



REVISED AGENDA

CITY COUNCIL REGULAR MEETING

Wednesday, April 24, 2024 at 6:00 PM

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

LEVINE ACT DISCLOSURE. Pursuant to the Levine Act (Govt Code Section 84308), any party to a permit, license, contract, or other entitlement before the City Council is required to disclose on the record any campaign contribution, including aggregated contributions, of more than \$250 made by the party or the party's agents within the preceding 12 months to any City official. Participants and agents are requested to make this disclosure as well. The disclosure should be made when the agenda item is called and must include the name of the party, participant, or agent, and any other person making the contribution, the name of the recipient, the amount of the contribution, and the date the contribution was made. Council Members are also required to make such disclosures and recuse themselves.

CONFLICT OF INTEREST. City Council Members with a conflict of interest under the Political Reform Act are required to make disclosure of financial interest when the item is called and recuse themselves.

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. Proclamation - Building & Safety Month (JRO)
- B. Kannami Presentation - Spring 2024 Delegation (TJ)

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 - April 10, 2024

RECOMMENDATION: Council approve minutes as presented.

- B. **SUBJECT:** Warrants (JA)

1. Nos. 29065-29153 \$336,409.70 ACH \$60,847.59.

RECOMMENDATION: Council approve warrants and electronic bank transfers as presented.
(Pursuant to Government Code 37208)

- C. **SUBJECT:** Payroll (JA)

03/17/24 - 3/30/24: \$211,854.35; Retro Pay & Other: \$2,651.00; Overtime: \$9,236.05;
Standby: \$1,702.17; Comp Time Earned: 38.63

RECOMMENDATION: Council approve payroll as presented.

- D. **SUBJECT:** Monthly Investment Report

RECOMMENDATION: Council accept monthly investment report as presented.

- E. **SUBJECT:** Annual Progress Report for the General Plan and Housing Element (JRO)

RECOMMENDATION: Council by motion, adopt a resolution accepting the 2023 Annual Progress Report for the General Plan and Housing Element, and authorizing submittal to the State Department of Housing and Community Development and the Governor's Office of Planning and Research including adopting a finding of a Categorical Exemption pursuant to Section 15306 of CEQA Guidelines.

- F. **SUBJECT:** Resolution Accepting the Waste Water Treatment Plant Biolac Sludge Dredging/Hauling Project and Authorizing Filing of the Notice of Completion (MB)

RECOMMENDATION: Council by motion adopt the resolution accepting the Waste Water Treatment Plant Biolac Sludge Dredging/Hauling Project and authorizing the City Staff to record the Notice of Completion.

- G. **SUBJECT:** Approve the contribution of \$3,200 towards the cost to replace two electronic scoreboards at Rotary Park and approval of budget amendment (TJ)

RECOMMENDATION: Council by motion authorize \$3,200 contribution to replace two electronic scoreboards at Rotary Park and adopt resolution approving a budget amendment to appropriate \$1,000 towards the cost to replace two electronic scoreboards at Rotary Park.

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:** Public Hearing – Ordinance Text Amendment 2024-01 repealing Title 17 of the Kerman Municipal Code and addition of a new Title 17 to the Kerman Municipal Code (JRO)

RECOMMENDATION: That the City Council conduct the Public Hearing and:

1. Find that no additional environmental documentation beyond an Addendum is necessary for the Zoning Code update and adopt an Addendum to Program Environmental Impact Report Prepared for the City of Kerman 2040 General Plan (SCH #2019049018); and
2. Waive full reading and introduce Ordinance Text Amendment 2024-01 repealing Title 17 of the Kerman Municipal Code and adding a new Title 17 to the Kerman Municipal Code as recommended by the Planning Commission with minor modifications recommended by staff and refer the ordinance with modifications to the Planning Commission for its report and recommendation; **OR**

Waive full reading, and introduce Ordinance Text Amendment 2024-01 repealing Title 17 of the Kerman Municipal Code and add a new Title 17 to the Kerman Municipal Code as recommended by the Planning Commission.

- B. **SUBJECT:** Public Hearing – Ordinance Text Amendment 2024-02 repealing Chapters 15.28 and 15.32 from Title 15 of the Kerman Municipal Code (JRO)

RECOMMENDATION: City Council conduct a public hearing, waive full reading, and introduce Ordinance Text Amendment 2024-02 repealing Chapter 15.28 relating to Mobile Home Parks and Chapter 15.32 relating to Environmental Quality Protection Procedures from Title 15 of the Kerman Municipal Code.

7. DEPARTMENT REPORTS

- A. **SUBJECT:** Presentation of the City of Kerman 2022/2023 Auditor’s Report and Financial Statements (JA)

RECOMMENDATION: Council accept the City of Kerman 2022/2023 Auditor’s Report and Financial Statements as presented.

- B. **SUBJECT:** Consideration of MOU with County of Fresno City Ordinance Relating to Infectious Materials (JAJ)

RECOMMENDATION: That the Council take action as follows:

- (1) Adopt Resolution Approving Memorandum of Understanding (MOU) with County of Fresno to Authorize County to enforce Fresno County Infectious Materials Ordinance in the City of Kerman; and
- (2) Waive full reading and Introduce Ordinance Adding Chapter 8.44 to Title 8 of the Kerman Municipal Code Relating to Infectious Materials.

- C. **SUBJECT:** Annual Agreement with the Kerman Unified School District for School Resource Officers (SW)

RECOMMENDATION: Council by motion adopt resolution approving agreement with the Kerman Unified School District for School Resource Officers for FY 2024-2025.

8. CITY MANAGER/STAFF COMMUNICATIONS

9. MAYOR/COUNCIL REPORTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS

This portion of the meeting is reserved for the Mayor and Councilmembers (i) to make brief reports on boards, committees, and other public agencies, and at public events, (ii) to request updates, (iii) to initiate future agenda items at the request of any one Council Member, and (iv) to take action on matters initiated under this section of the agenda. (Under this section the Council may take action only on items specifically agendaized and which meet other requirements for action.)

10. CLOSED SESSION

- A. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9)
Eric Antuna, Appellant v. City of Kerman, Respondent
Court of Appeal, Fifth Appellate District Case No. F086661

11. ADJOURNMENT

NOTICE OF AVAILABILITY OF AGENDA MATERIALS: Any writings or documents provided to a majority of the City Council within 72 hours of the meeting regarding any item on this agenda will be made available for public inspection at the City Clerk's Office located at 850 S. Madera Ave., Kerman, CA 93630 and on the City website at www.cityofkerman.net.

ADA Compliance and Reasonable Accommodation. The Council has adopted a Reasonable Accommodation Policy, which is available on the City website at www.cityofkerman.net or upon request by emailing the City Clerk at publicmeeting@cityofkerman.org or calling (559) 846-9450. The Policy provides a procedure for receiving and resolving requests for accommodation to participate in this meeting. If you need assistance in order to attend this Council meeting or require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the Council, please contact the City Clerk at (559) 846-9450 or email at publicmeeting@cityofkerman.org so such aids or services can be arranged. Accommodations should be requested as early as possible as additional time may be required in order to provide the requested accommodation. The meeting room is accessible to persons with physical disabilities.

AGENDA POSTING CERTIFICATION

I, Josie Camacho, Interim 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.net.

Date: April 19, 2024 /s/ Josie Camacho, Interim City Clerk