



CITY COUNCIL MEETING

TUESDAY, OCTOBER 17, 2023 at 6:00 PM

CITY COUNCIL CHAMBER – 128 SOUTH 5TH STREET, FOWLER, CA 93625

AGENDA

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. 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.

https://us06web.zoom.us/j/82550691449?pwd=zROp-hJgYyTiLeGWqQaTHDgkmqXOuQ.TZ_zaGNBn6MBaPpg

Telephone Number: (253) 215-8782
Meeting ID: 825 5069 1449
Passcode: 124923

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 <https://fowlercivcity.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. **APPROVAL OF AGENDA**
4. **INVOCATION BY PASTOR PAUL IRWIN OF FOWLER PRESBYTERIAN CHURCH**
5. **PLEDGE OF ALLEGIANCE**
6. **CEREMONIAL PRESENTATIONS**

A. Swearing in of Police Officer Felix Tobar

7. **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.

8. **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.

- A. RATIFY Warrants for October 17, 2023
- B. APPROVE Minutes of the October 3, 2023 City Council Meeting
- C. APPROVE Minutes of the October 7, 2023 City Council Special Meeting
- D. ADOPT Ordinance No. 2023-09 to amend Section 2-1.302 of Article 3, of Chapter 1, of Title 2 regarding authorizations to sign warrants; and adding Chapter 10 to Title 3 of the Fowler Municipal Code regarding the adoption of policies relating to fiscal administration.
- E. APPROVE Resolution No. 2684 adopting a new Policy on Acceptance of Donations to the City

9. CONTESTED CONSENT CALENDAR

Items pulled from the Consent Calendar will be heard individually immediately after action is taken on the Consent Calendar.

10. GENERAL ADMINISTRATION

Planning

- A. PROVIDE STAFF DIRECTION on economic development incentives
- B. WORKSHOP and provide staff direction on visual identity and branding concepts prepared by Toole Design

11. STAFF COMMUNICATIONS

- A. Fire Station Phase 2 update - City Manager Wilma Tucker
- B. Golden State Boulevard update - City Engineer Soo Ho Park

City Attorney

- C. DISCUSSION of SB 1439 and the new disclosure/disqualification requirements relating to receipt of campaign contributions in excess of \$250.00.

12. COUNCILMEMBER REPORTS AND COMMENTS

13. ADJOURN

*Next Ordinance No. 2023-10
Next Resolution No. 2685*

CERTIFICATION: I, Angela Vasquez, City Clerk of the City of Fowler, California, hereby certify that the foregoing agenda was posted for public review on Friday, October 13, 2023.

*Angela Vasquez, CPMC
City Clerk*

CITY OF FOWLER
 WARRANTS LIST
 October 17, 2023

<u>ACCOUNTS PAYABLE CHECKS</u>	<u>CHECK NUMBERS</u>	<u>CHECK DATES</u>	<u>AMOUNT</u>
Regular checks	41903 - 41968	October 1 thru October 15	\$ 205,939.91
TOTAL ACCOUNTS PAYABLE CHECKS			<u>\$ 205,939.91</u>
<u>PAYROLL COSTS</u>			
First October Bi-Monthly Payroll		October 13, 2023	\$ 113,566.67
TOTAL PAYROLL COSTS			<u>\$ 113,566.67</u>
TOTAL CASH DISBURSEMENTS			<u>\$ 319,506.58</u>

NOTE:

SUPERION
 DATE: 10/12/2023
 TIME: 11:50:15

CITY OF FOWLER
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 1
 ACCTPA21

Section 8, ItemA.

SELECTION CRITERIA: transact.check_no between '41903' and '41968'
 ACCOUNTING PERIOD: 4/24

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	41903	10/04/23	10007	ALERT-O-LITE, INC	6200	SUPPLIES - STREETS	0.00	25.98
1001	41903	10/04/23	10007	ALERT-O-LITE, INC	5000	SUPPLIES - WATER	0.00	153.16
TOTAL CHECK							0.00	179.14
1001	41904	10/04/23	14802	AMARJEET GILL	6010	REIMB - LEAGUE CONF23	0.00	840.15
1001	41905	10/04/23	14519	AMAZON CAPITAL SERVICES	6150	SUPPLIES - PLANNING	0.00	27.72
1001	41905	10/04/23	14519	AMAZON CAPITAL SERVICES	6200	SUPPLIES - STREETS	0.00	222.58
TOTAL CHECK							0.00	250.30
1001	41906	10/04/23	14330	B&P PEST PROS	6020	PEST CONTROL 9/28/23	0.00	90.00
1001	41906	10/04/23	14330	B&P PEST PROS	6130	PEST CONTROL 9/28/23	0.00	95.00
1001	41906	10/04/23	14330	B&P PEST PROS	6700	PEST CONTROL 9/28/23	0.00	95.00
TOTAL CHECK							0.00	280.00
1001	41907	10/04/23	10026	BCT CONSULTING	6170	VOIP 10/1/23	0.00	1,005.00
1001	41907	10/04/23	10026	BCT CONSULTING	6170	NETWORK SUPPORT	0.00	2,111.42
TOTAL CHECK							0.00	3,116.42
1001	41908	10/04/23	11291	THE BUSINESS JOURNAL	6150	PHN INTRO 2023-09	0.00	285.00
1001	41908	10/04/23	11291	THE BUSINESS JOURNAL	6150	PC CUP APP 22-09	0.00	585.00
TOTAL CHECK							0.00	870.00
1001	41909	10/04/23	10506	CALMAT CO DBA VULCAN MAT	6200	ASPHALT REPAIR	0.00	403.33
1001	41910	10/04/23	14131	SWEEPING CORP OF AMERICA	2250	STREET SWEEPING SEP23	0.00	3,325.00
1001	41911	10/04/23	11653	CIVICPLUS LLC	6025	CODE HOST/ORDLINKSUB	0.00	850.00
1001	41912	10/04/23	10064	COLONIAL LIFE INSURANCE	100	EMP DED OCT23	0.00	47.42
1001	41913	10/04/23	14356	COMCAST	6700	CABLE 09/25-10/24	0.00	122.00
1001	41914	10/04/23	14482	EDWARD GUZMAN	6400	WNAP BAND - WILD HARE	0.00	800.00
1001	41915	10/04/23	10108	FIVE CITIES EDA - EDC	6020	Q1 JUL23-SEP23	0.00	778.62
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	1.46
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	2.15
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	2.91
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	3.24
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	4.32
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	6.26
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	7.13
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	7.13
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	8.71
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	10.82
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	12.56
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	13.40
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	14.06
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	16.22
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	16.33

SUPERION
 DATE: 10/12/2023
 TIME: 11:50:15

CITY OF FOWLER
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 2
 ACCTPA21

SELECTION CRITERIA: transact.check_no between '41903' and '41968'
 ACCOUNTING PERIOD: 4/24

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	17.94
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	18.59
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	21.65
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	22.26
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	23.77
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	23.99
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	29.21
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	30.80
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	31.37
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	32.46
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	34.17
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	38.93
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	38.94
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	38.95
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	42.20
1001	41917	10/04/23	14245	FOWLER ACE HARDWARE	6200	SUPPLIES - STREETS	0.00	48.81
TOTAL	CHECK						0.00	620.74
1001	41918	10/04/23	14247	FOWLER ACE HARDWARE	5000	SUPPLIES - WATER	0.00	2.91
1001	41918	10/04/23	14247	FOWLER ACE HARDWARE	5000	SUPPLIES - WATER	0.00	3.24
1001	41918	10/04/23	14247	FOWLER ACE HARDWARE	5000	SUPPLIES - WATER	0.00	4.97
1001	41918	10/04/23	14247	FOWLER ACE HARDWARE	5000	SUPPLIES - WATER	0.00	6.48
1001	41918	10/04/23	14247	FOWLER ACE HARDWARE	5000	SUPPLIES - WATER	0.00	8.73
1001	41918	10/04/23	14247	FOWLER ACE HARDWARE	5000	SUPPLIES - WATER	0.00	21.62
1001	41918	10/04/23	14247	FOWLER ACE HARDWARE	5000	SUPPLIES - WATER	0.00	100.91
TOTAL	CHECK						0.00	148.86
1001	41919	10/04/23	14249	FOWLER ACE HARDWARE	6260	SUPPLIES - PARKS	0.00	-2.05
1001	41919	10/04/23	14249	FOWLER ACE HARDWARE	6260	SUPPLIES - PARKS	0.00	6.05
1001	41919	10/04/23	14249	FOWLER ACE HARDWARE	6260	SUPPLIES - PARKS	0.00	14.23
1001	41919	10/04/23	14249	FOWLER ACE HARDWARE	6260	SUPPLIES - PARKS	0.00	16.20
1001	41919	10/04/23	14249	FOWLER ACE HARDWARE	6260	SUPPLIES - PARKS	0.00	18.39
1001	41919	10/04/23	14249	FOWLER ACE HARDWARE	6260	SUPPLIES - PARKS	0.00	25.96
1001	41919	10/04/23	14249	FOWLER ACE HARDWARE	6260	SUPPLIES - PARKS	0.00	26.79
1001	41919	10/04/23	14249	FOWLER ACE HARDWARE	6260	SUPPLIES - PARKS	0.00	27.89
1001	41919	10/04/23	14249	FOWLER ACE HARDWARE	6260	SUPPLIES - PARKS	0.00	34.82
1001	41919	10/04/23	14249	FOWLER ACE HARDWARE	6260	SUPPLIES - PARKS	0.00	60.14
1001	41919	10/04/23	14249	FOWLER ACE HARDWARE	6260	SUPPLIES - PARKS	0.00	66.00
TOTAL	CHECK						0.00	294.42
1001	41920	10/04/23	14252	FOWLER ACE HARDWARE	6700	SUPPLIES - SR CENTER	0.00	1.71
1001	41920	10/04/23	14252	FOWLER ACE HARDWARE	6700	SUPPLIES - SR CENTER	0.00	13.08
1001	41920	10/04/23	14252	FOWLER ACE HARDWARE	6700	SUPPLIES - SR CENTER	0.00	19.63
1001	41920	10/04/23	14252	FOWLER ACE HARDWARE	6700	SUPPLIES - SR CENTER	0.00	34.13
TOTAL	CHECK						0.00	68.55
1001	41921	10/04/23	14470	FOWLER/MALAGA YOUTH FOOT	2040	DON - FOWLER FOOTBALL	0.00	2,000.00
1001	41922	10/04/23	10104	FPOA	100	EMP DED 9/30/23	0.00	200.00
1001	41923	10/04/23	14749	HOFFMAN SECURITY	6020	SECURITY SVC OCT23	0.00	125.00

SUPERION
 DATE: 10/12/2023
 TIME: 11:50:15

CITY OF FOWLER
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 3
 ACCTPA21

Section 8, ItemA.

SELECTION CRITERIA: transact.check_no between '41903' and '41968'
 ACCOUNTING PERIOD: 4/24

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	41924	10/04/23	11018	HOME DEPOT CREDIT SERVIC	6200	SUPPLIES - STREETS	0.00	19.46
1001	41924	10/04/23	11018	HOME DEPOT CREDIT SERVIC	6200	SUPPLIES - STREETS	0.00	60.07
1001	41924	10/04/23	11018	HOME DEPOT CREDIT SERVIC	6200	SUPPLIES - STREETS	0.00	135.33
1001	41924	10/04/23	11018	HOME DEPOT CREDIT SERVIC	6200	SUPPLIES - STREETS	0.00	210.41
1001	41924	10/04/23	11018	HOME DEPOT CREDIT SERVIC	6200	SUPPLIES - STREETS	0.00	540.21
1001	41924	10/04/23	11018	HOME DEPOT CREDIT SERVIC	6200	SUPPLIES - STREETS	0.00	824.37
TOTAL CHECK							0.00	1,789.85
1001	41925	10/04/23	10169	JORGENSEN & CO	6700	FIRE EXTINGUISHER	0.00	95.62
1001	41926	10/04/23	13496	KEENAN & ASSOCIATES	6030	HEALTH BENEFITS OCT23	0.00	791.05
1001	41926	10/04/23	13496	KEENAN & ASSOCIATES	6700	HEALTH BENEFITS OCT23	0.00	808.97
1001	41926	10/04/23	13496	KEENAN & ASSOCIATES	6025	HEALTH BENEFITS OCT23	0.00	918.95
1001	41926	10/04/23	13496	KEENAN & ASSOCIATES	6150	HEALTH BENEFITS OCT23	0.00	948.94
1001	41926	10/04/23	13496	KEENAN & ASSOCIATES	6400	HEALTH BENEFITS OCT23	0.00	1,019.75
1001	41926	10/04/23	13496	KEENAN & ASSOCIATES	6160	HEALTH BENEFITS OCT23	0.00	1,028.07
1001	41926	10/04/23	13496	KEENAN & ASSOCIATES	6020	HEALTH BENEFITS OCT23	0.00	1,521.29
1001	41926	10/04/23	13496	KEENAN & ASSOCIATES	100	HEALTH BENEFITS OCT23	0.00	2,146.47
1001	41926	10/04/23	13496	KEENAN & ASSOCIATES	6200	HEALTH BENEFITS OCT23	0.00	3,101.76
1001	41926	10/04/23	13496	KEENAN & ASSOCIATES	5000	HEALTH BENEFITS OCT23	0.00	5,146.68
1001	41926	10/04/23	13496	KEENAN & ASSOCIATES	6260	HEALTH BENEFITS OCT23	0.00	6,474.27
1001	41926	10/04/23	13496	KEENAN & ASSOCIATES	6120	HEALTH BENEFITS OCT23	0.00	7,228.23
TOTAL CHECK							0.00	31,134.43
1001	41927	10/04/23	14689	KING PRODUCTIONS	6400	WNAP - PEARCE	0.00	500.00
1001	41928	10/04/23	14428	NAVIA BENEFIT SOLUTIONS	6020	COBRA - SEP23	0.00	36.45
1001	41929	10/04/23	10215	NELSON HARDWARE & GIFTS	6200	SUPPLIES - STREETS	0.00	8.23
1001	41929	10/04/23	10215	NELSON HARDWARE & GIFTS	5000	SUPPLIES - STREETS	0.00	17.35
1001	41929	10/04/23	10215	NELSON HARDWARE & GIFTS	6700	SUPPLIES - SR CENTER	0.00	31.45
1001	41929	10/04/23	10215	NELSON HARDWARE & GIFTS	5000	SUPPLIES - WATER	0.00	42.29
1001	41929	10/04/23	10215	NELSON HARDWARE & GIFTS	6700	SUPPLIES - SR CENTER	0.00	43.39
1001	41929	10/04/23	10215	NELSON HARDWARE & GIFTS	6260	SUPPLIES - PARKS	0.00	80.40
1001	41929	10/04/23	10215	NELSON HARDWARE & GIFTS	6200	SUPPLIES - STREETS	0.00	133.99
1001	41929	10/04/23	10215	NELSON HARDWARE & GIFTS	6200	SUPPLIES - STREETS	0.00	156.12
1001	41929	10/04/23	10215	NELSON HARDWARE & GIFTS	6200	SUPPLIES - STREETS	0.00	228.25
1001	41929	10/04/23	10215	NELSON HARDWARE & GIFTS	6260	SUPPLIES - PARKS	0.00	274.41
1001	41929	10/04/23	10215	NELSON HARDWARE & GIFTS	6260	SUPPLIES - PARKS	0.00	275.07
TOTAL CHECK							0.00	1,290.95
1001	41930	10/04/23	10237	P G & E - SACRAMENTO	6200	429 E MERCED 9/22/23	0.00	7.39
1001	41930	10/04/23	10237	P G & E - SACRAMENTO	6200	1292 MILLAR 9/27/23	0.00	9.85
1001	41930	10/04/23	10237	P G & E - SACRAMENTO	6200	127 S 6TH 9/27/23	0.00	11.41
1001	41930	10/04/23	10237	P G & E - SACRAMENTO	2250	MANN&GLD ST 9/24/23	0.00	14.78
1001	41930	10/04/23	10237	P G & E - SACRAMENTO	2250	300 W MERCED 9/27/23	0.00	37.88
1001	41930	10/04/23	10237	P G & E - SACRAMENTO	2250	MERCED/8TH 9/27/23	0.00	74.26
1001	41930	10/04/23	10237	P G & E - SACRAMENTO	2250	ADAMS&GLDN ST 9/28/23	0.00	103.14
1001	41930	10/04/23	10237	P G & E - SACRAMENTO	2250	GLDST/MAN SIG 9/27/23	0.00	125.51
1001	41930	10/04/23	10237	P G & E - SACRAMENTO	6130	220 E MAIN 9/22/23	0.00	399.87
1001	41930	10/04/23	10237	P G & E - SACRAMENTO	6150	122 S 5TH #A 9/27/23	0.00	653.36
1001	41930	10/04/23	10237	P G & E - SACRAMENTO	2250	700 MERCED #A 9/27/23	0.00	835.07

SUPERION
 DATE: 10/12/2023
 TIME: 11:50:15

CITY OF FOWLER
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 4
 ACCTPA21

Section 8, ItemA.

SELECTION CRITERIA: transact.check_no between '41903' and '41968'
 ACCOUNTING PERIOD: 4/24

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	41930	10/04/23	10237	P G & E - SACRAMENTO	5000	325 S 5TH 9/27/23	0.00	849.26
1001	41930	10/04/23	10237	P G & E - SACRAMENTO	5000	WELL SITE 8 9/28/23	0.00	5,280.21
1001	41930	10/04/23	10237	P G & E - SACRAMENTO	5000	WELL SITE 7 9/28/23	0.00	16,524.10
TOTAL CHECK							0.00	24,926.09
1001	41931	10/04/23	11071	PAPE MACHINERY ACCT 4437	6200	SUPPLIES - STREETS	0.00	-136.31
1001	41931	10/04/23	11071	PAPE MACHINERY ACCT 4437	6200	SUPPLIES - STREETS	0.00	1,000.99
TOTAL CHECK							0.00	864.68
1001	41932	10/04/23	14479	RG POWER	6260	EQUIP MAINT - PARKS	0.00	61.75
1001	41932	10/04/23	14479	RG POWER	6260	EQUIP MAINT - PARKS	0.00	104.05
1001	41932	10/04/23	14479	RG POWER	6260	EQUIP MAINT - PARKS	0.00	423.61
TOTAL CHECK							0.00	589.41
1001	41933	10/04/23	14358	SPARKLETTS	6020	WATER SVC SEP23	0.00	166.46
1001	41933	10/04/23	14358	SPARKLETTS	6120	WATER SVC SEP23	0.00	166.46
TOTAL CHECK							0.00	332.92
1001	41934	10/04/23	13647	SUN LIFE FINANCIAL	8500	DENTAL BENEFIT OCT23	0.00	6.57
1001	41934	10/04/23	13647	SUN LIFE FINANCIAL	6700	DENTAL BENEFIT OCT23	0.00	33.18
1001	41934	10/04/23	13647	SUN LIFE FINANCIAL	6400	DENTAL BENEFIT OCT23	0.00	39.82
1001	41934	10/04/23	13647	SUN LIFE FINANCIAL	6150	DENTAL BENEFIT OCT23	0.00	49.09
1001	41934	10/04/23	13647	SUN LIFE FINANCIAL	6025	DENTAL BENEFIT OCT23	0.00	63.50
1001	41934	10/04/23	13647	SUN LIFE FINANCIAL	6030	DENTAL BENEFIT OCT23	0.00	79.68
1001	41934	10/04/23	13647	SUN LIFE FINANCIAL	6160	DENTAL BENEFIT OCT23	0.00	122.75
1001	41934	10/04/23	13647	SUN LIFE FINANCIAL	6020	DENTAL BENEFIT OCT23	0.00	142.94
1001	41934	10/04/23	13647	SUN LIFE FINANCIAL	6200	DENTAL BENEFIT OCT23	0.00	238.88
1001	41934	10/04/23	13647	SUN LIFE FINANCIAL	6260	DENTAL BENEFIT OCT23	0.00	342.42
1001	41934	10/04/23	13647	SUN LIFE FINANCIAL	5000	DENTAL BENEFIT OCT23	0.00	369.96
1001	41934	10/04/23	13647	SUN LIFE FINANCIAL	6120	DENTAL BENEFIT OCT23	0.00	865.13
1001	41934	10/04/23	13647	SUN LIFE FINANCIAL	100	DENTAL BENEFIT OCT23	0.00	990.12
TOTAL CHECK							0.00	3,344.04
1001	41935	10/04/23	10763	SUNBELT RENTALS	6200	RENTAL - STREETS	0.00	177.24
1001	41936	10/04/23	14065	THE WATER CONNECTION, IN	5000	BACKFLOW TEST COURSE	0.00	1,150.00
1001	41936	10/04/23	14065	THE WATER CONNECTION, IN	5000	BACKFLOW TEST COURSE	0.00	1,150.00
TOTAL CHECK							0.00	2,300.00
1001	41937	10/04/23	14704	TROOP 390	2090	JULY 4TH CLEAN UP	0.00	1,000.00
1001	41938	10/04/23	13543	UNIFIRST CORPORATION	6700	JANITORIAL SEP23	0.00	60.07
1001	41938	10/04/23	13543	UNIFIRST CORPORATION	6200	UNIFORMS - PW	0.00	78.21
1001	41938	10/04/23	13543	UNIFIRST CORPORATION	5000	UNIFORMS - PW	0.00	78.22
1001	41938	10/04/23	13543	UNIFIRST CORPORATION	6020	MATS/MOPS	0.00	79.90
TOTAL CHECK							0.00	296.40
1001	41939	10/04/23	10725	VERIZON WIRELESS	6170	CELL PHONE 8/20-9/19	0.00	97.26
1001	41939	10/04/23	10725	VERIZON WIRELESS	6170	CELL PHONE 8/24-9/23	0.00	103.92
1001	41939	10/04/23	10725	VERIZON WIRELESS	6170	CELL PHONE 8/20-9/19	0.00	444.79
1001	41939	10/04/23	10725	VERIZON WIRELESS	6170	EQUIPMENT - ROCHA	0.00	604.29
TOTAL CHECK							0.00	1,250.26

SUPERION
 DATE: 10/12/2023
 TIME: 11:50:15

CITY OF FOWLER
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 5
 ACCTPA21

Section 8, Item A.

SELECTION CRITERIA: transact.check_no between '41903' and '41968'
 ACCOUNTING PERIOD: 4/24

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	41940	10/04/23	11335	VISION SERVICE PLAN - (C	8500	VISION BENEFIT OCT23	0.00	1.77
1001	41940	10/04/23	11335	VISION SERVICE PLAN - (C	6700	VISION BENEFIT OCT23	0.00	9.85
1001	41940	10/04/23	11335	VISION SERVICE PLAN - (C	6400	VISION BENEFIT OCT23	0.00	11.82
1001	41940	10/04/23	11335	VISION SERVICE PLAN - (C	6150	VISION BENEFIT OCT23	0.00	13.78
1001	41940	10/04/23	11335	VISION SERVICE PLAN - (C	6025	VISION BENEFIT OCT23	0.00	17.73
1001	41940	10/04/23	11335	VISION SERVICE PLAN - (C	6030	VISION BENEFIT OCT23	0.00	22.83
1001	41940	10/04/23	11335	VISION SERVICE PLAN - (C	6160	VISION BENEFIT OCT23	0.00	35.43
1001	41940	10/04/23	11335	VISION SERVICE PLAN - (C	6020	VISION BENEFIT OCT23	0.00	41.34
1001	41940	10/04/23	11335	VISION SERVICE PLAN - (C	6200	VISION BENEFIT OCT23	0.00	50.41
1001	41940	10/04/23	11335	VISION SERVICE PLAN - (C	6260	VISION BENEFIT OCT23	0.00	121.26
1001	41940	10/04/23	11335	VISION SERVICE PLAN - (C	5000	VISION BENEFIT OCT23	0.00	126.63
1001	41940	10/04/23	11335	VISION SERVICE PLAN - (C	6120	VISION BENEFIT OCT23	0.00	216.60
1001	41940	10/04/23	11335	VISION SERVICE PLAN - (C	100	VISION BENEFIT OCT23	0.00	264.70
TOTAL CHECK							0.00	934.15
1001	41941	10/04/23	14259	VISUAL EDGE IT INC DBA I	6170	COPIER SVC 9/26/23	0.00	2,759.87
1001	41943	10/11/23	11689	A & C TIRE SERVICE	6200	TIRE TRUCK #9 PW	0.00	40.00
1001	41943	10/11/23	11689	A & C TIRE SERVICE	6200	FLAT REPAIR CAT	0.00	45.00
TOTAL CHECK							0.00	85.00
1001	41944	10/11/23	14519	AMAZON CAPITAL SERVICES	6200	OFFICE SUPPLIES - PW	0.00	43.56
1001	41945	10/11/23	14926	ANTONIO MORENO	500	UB REFUND	0.00	100.00
1001	41946	10/11/23	11291	THE BUSINESS JOURNAL	6150	SUMMARYORD2023-08	0.00	150.00
1001	41947	10/11/23	11792	CA BUILDING STANDARDS CO	6160	CA BSASRF JUL23-SEP23	0.00	133.20
1001	41948	10/11/23	10619	CALIF RURAL WATER ASSN,	5000	MEMBERSHIP RENEWAL	0.00	900.00
1001	41949	10/11/23	12654	COMCAST	6170	COMCAST 9/29-10/28	0.00	61.28
1001	41950	10/11/23	10088	DEPARTMENT OF CONSERVATI	6160	CA SEISMIC JUL-SEP23	0.00	318.70
1001	41951	10/11/23	10100	ECN POLYGRAPH & INVESTIG	6120	POLYGRAPH	0.00	250.00
1001	41952	10/11/23	10124	FRESNO SHERIFF BUS OFFIC	6120	DISPATCHING SVC OCT23	0.00	9,329.08
1001	41953	10/11/23	14156	FRESNO ECONOMIC OPPORTUN	6700	SENIOR LUNCH SEP23	0.00	1,269.65
1001	41954	10/11/23	14924	GURDEV SINGH	500	UB REFUND	0.00	83.84
1001	41955	10/11/23	10141	H & H TIRE SERVICES #3,	6120	TIRE MOUNT/BAL #20	0.00	120.00
1001	41956	10/11/23	14749	HOFFMAN SECURITY	6170	SECURITY SVC OCT23	0.00	57.00
1001	41957	10/11/23	14238	INFOSEND, INC	5000	UB MAINT SEP23	0.00	1,235.90
1001	41958	10/11/23	14925	JOANA MARQUEZ	500	UB REFUND	0.00	100.00

SUPERION
 DATE: 10/12/2023
 TIME: 11:50:15

CITY OF FOWLER
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 6
 ACCTPA21

SELECTION CRITERIA: transact.check_no between '41903' and '41968'
 ACCOUNTING PERIOD: 4/24

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	41959	10/11/23	14111	KIMBALL MIDWEST	6200	SUPPLIES - STREETS	0.00	653.85
1001	41960	10/11/23	14927	MISAC	5000	MEMBERSHIP 23/24	0.00	130.00
1001	41961	10/11/23	10215	NELSON HARDWARE & GIFTS	6260	SUPPLIES - PARKS	0.00	19.07
1001	41962	10/11/23	10237	P G & E - SACRAMENTO	5000	912 PALM 9/28/23	0.00	2.73
1001	41962	10/11/23	10237	P G & E - SACRAMENTO	5000	363 TEMPER 9/27/23	0.00	2.81
1001	41962	10/11/23	10237	P G & E - SACRAMENTO	2250	1100 N MANNING9/27/23	0.00	14.26
TOTAL CHECK							0.00	19.80
1001	41963	10/11/23	13655	PROVOST & PRITCHARD	6150	ENG SPR21-03	0.00	120.00
1001	41963	10/11/23	13655	PROVOST & PRITCHARD	6150	ENG-TSM 6409	0.00	158.50
1001	41963	10/11/23	13655	PROVOST & PRITCHARD	6150	PLN TRACT 6274	0.00	352.00
1001	41963	10/11/23	13655	PROVOST & PRITCHARD	6150	PLAN CHECK	0.00	375.00
1001	41963	10/11/23	13655	PROVOST & PRITCHARD	6150	PLAN CHECK	0.00	431.25
1001	41963	10/11/23	13655	PROVOST & PRITCHARD	6150	SPR 22-54	0.00	631.00
1001	41963	10/11/23	13655	PROVOST & PRITCHARD	6150	RECONNECTING GRNT	0.00	1,125.70
1001	41963	10/11/23	13655	PROVOST & PRITCHARD	5000	WATER OPS	0.00	1,323.40
1001	41963	10/11/23	13655	PROVOST & PRITCHARD	6200	ENCROACHMENT PERMIT	0.00	2,471.20
1001	41963	10/11/23	13655	PROVOST & PRITCHARD	6150	ENG FM T6405	0.00	4,626.43
1001	41963	10/11/23	13655	PROVOST & PRITCHARD	6150	FM MARSHALL EST II	0.00	5,127.00
1001	41963	10/11/23	13655	PROVOST & PRITCHARD	6200	ONCALL ENG JUL23	0.00	21,989.37
1001	41963	10/11/23	13655	PROVOST & PRITCHARD	6200	ENGINEERING FEES AUG2	0.00	24,605.22
TOTAL CHECK							0.00	63,336.07
1001	41964	10/11/23	10251	R & R AUTO REPAIR SHOP	5000	VEHICLE MAINT F150	0.00	87.50
1001	41965	10/11/23	10518	SIGNMAX!	6200	SUPPLIES - STREETS	0.00	481.08
1001	41966	10/11/23	13543	UNIFIRST CORPORATION	6700	JANITORIAL	0.00	67.20
1001	41966	10/11/23	13543	UNIFIRST CORPORATION	6200	UNIFORMS - PW	0.00	98.66
1001	41966	10/11/23	13543	UNIFIRST CORPORATION	5000	UNIFORMS - PW	0.00	98.66
TOTAL CHECK							0.00	264.52
1001	41967	10/11/23	13392	WOODSIDE HOMES	7600	SUMNER H2O LINE REIMB	0.00	23,581.00
TOTAL CASH ACCOUNT							0.00	191,752.41
TOTAL FUND							0.00	191,752.41

SUPERION
DATE: 10/12/2023
TIME: 11:50:15

CITY OF FOWLER
CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 7
ACCTPA21

Section 8, Item A.

SELECTION CRITERIA: transact.check_no between '41903' and '41968'
ACCOUNTING PERIOD: 4/24

FUND - 258 - BIKE PED TRAILS SUST TRAN

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	41942	10/04/23	14787	TOOLE DESIGN GROUP LLC	2580	FOWLER BIKE/PED TRAIL	0.00	13,889.00
TOTAL CASH ACCOUNT							0.00	13,889.00
TOTAL FUND							0.00	13,889.00

SUPERION
DATE: 10/12/2023
TIME: 11:50:15

CITY OF FOWLER
CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 8
ACCTPA21

Section 8, Item A.

SELECTION CRITERIA: transact.check_no between '41903' and '41968'
ACCOUNTING PERIOD: 4/24

FUND - 503 - TCP FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DEPT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1001	41968	10/11/23	13655	PROVOST & PRITCHARD	5030	TCP WELL 7 PM	0.00	298.50
TOTAL CASH ACCOUNT							0.00	298.50
TOTAL FUND							0.00	298.50
TOTAL REPORT							0.00	205,939.91



CITY COUNCIL MEETING

TUESDAY, OCTOBER 03, 2023 at 6:00 PM

CITY COUNCIL CHAMBER – 128 SOUTH 5TH STREET, FOWLER, CA 93625

MINUTES

1. MEETING CALLED TO ORDER

Mayor Parra called meeting to order at 6:02 p.m.

2. ROLL CALL

PRESENT:

Daniel Parra (Via Teleconference)
Juan Mejia
Amarjeet Gill
Leonard Hammer
Karnig Kazarian

CITY STAFF PRESENT:

City Manager Tucker, City Attorney Cross, Assistant City Manager Gaffery, Recreation Supervisor Hernandez, City Planner Marple, Finance Director Moreno, Public Works Director Rocha, City Engineer Park, and City Clerk Vasquez.

3. APPROVAL OF AGENDA

In Item 8H staff report, the Conflict of Interest Statement should read, "Staff is not aware of any conflicts of interest." The statement regarding Mayor Pro-Tem Mejia should have been removed from the staff report.

6. CEREMONIAL PRESENTATIONS

6A. Police Commendations

7. PUBLIC COMMENT

Three members of the public spoke.

8. CONSENT CALENDAR

Items 8A-8F and 8H-8I were approved.

Motion made by Kazarian, Seconded by Hammer.
Voting Yea: Gill, Mejia, Parra

9. CONTESTED CONSENT CALENDAR

Three members of the public spoke.

Item 8G was pulled from the consent calendar by Mayor Pro-Tem Mejia.

Motion made by Kazarian, Seconded by Gill.

Voting Yea: Hammer, Mejia, Parra

10. GENERAL ADMINISTRATION

Finance

10A. INTRODUCTION of Ordinance No. 2023-09 to amend Section 2-1.302 of Article 3, of Chapter 1, of Title 2 regarding authorizations to sign warrants; and adding Chapter 10 to Title 3 of the Fowler Municipal Code regarding the adoption of policies relating to fiscal administration

Motion made by Kazarian, Seconded by Gill.

Voting Yea: Hammer, Mejia, Parra,

Police Department

10B. Items pertaining to Automated License Plate Readers:

1) APPROVE Resolution No. 2682 to adopt a Class 1 Categorical Exemption from CEQA and to approve the City of Fowler Police Department's implementation of Policy No. 207 regarding Automated License Plate Readers (ALPRs) and receive public comment regarding same in accordance with Civil Code section 1798.90.55, subdivision (a).

2) APPROVE an agreement with Flock Group, Inc., (Flock) to purchase Automated License Plate Readers (ALPRs) in the amount of \$33,250.00.

Motion made by Gill, Seconded by Hammer.

Voting Yea: Kazarian, Mejia, Parra

10C. APPROVE a five year agreement with AXON Enterprises Inc. (AXON) to purchase Body Worn Cameras (BWC) and Taser conducted energy devices in the amount of \$165,623.94.

Motion made by Hammer, Seconded by Gill.

Voting Yea: Kazarian, Mejia, Parra

11. STAFF COMMUNICATIONS

Updates were provided by City Manager Tucker, Recreation Supervisor Hernandez, Assistant City Manager Gaffery, Police Chief Reid, Public Works Director Rocha, and City Clerk Vasquez.

12. COUNCILMEMBER REPORTS AND COMMENTS

Updates were given by Mayor Parra, Councilmember Hammer, Councilmember Gill, Mayor Pro-Tem Mejia, and Councilmember Kazarian.

13. CLOSED SESSION

Additional Panzak v. City of Fowler Case inadvertently omitted from agenda description for item 13A. #: 22CECG01769

Reconvened into Open Session at 8:09 p.m.

No reportable action was taken on any of the closed session items.

14. ADJOURN

Having no further business, the meeting adjourned at 8:10 p.m.



CITY COUNCIL SPECIAL MEETING

SATURDAY, OCTOBER 07, 2023 at 12:00 PM

CITY COUNCIL CHAMBER – 128 SOUTH 5TH STREET, FOWLER, CA 93625

MINUTES

1. MEETING CALLED TO ORDER

Mayor Parra called meeting to order at 12:02 p.m.

2. ROLL CALL

PRESENT:

Daniel Parra
Juan Mejia
Amarjeet Gill
Leonard Hammer
Karnig Kazarian

CITY STAFF PRESENT:

City Manager Tucker, City Attorney Cross (via telephone), Assistant City Manager Gaffery, Police Chief Reid, and City Clerk Vasquez.

3. CLOSED SESSION

No reportable action was taken on the closed session item.

4. ADJOURN

Having no further business, the meeting adjourned at 12:49 p.m.



CITY COUNCIL MEETING

REPORT TO THE CITY COUNCIL

DATE: October 17, 2023

FROM: MARGARITA MORENO, Finance Director

SUBJECT: ADOPT Ordinance No. 2023-09 to amend Section 2-1.302 of Article 3, of Chapter 1, of Title 2 regarding authorizations to sign warrants; and adding Chapter 10 to Title 3 of the Fowler Municipal Code regarding the adoption of policies relating to fiscal administration.

EXECUTIVE SUMMARY

The proposed Ordinance modifies the individuals authorized to issue payments from the City’s banking accounts and codifies various policies that shall be adopted by Council Resolution.

BACKGROUND

This Ordinance was introduced at the October 3, 2023 City Council Meeting and approved by a 5-0 vote. Accordingly, it is being placed on the consent calendar.

This Ordinance clarifies the definition of payments from the City’s banking accounts, removes the City Clerk as an authorized signer, and adds the Assistant City Manager as an authorized signer.

This Ordinance also codifies the requirement to adopt by Resolution a Purchasing Policy, Fixed Asset Policy, Policy on the Acceptance of Gifts to the City, and Credit Card Usage Policy.

The status of these policies is as follows:

Purchasing Policy

Currently adopted. Revisions are underway for consideration at a future City Council meeting.

Fixed Asset Policy

Currently adopted. Revisions are underway for consideration at a future City Council meeting.

Policy on the Acceptance of Gifts to the City

Currently adopted. Revisions will be presented at the October 17, 2023 City Council meeting.

Credit Card Usage Policy

Currently adopted.

PUBLIC NOTICE

A Notice of Public Hearing was published in *The Business Journal* on September 22, 2023, which is at least 10 days prior to the public hearing.

ENVIRONMENTAL REVIEW

This proposed Ordinance does not constitute a “project” for purposes of environmental review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines section 15378. The proposed Ordinance does not have the potential for resulting in a direct physical change in the environment.

GENERAL PLAN CONSISTENCY

This action is not associated with a General Plan goal, policy, or action item.

FISCAL IMPACT

No direct fiscal impact is anticipated. The proposed Ordinance will enhance the City’s internal financial controls.

CONFLICT OF INTEREST

Staff is not aware of any conflicts of interest.

Attachments

- Ordinance 2023-09

ORDINANCE 2023-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOWLER AMENDING SECTION 2-1.302 OF ARTICLE 3, OF CHAPTER 1, OF TITLE 2 REGARDING AUTHORIZATIONS TO SIGN WARRANTS; AND ADDING CHAPTER 10 TO TITLE 3 OF THE FOWLER MUNICIPAL CODE REQUIRING THE ADOPTION OF VARIOUS CITY POLICIES BY RESOLUTION RELATING TO FISCAL ADMINISTRATION

WHEREAS, strong internal controls and policies are an important practice in strong governance and accountability to residents; and

WHEREAS, these internal controls and policies shall be set by Council and reviewed from time to time for consistency and clarity; and

WHEREAS, the City Council now desires to amend the Fowler Municipal Code for purpose of clarity, consistency, and understanding relating to the authorization to sign warrants on behalf of the City and the City’s ability to adopt policies relating to fiscal administration.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF FOWLER DOES ORDAIN AS FOLLOWS:

SECTION 1: Section 2-1.302 of Article 3, of Chapter 1, of Title 2 of the Fowler Municipal Code is hereby amended to read as follows:

2-1.302 - Authority to sign warrants.

(a) For the purposes of this Article, the term “warrant” shall mean an order to the depository of City funds to pay a particular sum of money, including by check or electronic funds transfer.

(b) The following City officials shall have the authority to sign warrants drawn from ~~on the~~ City funds: Mayor, City Manager, Assistant City Manager, ~~City Clerk~~, and Finance Director. All warrants shall require signatures by two (2) of these officials.

SECTION 2: Chapter 10 is hereby added to Title 3 the Fowler Municipal Code to read as follows:

Chapter 10 – Fiscal Administration.

3-10.101 – Purchasing Policy.

The City Council shall adopt, by Resolution, a Purchasing Policy for those transactions that do not constitute public works projects subject to the California Public Contract Code.

3-10.201 – Fixed Asset Policy.

The City Council shall adopt, by Resolution, a Fixed Asset Policy to address acquisition, accounting, internal controls, and disposition of certain City property.

3-10.301 – Policy on the Acceptance of Gifts to the City.

The City Council shall adopt, by Resolution, a Policy on the Acceptance of Gifts to the City.

3-10.401 – Credit Card Usage Policy.

The City Council shall adopt, by Resolution, a Credit Card Usage Policy.

SECTION 3. The City Council has determined that the Ordinance does not constitute a “project” for the purposes of environmental review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines section 15378.

SECTION 4. This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 5. 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 the October 3, 2023, and was adopted at a regular meeting of said Council held on October 17, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Daniel T. Parra, Mayor

ATTEST:

Angela Vasquez, City Clerk



CITY COUNCIL MEETING

REPORT TO THE CITY COUNCIL

DATE: October 17, 2023

FROM: MARGARITA MORENO, Finance Director

SUBJECT: APPROVE Resolution No. 2684 adopting a new Policy on Acceptance of Donations to the City

EXECUTIVE SUMMARY

This policy will replace the Policy Regarding Acceptance of Donations to the City which was adopted in 2002.

BACKGROUND

This updated policy will provide guidance when individuals, community groups, and businesses wish to make donations to the City. Key changes include:

- Clarification on the different types of donations to the City.
- Delegation to the City Manager to accept certain donations under \$50,000 (real property donations excluded).
- Creation of a biannual donation acceptance report to the City Council.

PUBLIC NOTICE

This item does not require a public hearing and was noticed as a part of the City Council Agenda.

ENVIRONMENTAL REVIEW

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

GENERAL PLAN CONSISTENCY

Policy MOB-28

Seek all available means to finance improvements, including State and Federal grants.

Goal PF-1

Fowler provides reliable public facilities, utilities, and community services that meet the needs of the existing community and planned growth.

FISCAL IMPACT

Donations help provide additional funds or items to deliver programs, services, and events to the residents of Fowler.

CONFLICT OF INTEREST

Staff is not aware of any conflicts of interest.

Attachments

- Resolution No. 2684
- Policy on Acceptance of Donations to the City

RESOLUTION NO. 2684

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOWLER
ADOPTING A POLICY ON ACCEPTANCE OF DONATIONS TO THE CITY**

WHEREAS, on September 3, 2002 the City Council adopted a Policy “Regarding Acceptance of Donations to the City” by Resolution No. 1881; and

WHEREAS, it is a best practice to revisit policies from time-to-time; and

WHEREAS, the City Council now desires to make changes to the Policy approved in 2002; and

WHEREAS, a new Policy on Acceptance of Donations to the City is attached to this Resolution; and

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

- 1) The Policy Regarding Acceptance of Donations to the City adopted in 2002 by Resolution No. 1881 is hereby repealed.
- 2) The new Policy on Acceptance of Donations to the City attached to this Resolution is hereby adopted and approved to replace and supersede the Policy approved in 2002.

PASSED, APPROVED AND ADOPTED this 17th day of October 2023, at a regular meeting of the Fowler City Council by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Daniel T. Parra, Mayor

ATTEST:

Angela Vasquez, City Clerk

**City of Fowler
Policy on Acceptance of Donations to the City**

On occasion, merchandise, equipment, and monies are donated to the City for programs, events, or other public benefits. This policy governs that process.

1. Acceptance Authority.

- a. Under \$50,000. Except for offers to donate real property to the City, donations under \$50,000 may be accepted or declined by the City Manager. The City Manager shall provide a biannual report to the City Council on all accepted donations received.
- b. \$50,000 and over. Donations of \$50,000 and over shall require City Council approval for acceptance. All donation offers of \$50,000 or more shall be presented to the City Council for consideration and acceptance at the next available City Council meeting after the offer has been made.
- c. Decline to Accept. Should the City Manager choose to decline to accept a donation offer, before informing the donor the City Manager shall notify the City Council in writing (email is sufficient) within five (5) business days of choosing to decline the donation offer or within such other reasonable time before the donation offer will expire. Any Councilmember may request the donation to be considered as an item on the agenda at an upcoming City Council meeting agenda by either of the following methods: a request may be made by a Councilmember during Council comments at any City Council meeting, or by individual communication to the City Manager that the item is requested to be considered at a City Council meeting, and the City Manager shall include the item on the next available City Council meeting agenda.
- d. Referral. The City Manager may refer any donation offer to the City Council for consideration at an upcoming City Council meeting.

2. Acceptance Process.

The City Manager or designee shall develop a donation acceptance form. This shall also serve as a receipt of acceptance to the donor.

3. Restricted Donations.

If a donor places any restrictions on the City's use of a donation, the City Manager shall determine, as a part of the acceptance process, if any restriction is reasonable and beneficial to the City. If the City Manager accepts the donation with the restriction(s), any restriction(s) shall be documented on the donation acceptance form and the City Manager shall implement means to ensure the restriction(s) and donor's wishes are honored.

4. Donation of Merchandise or Equipment.

When merchandise or equipment is proposed to be donated to the City, the relevant Department Head shall provide the following, in writing, to the City Manager:

- a. Source(s) of donation.
- b. Actual or estimated dollar value of donation as provided by the donor.
- c. Description of item(s) including model number(s) and serial number(s), if applicable.
- d. Location of the item(s).
- e. Any costs to the City to transport, receive, or maintain the item(s).

5. Donation of Cash, Cash Equivalents, or Securities.

- a. Cash. All cash donations shall be entered and recorded into the City's accounting system on the same business day the donation is accepted by the City Manager, or the next business day after approval by the City Council. Funds shall be deposited into the City's bank account consistent with current practice or policy.
- b. Cash Equivalents or Securities. The City Manager shall determine whether donations of cash equivalents or securities should be immediately liquidated or retained in their original form. The City Manager is authorized to execute any necessary financial instruments to maintain or liquidate these donations. These donations, when maintained in their original form, are not subject to the Investment Policy.
- c. Use of Funds. The City Manager shall bring forward a budget amendment for City Council consideration and approval to allocate donated funds to any fund, project, and department, as appropriate and subject to any applicable restrictions.

6. Real Property.

All donations of real property, no matter the estimated or appraised value of the property, are subject to City Council approval of acceptance.

7. Right to Decline Approval or Acceptance of Donations.

Nothing in this policy shall require the City Manager or City Council to accept or decline any offered donation.

8. Solicitation of Donations for Public Purpose.

Upon written approval by the City Manager, City employees may solicit donations to the City for a public purpose consistent with this policy. Such solicitations shall be subject to the direction and control of the City Manager and in accordance with any applicable laws.



CITY COUNCIL MEETING

REPORT TO THE CITY COUNCIL

DATE: October 17, 2023

FROM: SCOTT CROSS, City Attorney

SUBJECT: DISCUSSION of SB 1439 and the new disclosure/disqualification requirements relating to receipt of campaign contributions in excess of \$250.00.

EXECUTIVE SUMMARY

Senate Bill (SB) 1439 was enacted effective January 1, 2023, and amended Gov. Code Section 84308 of the Political Reform Act by requiring local government elected and appointed officials (such as city council members) to disclose and recuse themselves from participating in any proceedings involving a license, permit or other entitlement for use if the official received a campaign contribution in excess of \$250.00 from the party seeking the approval within twelve (12) months preceding the decision. Officials are also prohibited from accepting campaign contributions in excess of \$250.00 from the party seeking approval while the proceeding is pending and for twelve (12) months following the agency’s decision.

BACKGROUND

What is now required.

Effective January 1, 2023, Government Code section 84308 of the Political Reform Act (the “Section”) provides the following requirements and prohibitions:

- Council Members are prohibited from participating in a proceeding involving a license, permit, entitlement for use (as defined), if a campaign contribution in excess of \$250.00 was received from the party (or participant) seeking the approval within twelve (12) months before the decision. Any Council Member who received such a contribution from a party to the proceeding within the previous twelve (12) months must disclose the contribution and recuse themselves from participating in the decision. (Gov. Code § 84308, subd. (b).)
- “License, permit, or other entitlement for use” is defined to mean all business, professional, trade, and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor, or personal employment contracts), and all franchises. (Gov. Code § 84308, subd. (a)(5).)
- “Party” means any person who filed an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use. (Gov. Code § 84308, subd. (a)(1).) A “Participant” means a person that is not a party, but who actively

supports/opposes a particular decision in a proceeding. (Gov. Code § 84308, subd. (a)(2).)

- Council Members are also prohibited from accepting, soliciting, or directing a campaign contribution in excess of \$250.00 from a party (or participant) while a proceeding for a license, permit, or entitlement for use is pending, and for twelve (12) months after the date of the decision.
- The party to the proceeding seeking the approval must also disclose on the record any campaign contributions made to any Council members in excess of \$250.00 within the prior twelve (12) months by the party or their agent, and is further prohibited from making contributions in excess of \$250.00 to any member(s) of the City Council while the proceeding is pending and for twelve (12) months following the date of the Council’s decision in the proceeding. (Gov. Code § 84308, subd. (e)(1) & (2).)
- There is both a “Look Back” and “Look Forward” period of twelve (12) months to identify any campaign contributions made to a Council Member in excess of \$250.00 from a party with a financial interest in the proceeding.
- Due to the effective date of the new law and “Look Back” requirements, the Fair Political Practices Commission (FPPC) issued an opinion that the “Look Back” period only goes as far back as the effective date of the amendment, January 1, 2023. (FPPC Opinion No. O-22-002 [12/22/22].)

Ability for Council Members to Cure.

Prior to rendering any decision in a proceeding involving a license, permit, or other entitlement, including a franchise and most contracts, Council Members and parties to the proceeding each have duty to disclose on the record any contribution received or made in excess of \$250.00 in the past twelve (12) months (since 1/1/23). (Gov. Code § 84308, subd. (c) & (e)(1).) The Section provides the following methods to cure a violation:

- Pre-decision cure.
 - If the Council Member accepts a contribution in excess of \$250.00 prior to the decision which would require disqualification, the Council Member may return the contribution within thirty (30) days of knowing about the contribution and the proceeding. (Gov. Code § 84308, subd. (d)(1).)
- Post-decision cure.
 - If a Council Member accepts a contribution in excess of \$250.00 during the twelve (12) months following the decision, the Council Member may return the contribution, or portion of the contribution in excess of \$250.00, within fourteen (14) days of accepting the contribution. (Gov. Code § 84308, subd. (e)(2).)

Consequences of violating SB 1439.

Council Members and parties to proceedings should note that that any violation of the Political Reform Act constitutes a misdemeanor violation and could result in fines up to \$10,000. (Gov. Code § 91000.) Any conviction under the Political Reform Act prohibits that person from serving as an elected official for four (4) years following the date of conviction. (Gov. Code § 91002.)

Furthermore, aside from potential criminal liability to the official, the City Council decision involving participation by an official who failed to disclose or disqualify themselves from the decision would be vulnerable to legal challenge, and attorney’s fees may be awarded to the prevailing party. (Gov. Code § 91003, subd. (a).)

Recommendations for future items.

In an effort to prevent potential violations of this new requirement, some public agencies have included language on either their agendas or staff reports to remind city council members and others about the requirements and prohibitions of Section 84308. If Council is interested in a similar disclosure reminder on city council meeting agendas, the necessary disclosure text can be prepared.

Council members with specific questions about campaign contributions and disclosure requirements may consult their own campaign and legal advisor(s) and the FPPC.

PUBLIC NOTICE

This item does not require a public hearing and was noticed as a part of the City Council Agenda.

ENVIRONMENTAL REVIEW

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

GENERAL PLAN CONSISTENCY

This item is not associated with a General Plan goal, policy, or action item.

FISCAL IMPACT

This item involves no anticipated fiscal impact to the City.

CONFLICT OF INTEREST

Staff is not aware of any conflicts of interest.

Attachment(s):

- Exhibit A – Copy of SB [1439](#) (Gov. Code § 84308.)

Senate Bill No. 1439

CHAPTER 848

An act to amend Section 84308 of the Government Code, relating to the Political Reform Act of 1974.

[Approved by Governor September 29, 2022. Filed with Secretary of State September 29, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1439, Glazer. Campaign contributions: agency officers.

The Political Reform Act of 1974 prohibits an officer of an agency from accepting, soliciting, or directing a contribution of more than \$250 from any party, participant, or a party or participant's agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 3 months following the date a final decision is rendered in the proceeding, if the officer knows or has reasons to know that the participant has a financial interest, as defined. The act also prohibits a party, participant, or participant's agent from making a contribution of more than \$250 to an officer of the agency during the proceeding and 3 months following the date a final decision is rendered. The act defines "agency" for these purposes to mean any state or local government agency, except certain entities, including local government agencies whose members are directly elected by the voters.

This bill would remove the exception for local government agencies, thereby subjecting them to the prohibition described above. The bill would extend the prohibition on contributions from 3 to 12 months following the date a final decision is rendered in the proceeding. The bill would permit an officer who does not willfully and knowingly accept, solicit, or direct a prohibited contribution to cure the violation by returning it. The bill would require the party to a proceeding to disclose whether the party or the party's agent has made a contribution of more than \$250 in the 12 months before the proceeding.

A violation of the act is punishable as a misdemeanor. By expanding the scope of restrictions on contributions, this bill would expand the scope of an existing crime, and therefore would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$

vote of each house of the Legislature and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

The people of the State of California do enact as follows:

SECTION 1. Section 84308 of the Government Code is amended to read:

84308. (a) The definitions set forth in this subdivision shall govern the interpretation of this section.

(1) "Party" means any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.

(2) "Participant" means any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision, as described in Article 1 (commencing with Section 87100) of Chapter 7. A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.

(3) "Agency" means an agency as defined in Section 82003 except that it does not include the courts or any agency in the judicial branch of government, the Legislature, the Board of Equalization, or constitutional officers. However, this section applies to any person who is a member of an exempted agency but is acting as a voting member of another agency.

(4) "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency.

(5) "License, permit, or other entitlement for use" means all business, professional, trade, and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor, or personal employment contracts), and all franchises.

(6) "Contribution" includes contributions to candidates and committees in federal, state, or local elections.

(b) While a proceeding involving a license, permit, or other entitlement for use is pending, and for 12 months following the date a final decision is rendered in the proceeding, an officer of an agency shall not accept, solicit, or direct a contribution of more than two hundred fifty dollars (\$250) from any party or a party's agent, or from any participant or a participant's agent if the officer knows or has reason to know that the participant has a financial interest, as that term is used in Article 1 (commencing with Section 87100) of Chapter 7. This prohibition shall apply regardless of whether the officer accepts, solicits, or directs the contribution on the officer's own behalf, or on behalf of any other officer, or on behalf of any candidate for office or on behalf of any committee.

(c) Prior to rendering any decision in a proceeding involving a license, permit, or other entitlement for use pending before an agency, each officer of the agency who received a contribution within the preceding 12 months in an amount of more than two hundred fifty dollars (\$250) from a party or from any participant shall disclose that fact on the record of the proceeding. An officer of an agency shall not make, participate in making, or in any way attempt to use the officer's official position to influence the decision in a proceeding involving a license, permit, or other entitlement for use pending before the agency if the officer has willfully or knowingly received a contribution in an amount of more than two hundred fifty dollars (\$250) within the preceding 12 months from a party or a party's agent, or from any participant or a participant's agent if the officer knows or has reason to know that the participant has a financial interest in the decision, as that term is described with respect to public officials in Article 1 (commencing with Section 87100) of Chapter 7.

(d) (1) If an officer receives a contribution which would otherwise require disqualification under this section, and returns the contribution within 30 days from the time the officer knows, or should have known, about the contribution and the proceeding involving a license, permit, or other entitlement for use, the officer shall be permitted to participate in the proceeding.

(2) (A) Subject to subparagraph (B), if an officer accepts, solicits, or directs a contribution of more than two hundred fifty dollars (\$250) during the 12 months after the date a final decision is rendered in the proceeding in violation of subdivision (b), the officer may cure the violation by returning the contribution, or the portion of the contribution in excess of two hundred fifty dollars (\$250), within 14 days of accepting, soliciting, or directing the contribution, whichever comes latest.

(B) An officer may cure a violation as specified in subparagraph (A) only if the officer did not knowingly and willfully accept, solicit, or direct the prohibited contribution.

(C) An officer's controlled committee, or the officer if no controlled committee exists, shall maintain records of curing any violation pursuant to this paragraph.

(e) (1) A party to a proceeding before an agency involving a license, permit, or other entitlement for use shall disclose on the record of the proceeding any contribution in an amount of more than two hundred fifty dollars (\$250) made within the preceding 12 months by the party or the party's agent.

(2) A party, or agent to a party, to a proceeding involving a license, permit, or other entitlement for use pending before any agency or a participant, or agent to a participant, in the proceeding shall not make a contribution of more than two hundred fifty dollars (\$250) to any officer of that agency during the proceeding and for 12 months following the date a final decision is rendered by the agency in the proceeding.

(3) When a closed corporation is a party to, or a participant in, a proceeding involving a license, permit, or other entitlement for use pending

before an agency, the majority shareholder is subject to the disclosure and prohibition requirements specified in this section.

(f) This section shall not be construed to imply that any contribution subject to being reported under this title shall not be so reported.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 3. The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.

O