



CITY COUNCIL REGULAR MEETING AGENDA

Wednesday, November 9, 2022 at 6:00 PM

Kerman City Hall, 850 S. Madera Avenue, Kerman, CA 93630

The Council Chamber will be open to the public. This meeting will also be available for public viewing and participation through Zoom. The zoom link and telephone number listed below will provide access to the City Council meeting.

Zoom link: [City Council Meeting](#) - **Meeting ID:** 815 480 4966 **Password:** 93630

Telephone number: (669) 900-6833

Public comment accepted in person, via Zoom, and by email at: publicmeeting@cityofkerman.org

1. OPENING CEREMONIES

- A. Welcome - Mayor
- B. Call to Order
- C. Roll Call
- D. Invocation

At this time the Council wishes to provide anyone an opportunity to give a brief invocation or inspirational thought. In accordance with law, we would request this opportunity not be used to recruit converts, to advance anyone, or to disparage any other faith or belief. If no one steps forward, we will observe a moment of silence so that we may all focus our thoughts on how best to serve our community.

- E. Pledge of Allegiance

2. AGENDA APPROVAL / ADDITIONS / DELETIONS

To accommodate members of the public or convenience in the order of presentation, items on the agenda may not be presented or acted upon in the order listed.

3. PRESENTATIONS / CEREMONIAL MATTERS

- A. Economic Development Corporation - Good Jobs Program (JAJ)

4. REQUEST TO ADDRESS COUNCIL

This portion of the meeting is reserved for members of the public to address the Council on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Council. Speakers shall be limited to three minutes. It is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Council on items on the Agenda should notify the Mayor when that Agenda item is called, and the Mayor will recognize your discussion at that time. It should be noted that the Council is prohibited by law from taking any action on matters discussed that are not on the Agenda. Speakers are asked to please use the microphone, and provide their name and address.

5. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Council Member may request an item be removed from the Consent Calendar and it will be considered separately.

- A. **SUBJECT:** Minutes October 26, 2022

RECOMMENDATION: Council approve minutes as presented.

- B. **SUBJECT:** Payroll Report 09/18/22 - 10/01/22: \$175,096.04; Retro Pay & Other: \$2,839.97; Overtime: \$11,867.83; Standby: \$1,251.97; Comp Time Earned: 25.80

RECOMMENDATION: Council approve payroll as presented.

- C. **SUBJECT:** Warrants

1. Nos. 25338-25397 \$418,079.32 ACH \$83,761.61

RECOMMENDATION: Council approve warrants and electronic bank transfers as presented.

(Pursuant to Government Code 37208)

- D. **SUBJECT:** Remote City Council Meetings Under New Brown Act Requirements (AB 361) (MR)

RECOMMENDATION: Council by motion adopt resolution reauthorizing remote teleconference public meetings by the City Council and all boards, commissions, and standing committees of the City in accordance with Assembly Bill 361.

6. PUBLIC HEARINGS

These hearings are scheduled at the time stated and will be heard by the Council as close to the time stated as possible.

- A. **SUBJECT:** Tentative Parcel Map 2022-01, Shakti Land Investments (JRO)

RECOMMENDATION: Council Adopt a Resolution Approving Tentative Parcel Map 2022-01, APN: 023-220-78S and Associated Finding of Exemption Under Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183

7. DEPARTMENT REPORTS

- A. **SUBJECT:** User and Regulatory Fee Study Outcomes and Recommendations (JA)

RECOMMENDATION: Council Consider the following:

1. Receive Report and Recommend Fee Increases and Provide feedback regarding presentation of study findings and initial recommendations.
2. Direct staff to schedule a public hearing to formally consider fee adjustments.

- B. **SUBJECT:** Authority for Deferral of Impact Fees for Commercial Development and Approval of Agreement with Aloo, LLC for Deferral of Development Impact Fees for Site Plan Review 2021-10, Until Certificate of Occupancy (JRO)

RECOMMENDATION: It is recommended that the City Council adopt two resolutions:

1. Resolution Authorizing Deferral of Impact Fees for Commercial Development; and
2. Resolution Approving an Agreement for Deferral of Development Impact Fees Between the City of Kerman and Aloo, LLC.

- C. **SUBJECT:** Pre-Approved Accessory Dwelling Unit Standard Plans Program and Homeowner's Guide (JRO)

RECOMMENDATION: Council Approve a Resolution Adopting Pre-Approved Accessory Dwelling Unit Standard Plans Program and Homeowner's Guide and Directing Staff to Initiate the Program Upon Date of Approval

- D. **SUBJECT:** Budget Adjustments for 1st Quarter Fiscal Year 2022-2023 (JA)

RECOMMENDATION: Council review and adopt resolution amending Fiscal Year 2022-2023 Budget.

- E. **SUBJECT:** Award of Contract for the Well No. 14 Emergency Generator to James Day Construction, Inc. dba Coastal Mountain Electric (JJ)

RECOMMENDATION: Council by motion adopt resolution awarding the contract for the Well No. 14 Emergency Generator to James Day Construction, Inc. dba Coastal Mountain Electric in the amount of \$899,989.00 and authorize the City Manager to sign the contract.

- F. **SUBJECT:** Consideration of Special Called Meeting (MR)

RECOMMENDATION: Council discuss and consider scheduling a special called meeting regarding remote teleconference public meetings.

8. CITY MANAGER / STAFF COMMUNICATIONS

9. MAYOR / COUNCIL REPORTS

10. CLOSED SESSION

- A. Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 549556.9 Name of Case: City of Kerman v. The Dow Chemical Company; Shell Oil Company, also doing business as Shell Chemical Company; Occidental Chemical Corporation; FMC Corporation; Puregro Company; Wilbur-Ellis Company; J.R. Simplot Company; Nutrien Ag Solutions, Inc., formerly known as CROP PRODUCTION SERVICES, INC.; and DOES 1 through 300, INCLUSIVE.

11. ADJOURNMENT

Agenda packet is available for review 72 hours prior to the meeting at the city clerk's office and on the city website. Items received at the meeting will be available for review at the city clerk's office.

In compliance with the American with Disabilities Act (ADA), if you need special assistance to participate at this meeting, please contact the City Clerk at (559) 846-9380. Notification of 48 hours prior to the meeting will enable the City Clerk to make reasonable arrangement to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically handicapped.

AGENDA POSTING CERTIFICATION

I, Marci Reyes, City Clerk for the City of Kerman, do hereby declare under penalty of perjury that I caused the above agenda to be posted at City of Kerman Council Chambers at 850 S. Madera Ave., Kerman, CA 93630 and on the City website at www.cityofkerman.org.

Date: November 4, 2022 /s/ Marci Reyes, City Clerk