320**

The purchase of the Sig Sauer P320 service weapons would include the following:

1. **AUTHORIZE** the Chief of Police to enter into an agreement with ProForce Law Enforcement for the purchase of fifteen (15) Sig Sauer P320 9mm service weapons with SureFire X300 weapon lights and holsters for \$17,592.51; the purchase of 12,000 rounds of 9mm target ammunition and the purchase of 1,200 rounds of 9mm duty ammunition: \$2,722.84
2. **AUTHORIZE** the City Manager, on behalf of the City of Fowler, to execute purchase agreements with officers purchasing their existing Glock 22 service weapons and with ProForce Law Enforcement for the remaining Glock 22 service weapons

Councilmember Kazarian made a motion to **AUTHORIZE** the Chief of Police to enter into an agreement with ProForce Law Enforcement for the purchase of fifteen (15) Sig Sauer P320 9mm service weapons with SureFire X300 weapon lights and holsters for \$17,592.51; the purchase of 12,000 rounds of 9mm target ammunition and the purchase of 1,200 rounds of 9mm duty ammunition: \$2,722.84 and **AUTHORIZE** the City Manager, on behalf of the City of Fowler, to execute purchase agreements with officers purchasing their existing Glock 22 service weapons and with ProForce Law Enforcement for the remaining Glock 22 service weapons, seconded by Councilmember Gill. The motion carried by roll call vote: Ayes: Kazarian, Gill, Hammer, Mejia, Parra

10. CITY MANAGER

10-A. Fire Engine Workshop

Mayor Parra made a motion to explore the sale of the two fire engines that have pending lease payments, seconded by Mayor Pro-Tem Mejia. The motion carried by roll call vote: Ayes: Parra, Mejia, Gill, Hammer; Noes: Kazarian

11. STAFF COMMUNICATIONS

11-A. Quarterly update from Fresno County Fire Protection District

A quarterly update was provided by Fire Chief Hail.

Updates were provided by City Manager Tucker, Community and Economic Development Director Gaffery, City Planner Marple, Police Chief Reid, Finance Director Moreno, Public Works Director Dominguez

12. COUNCILMEMBER REPORTS AND COMMENTS

Updates were provided by Mayor Pro-Tem Mejia, Councilmember Gill, and Mayor Parra.

Mayor Parra requested that a resolution be brought to Council going forward to adjust the regular City Council meeting time from 7:00 p.m. to 6:00 p.m.

13. CLOSED SESSION

**13-A. Government Code Section 54956.9 (d)(4)
Conference with Legal Counsel – Anticipated Litigation
Deciding whether to initiate litigation
One potential case**

**13-B. Government Code Section 54956.9 (d)(4)
Conference with Legal Counsel – Anticipated Litigation
Deciding whether to initiate litigation
One potential case**

No reportable action was taken on any of the two items.

14. ADJOURN

Having no further business, the meeting adjourned at 9:02 p.m.