



CITY COUNCIL REGULAR MEETING AGENDA

Wednesday, October 09, 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. Call to Order
- B. Roll Call
- C. Invocation
- D. Flag Salute

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 - Breast Cancer Awareness Month
- B. Pink Patch Project (WB)

4. **PUBLIC FORUM** *(for matters not on agenda)*

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.

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 - September 25, 2024

RECOMMENDATION: Council approve minutes as presented.

B. SUBJECT: Payroll (JA)

09/01/24 to 09/14/24: \$230,577.57; Retro Pay & Other: \$951.03; Overtime: \$14,847.17; Holiday: \$1,709.45; Standby: \$1,971.41; Comp Time Earned: 22.88

RECOMMENDATION: Council approve payroll as presented.

C. SUBJECT: Resolution Approving Contract Change Order No. 2 for the Well 33 Pilot Hole Project, and Accepting of the Project and Filing of the Notice of Completion (JG)

RECOMMENDATION: Council by motion adopt the resolution:

1. Approving Contract Change Order No. 2 for the Well 33 Pilot Hole Project to South Valley Companies Inc. in the amount of \$70,500; and
2. Accepting the Well 33 Pilot Hole Project and authorizing the City Engineer to record the Notice of Completion.

D. SUBJECT: Amendment to Salary Scale for Police Department Lieutenant Position (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving amendment to Salary Scale for unrepresented Police Department Lieutenant position and approving adjustment in benefits.

E. SUBJECT: Amendment to the Agriculture Lease Agreement Between the City of Kerman and Earl L. Giacolini and Janice E. Giacolini (9.3 acres) (TJ)

RECOMMENDATION: Adopt Resolution Approving Amendment No. 2 to Agriculture Lease Agreement Between the City of Kerman and Earl L. Giacolini and Janice E. Giacolini (9.3 acres)

F. SUBJECT: Amending 2024/2025 Public Safety Salary Schedules (JA)

RECOMMENDATION: Council by motion adopt resolution amending the 2024/2025 Salary Schedules for Employees in Public Safety Bargaining Unit effective July 1, 2024.

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.

7. **DEPARTMENT REPORTS**

- A. **SUBJECT:** Award of Contract for the Siskiyou Avenue Rehabilitation – Whitesbridge to Kearney, Federal Project No. STPL-5291(033) to Cal Valley Construction, Inc. (JG)

RECOMMENDATION: Council by motion adopt the resolution:

1. Awarding the contract for the Siskiyou Ave. Rehabilitation – Whitesbridge to Kearney, Federal Project No. STPL-5291(033) to Cal Valley Construction, Inc. in the amount of \$1,019,569.85; and
2. Authorizing a 10% construction contingency in the amount of \$101,956.00; and
3. Authorizing the City Manager to sign the construction contract on behalf of the City; and
4. Authorizing the City Manager to sign change orders, up to the additional contingency amount, on behalf of the City.

- B. **SUBJECT:** Award of Contract for the Goldenrod Avenue Rehabilitation – Kearney Boulevard to San Joaquin Valley Railroad, Federal Project No. STPL-5291(034) to R.J. Berry Jr., Inc. (JG)

RECOMMENDATION: Council by motion adopt the resolution:

1. Awarding the contract Goldenrod Avenue Rehabilitation – Kearney Boulevard to San Joaquin Valley Railroad, Federal Project No. STPL-5291(034) to R.J. Berry Jr., Inc. in the amount of \$715,502.20; and
2. Authorizing a 10% construction contingency in the amount of \$71,550.00; and
3. Authorizing the City Manager to sign the construction contract on behalf of the City; and
4. Authorizing the City Manager to sign change orders, up to the additional contingency amount, on behalf of the City

- C. **SUBJECT:** Award of Contract for the Downtown Corridor Revitalization, Phase 1 Project to Wabo Landscape & Construction, Inc. (JG)

RECOMMENDATION: Council by motion adopt the resolution:

1. Awarding the contract for the Downtown Corridor Revitalization, Phase 1 Project to Wabo Landscape & Construction, Inc. in the amount of \$669,000.00; and

2. Authorizing a 5% construction contingency in the amount of \$33,500.00; and
3. Authorizing the City Manager to sign the construction contract on behalf of the City; and
4. Authorizing the City Manager to sign change orders, up to the additional contingency amount, on behalf of the City.

D. **SUBJECT:** Dia De Los Muertos Parade Request(s) (JAJ)

RECOMMENDATION: City Council consider a resolution approving a request by Kerman Rotary Club to conduct a parade in conjunction with Rotary's Dia De Los Muertos Day festival and waive up to \$1000, or an amount to be determined by City Council of in-kind staff and equipment costs - with possible direction to staff.

8. **CITY MANAGER/STAFF COMMUNICATIONS**

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

(This portion of the meeting is reserved for the Mayor and Council Members (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 a Council Member, and (iv) to take action on matters initiated under this section of the agenda items. Under this section the Council may take action only on items specifically agendaized and which meet other requirements for action.)

10. **CLOSED SESSION**

If desired, members of the public may comment on Closed Session items. Members of the public wishing to address Council on Closed Session items should notify the Mayor when that item is called, and the Mayor will recognize your discussion at that time. It should be noted that Council is prohibited from discussing or addressing comments on Closed Session items.

- A. Conference with Real Property Negotiators pursuant to Government Code Section 54956.8
Property: APN 023-220-08S
Agency Negotiators: City Manager Jansons
Negotiating Parties: Jagrup and Sukhdev Sidhu, Trustees The Sidhu Family Trust
Under Negotiation: Price, terms, payment
- B. 1. Public Employee Performance Evaluation pursuant to Government Code Section 54957
Title: City Manager
2. Conference with Labor Negotiators pursuant to Government Code Section 54957.6
City Designated Representatives: Mayor Pacheco and Council Member Yep
Unrepresented Employee: City Manager

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, 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: October 4, 2024 /s/ Josie Camacho, City Clerk



BREAST CANCER AWARENESS MONTH

WHEREAS, breast cancer is the second most commonly diagnosed form of cancer for women in the United States and remains the second leading cause of cancer death among American women; and

WHEREAS, mammography, an “x-ray of the breast,” is recognized as the single most effective method of detecting breast changes long before physical symptoms can be seen or felt. Early detection and improved treatment is believed to have significantly reduced the number of deaths caused by breast cancer; and

WHEREAS, researchers, scientists, and numerous nonprofit organizations, are dedicated to discovering the cure for breast cancer. During the month of October, we acknowledge the extraordinary commitment and effort invested in this cause; and

WHEREAS, we recognize that over two and a half million Americans are breast cancer survivors that give us hope of a better future.

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Kerman extend our deepest respect for survivors and those advocating for prevention and a cure and in so doing hereby proclaim October 2024 as

“BREAST CANCER AWARENESS MONTH”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Kerman to be affixed on this 9th day of October 2024.

Maria Pacheco
Mayor



CITY COUNCIL REGULAR MEETING MINUTES
Wednesday, September 25, 2024 at 6:00 PM
Kerman City Hall, 850 S. Madera Avenue, Kerman, CA 93630

1. OPENING CEREMONIES

- A. Call to Order - **6:03 p.m.**
- B. Roll Call - **All present except Councilmember Herrera and Mayor Pro Tem Nijjer.**
- C. Invocation - **Performed by Cherie Smith.**
- D. Flag Salute - **Performed.**

2. AGENDA APPROVAL/ADDITIONS/DELETIONS

Item 3.A was removed from the agenda, and Items 6.A and 6.B were moved to Department Reports 7.A and 7.B, with the current department reports following.

Motion made to approve agenda with those modifications by Councilmember Yep, Seconded by Councilmember Coleman.

Ayes: Yep, Coleman, Pacheco

Noes: None

Abstain: None

Absent: Herrera, Nijjer

Motion passes 3-0-0-2.

3. PRESENTATIONS/CEREMONIAL MATTERS

- A. Chamber of Commerce - **Removed.**

4. PUBLIC FORUM (*for matters not on agenda*) - None.

5. CONSENT CALENDAR

- A. **SUBJECT:** Minutes - September 11, 2024

RECOMMENDATION: Council approve minutes as presented.

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

1. Nos.30140-30248 \$424,114.29 ACH \$103,307.71.

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

C. **SUBJECT:** Monthly Investment Report

RECOMMENDATION: Council accept monthly investment report as presented.

D. **SUBJECT:** Proposal and Selection of New Phone System (JA)

RECOMMENDATION: Staff recommends that the Council adopt resolution approving acceptance of proposal from Unity IT in the amount of \$1,408.04 per month for telephone services and approximately \$3,654.25 for equipment and authorize the City Manager to sign the proposal. – **Res. 24-74**

E. **SUBJECT:** Approving 2024-2027 Adult Compliance Team Agreement to Participate with Fresno County (SW)

RECOMMENDATION: Council by motion adopt resolution approving 2024-2027 Adult Compliance Team Agreement with County of Fresno. – **Res. 24-75**

Motion made by Councilmember Coleman, Seconded by Councilmember Yep.

Ayes: Coleman, Yep, Pacheco

Noes: None

Abstain: None

Absent: Herrera, Nijjer

Motion passes 3-0-0-2.

6. **PUBLIC HEARINGS - None.**

7. **DEPARTMENT REPORTS**

Mayor Pro Tem Nijjer arrives 6:11 p.m. and recuses himself.

A. **SUBJECT:** Whispering Falls Project: General Plan Amendment 2023-01, Mitigated Negative Declaration 2023-01, Rezone 2023-01, Tentative Subdivision Map 2023-01, and Annexation 2023-01 pertaining to the Whispering Falls residential development located on the east side of South Modoc Avenue between West California Avenue (proposed) and the West California Avenue Alignment/San Joaquin Valley Railroad (APNs 020-160-36S, 020-160-18S, 020-160-19S, 020-041-45S, 020-041-47S, and 020-041-09U) (BE)

RECOMMENDATION: That Council consider the second reading of ordinance, adoption of the Tentative Subdivision Map resolution and Annexation Initiation resolution; deliberate; and by motion:

1. Adopt an ordinance of the City Council of the City of Kerman amending the official City of Kerman zoning map to pre-zone approximately 44.75 acres (APNs 020-160-36S, 020-160-18S, 020-041-45S, and 020-041-47S) to the Smart Development Combining District – Residential – Minimum 2,500 square feet (SD-R-2.5) Zoning District and approximately 20 acres (020-160-19S) to the Smart Development Combining District – Residential – Minimum 5,000 square feet (SD-R-5) Zoning District (REZ 2023-01). – **Ord. 24-05**
2. Adopt a resolution approving Tentative Subdivision Map 2023-01 for a property located on the east side of South Modoc Avenue between West California Avenue (proposed) and the West California Avenue Alignment/San Joaquin Valley Railroad (APNs 020-160-36S, 020-041-45S, 020-041-47S); and – **Res. 24-76**
3. Adopt a resolution initiating annexation for the Whispering Falls residential project consisting of six (6) parcels identified as APNs 020-160-36S, 020-160-18S, 020-160-19S, 020-041-45S, 020-041-47S and 020-041-09U containing approximately 64.76 acres located on the east side of South Modoc Avenue between West Kearney Boulevard and the West California Avenue Alignment/San Joaquin Valley Railroad (Annexation 2023-01). – **Res. 24-77**

Motion made by Councilmember Yep, Seconded by Councilmember Coleman.

Ayes: Yep, Coleman, Pacheco

Noes: None

Abstain: Nijjer

Absent: Herrera

Motion passes 3-0-1-1.

- B. **SUBJECT:** Crown-Schaad Residential Project: Rezone 2023-02, Mitigated Negative Declaration 2023-03, Annexation 2023-02, and Tentative Subdivision Map 2023-02, pertaining to the Crown-Schaad Residential Development, located on the North Side of West Kearney Boulevard between South Modoc and South Siskiyou Avenues (APNs 020-140-22S and 020-140-23S) (JC)

RECOMMENDATION: That the Council consider the second reading of ordinance; adoption of the Annexation Initiation resolution and Tentative Subdivision Map resolution; deliberate; and by motion:

1. Adopt an ordinance of the City Council of the City of Kerman amending the official City of Kerman zoning map to pre-zone approximately 9.69 acres (APN 020-140-22S) to the SD-R-4.5 (Smart Development Combining District – Residential – minimum 4,500 square feet) Zone District and rezone approximately 19.65 acres (APN 020-140-23S) from the R-1-7 (Single-Family Residential) Zone District to the SD-R-4.5 Zone District located on the North side of West Kearney Boulevard between South Modoc and South Siskiyou Avenues (Rezone 2023-02); and adopt Mitigated Negative Declaration (ENV 2023-03) and Mitigated Monitoring and Reporting Program; and – **Ord. 24-06**
2. Adopt a resolution of the City Council of the City of Kerman initiating annexation for the Crown-Schaad residential project consisting of one (1) parcel identified as APN 020-140-22S

containing approximately 9.69 acres located on the North side of West Kearney Boulevard between South Modoc and South Siskiyou Avenues (Annexation 2023-02); and – **Res. 24-78**

3. Adopt a resolution of the City Council of the City of Kerman approving Tentative Subdivision Map 2023-02 located on the North side of West Kearney Boulevard between South Modoc and South Siskiyou Avenues (APNs 020-140-22S and 020-140-23S). – **Res. 24-79**

Motion made by Mayor Pro Tem Nijjer, Seconded by Councilmember Yep.

Ayes: Nijjer, Yep, Coleman, Pacheco

Noes: None

Abstain: None

Absent: Herrera

Motion passes 4-0-0-1.

- C. **SUBJECT:** Resolution Approving Successor Memorandum of Understanding with Kerman Peace Officers Association (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving successor Memorandum of Understanding with Kerman Peace Officers Association effective July 1, 2024, through June 30, 2027. – **Res 24-80**

Motion made by Councilmember Yep, Seconded by Mayor Pro Tem Nijjer.

Ayes: Yep, Nijjer, Coleman, Pacheco

Noes: None

Abstain: None

Absent: Herrera

Motion passes 4-0-0-1.

- D. **SUBJECT:** Second Reading and Adoption of Ordinance to Increase City Council and Mayor's Compensation within allowable limits set forth by Government Code Section 36516 (JAJ & HCM)

RECOMMENDATION: That Council conduct the second reading and adopt ordinance amending Section 2.40.010 of Title 2, Chapter 2.40 of the Kerman Municipal Code to increase the City Council and Mayor's compensation within allowable limits set forth by Government Code Section 36516. – **Ord. 24-07**

Motion made by Councilmember Yep, Seconded by Councilmember Coleman.

Ayes: Yep, Coleman, Nijjer, Pacheco

Noes: None

Abstain: None

Absent: Herrera

Motion passes 4-0-0-1.

- E. **SUBJECT:** Consider Rejecting All Bids Received for the Hart Ranch Community Park Project and Authorizing Advertisement of Revised Bid Documents (JG)

RECOMMENDATION: Council by motion adopt resolution rejecting all bids for the Hart Ranch Community Park Project and authorizing staff to advertise revised bid documents. – **Res. 24-81**

Motion made by Mayor Pro Tem Nijjer, Seconded by Councilmember Yep.

Ayes: Nijjer, Yep, Coleman, Pacheco

Noes: None

Abstain: None

Absent: Herrera

Motion passes 4-0-0-1.

8. CITY MANAGER/STAFF COMMUNICATIONS

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

10. CLOSED SESSION - 7:03 p.m.

- A. 1. Public Employee Performance Evaluation pursuant to Government Code Section 54957
Title: City Manager
- 2. Conference with Labor Negotiators pursuant to Government Code Section 54957.6
City Designated Representatives: Mayor Pacheco and Council Member Yep
Unrepresented Employee: City Manager

Reconvene 8:04 p.m. with no reportable action. Four members present.

11. ADJOURNMENT - 8:04 p.m.

MINUTES CERTIFICATION

I, Josie Camacho, City Clerk for the City of Kerman, do hereby declare under penalty of perjury that the above minutes are a true depiction of all actions taken at the City Council meeting held on the first date above written at Kerman City Hall, 850 S. Madera Ave, Kerman, CA.

Date: September 26, 2024 /s/ Josie Camacho, City Clerk

CITY OF KERMAN
PAYROLL REPORT

Section 5, Item B.

PAY PERIOD: September 01, 2024 - September 14, 2024

	Salary	RETRO PAY & OTHER	<u>OVERTIME</u>		<u>HOLIDAY at 1/2 TIME</u>		<u>STANDBY</u>		GROSS SALARY	COMP TIME EARNED
			Hours	Amount	Hours	Amount	Hours	Amount		
Grand Total	\$ 230,577.57	\$ 951.03	269.75	\$ 14,847.17	114.00	\$ 1,709.45	74.00	\$ 1,971.41	\$ 251,833.98	22.88



STAFF REPORT

MEETING DATE: October 9, 2024

PRESENTER: Jesus A. Gonzalez, City Engineer

SUBJECT: Resolution Approving Contract Change Order No. 2 for the Well 33 Pilot Hole Project, and Accepting of the Project and Filing of the Notice of Completion (JG)

RECOMMENDATION: Council by motion adopt the resolution:

1. Approving Contract Change Order No. 2 for the Well 33 Pilot Hole Project to South Valley Companies Inc. in the amount of \$70,500; and
2. Accepting the Well 33 Pilot Hole Project and authorizing the City Engineer to record the Notice of completion.

EXECUTIVE SUMMARY:

On August 06, 2021, the State Water Resources Control Board Division of Drinking Water (DDW) issued the City a compliance order for exceeding the 1,2,3-TCP Maximum Contaminant Level (MCL) at Well 12. Subsequently on August 25, 2022, the DDW issued the City a compliance order for exceeding the Uranium MCL at Well 12. The second order caused the City to re-evaluate improvements to Well 12 with a decision ultimately made for its replacement with Well 33 on the northside of Kearney Boulevard at its intersection with Kenneth Avenue.

On February 14, 2024, following a public bids procurement process, the Well 33 Pilot Hole Project (Project) was awarded by the City Council to South Valley Companies Inc. in the amount of \$386,500. The Project was the first step in the well's development process, consisting of a hydrogeological investigation including well drilling and water testing activities, to a depth of 950 feet, for assessing water quality and production capacity at the proposed Well 33 site.

On February 26, 2024, a construction Notice to Proceed was issued to South Valley Companies Inc. Water sampling activities at the contracted depth of 900 feet indicated the presence of Hexavalent Chromium (Hex-Chrom) in excess of recent State established MCL levels. Based on a need to avoid Hex-Chrom, the City issued Change Order No. 1 (CCO 1) in the amount of \$225,000 for additional hydrogeological investigations to a depth of 1,200 feet.

The additional hydrogeological investigation was intended to consist of sampling of two sand zones. A third zone became necessary due to the presence of Hex-Chrom in the shallow sand zone. The additional cost for the hydrogeological investigation to a depth of 1,200 feet, inclusive of contractor re-mobilization, drilling, water sampling, and pilot hole abandoning is in the amount of \$70,500. Change Order No. 2 (CCO 2) work was started with CCO 1 contingency

funds in the amount of \$38,700. Due to the nature of the activities, upon exceeding CCO 1 contingency fund, the Project was unable to be placed on hold for first obtaining Council approval of Contract Change Order No. 2 as it would have resulted in additional costs due to equipment standby time.

With completion of the work stipulated in Change Order No. 2, the contractor, South Valley Companies Inc. has satisfactorily completed the Project. In order to close-out the Project, City Council must accept the improvements and authorize the recording of Notice of Completion.

FISCAL IMPACT:

The City budgeted \$650,200 for the Project. The final Project cost was \$771,700 including design, construction management, inspection, and contingency. There are sufficient accounts funds in the FY 24/25 Budget to cover the expense in the Major Water Facilities Fund.

ATTACHMENTS:

- A. Resolution
- B. Change Order No. 2

Attachment 'A'

RESOLUTION NO. 24-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
APPROVING CONTRACT CHANGE ORDER NO. 2 TO SOUTH VALLEY COMPANIES INC. AND
ACCEPTING IMPROVEMENTS AND AUTHORIZING FILING OF THE NOTICE OF COMPLETION FOR
THE WELL 33 PILOT HOLE PROJECT**

WHEREAS, the Project consists of a hydrogeological investigation including well drilling and water testing activities, to a depth of 950 feet, for assessing water quality and production capacity at the proposed Well 13 site; and

WHEREAS, on February 14, 2024, following a public bids procurement process, the Project was awarded by the City Council to South Valley Companies Inc.; and

WHEREAS, following issuance of a February 26, 2024 construction Notice to Proceed, the hydrogeological investigation identified the need for additional drilling and water sampling to a depth of 1,200 feet; and

WHEREAS, in performance of the additional drilling and water sampling the need arose for sampling of a third zone not contemplated under Change Order No. 1; and

WHEREAS, following conclusion of Change Order No. 2 work, South Valley Companies Inc. has completed the work for the Well 33 Pilot Hole Project; and

WHEREAS, the City Public Works Inspector has inspected the improvements required by the City and all improvements required by the City have been completed; and

WHEREAS, the City Engineer recommends acceptance of the Well 33 Pilot Hole Project and requests Council to authorize the City Engineer to record the Notice of Completion for the Project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN RESOLVES AS FOLLOWS:

1. The foregoing recitals are incorporated by reference.
2. Upon the recommendation of the City Engineer, approval is granted for Change Order No. 2, for the Well 33 Pilot Hole Project, in the amount of Seventy Thousand Five Hundred Dollars and Zero Cents (\$70,500).
3. The City Manager is authorized to sign Change Order No. 2.
4. The Council accepts the Well 33 Pilot Hole Project and authorizes the City Engineer to record the Notice of Completion.

5. This resolution is effective on adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 9th day of October, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

Attachment 'B'

**CONTRACT CHANGE ORDER**

ORDER NO.	2
DATE	8/26/2024
STATE	CA
COUNTY	Fresno

CONTRACT FOR WELL 33 PILOT HOLE

FEDERAL PROJECT NO.

OWNER CITY OF KERMAN

TO: SOUTH VALLEY COMPANIES, INC.
CONTRACTOR

Original Contract Amount:	\$386,500.00
Original Contract Contingency Amount:	\$38,650.00
Revised Contract Amount:	\$611,500.00
Original Contract Time:	30
Original Contract Completion Date:	1/24/2024

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes (Supplemental Plans and Specifications Attached)	DECREASE in Contract Price	INCREASE in Contract Price
2.0 Change Order 02		
2.1 One(1) Additional Zone Test: \$25,000 EA Zone Test Per The Hydrologists Request		\$25,000.00
2.2 Re-drill Pilot Hole an Additional 700 LF in Depth at Contract Unit Cost - 700 LF @ \$65.00/LF		\$45,500.00
TOTALS	\$0.00	\$70,500.00
NET CHANGE IN CONTRACT PRICE		\$70,500.00

JUSTIFICATION

See MEMO and back up documentation attached.

The amount of the Contract will be **Increased** by the sum of: \$70,500.00

The Contract Total including this and previous Change Orders will be: \$682,000.00

The Contract period provided for completion will be (Increased): 0

* The extra work was completed within the contract working days

This document will become a supplement to the contract and all provisions will apply hereto.

Requested _____ Contractor _____ (Date)

Recommended _____ City Engineer _____ (Date)

Accepted _____ City Manager _____ (Date)



CONTRACT CHANGE ORDER

ORDER NO.	2
DATE	8/26/2024
STATE	CA
COUNTY	Fresno

CONTRACT FOR WELL 33 PILOT HOLE

FEDERAL PROJECT NO.

OWNER CITY OF KERMAN

TO: SOUTH VALLEY COMPANIES, INC.
CONTRACTOR

Original Contract Amount:	\$386,500.00
Previous Contract Amount	\$611,500.00
New Contract Amount	\$682,000.00
Change Order Amount	\$70,500.00
Original Contract Time:	30
Revised Contract Time:	1/24/2024
Original Contract Completion Date:	1/24/2024

Change Order Item Scope of Work Description

2.0 Change Order 02 - Additional Drilling and Water Zone Test

2.1 One(1) Additional Zone Test: \$25,000 EA Zone Test Per The Hydrologists Request

The contractor perform one additional zone test for a total of three additional water zone tests. The Hydrologist requested a third water zone test with the change order work to drill the well down 1200 LF.

2.2 Re-drill Pilot Hole an Additional 700 LF in Depth at Contract Unit Cost - 700 LF @ \$65.00/LF

The hydrologist memo report dated 7-11-2024 recommends for the test well to be abandoned at 900 LF. The contractor needed to redrill the well down to 900 LF. The bid schedule accounted for a re-drill depth of 200 LF so the additional 700 LF to reach a final depth of 900 LF would be extra at the contract unit cost.



STAFF REPORT

MEETING DATE: October 9, 2024

PRESENTER: John Jansons, City Manager, Personnel Director

SUBJECT: Amendment to Salary Scale for Police Department Lieutenant Position (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving amendment to Salary Scale for unrepresented Police Department Lieutenant position and approving adjustment in benefits.

EXECUTIVE SUMMARY:

The City recently concluded collective bargaining negotiations which resulted in a new Memorandum of Understanding for members of the Kerman Peace Officers Association. Neither the Chief of Police, who is employed as an At-Will employee, employed under an employment contract, nor the Lieutenant position, as a management position, are members of the KPOA.

The City’s past practice has been to apply adjustments in wages and benefits to the position of Lieutenant as is done for the KPOA. With this in mind, staff recommends adoption of a resolution, **Attachment ‘A’**, to bestow the same base salary increase of four percent (4%) annually and benefit changes as outlined in recently adopted MOU 2024-2027, to the Lieutenant position as well.

The current salary range and the recommended range for the position of Lieutenant is shown below in Table 1 and the recommended increased range is shown in Table 2.

Salary Schedule-Unrepresented Public Safety Employee							
Lieutenant-Current	\$7,467	\$7,840	\$8,232	\$8,643	\$9,076	\$9,529	\$10,006
Lieutenant-Recommended	\$7,765	\$8,153	\$8,561	\$8,989	\$9,439	\$9,911	\$10,406

The adjustment of salary and benefits of the Lieutenant position would be retroactive to July 1, 2024.

FISCAL IMPACT:

The increase in base salary of four percent (4%) per year, totals approximately \$14,900 over the three year term, July 1, 2024 through June 30, 2027.

ATTACHMENTS:

- A. Resolution w/ Exhibit

RESOLUTION NO. 24-__**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN ADJUSTING THE SALARY SCALE AND BENEFITS FOR THE POSITION OF LIEUTENANT IN THE KERMAN POLICE DEPARTMENT FOR THE PERIOD JULY 1, 2024 THROUGH JUNE 30, 2027.**

WHEREAS, the City recently concluded collective bargaining negotiations and approval of a new Memorandum of Understanding with the Kerman Peace Officers Association (KPOA); and

WHEREAS, neither the Chief of Police, who is employed as an At-Will employee, employed under an employment contract, nor the Lieutenant position, as a management position, are members of the KPOA; and

WHEREAS, the City's past practice has been to apply adjustments in wages and benefits to the position of Lieutenant as is done for the KPOA; and

WHEREAS, it is now in the City's interest to adjust the salary range of the position of Lieutenant to remain competitive in the labor marketplace and to aid in employee retention; and

WHEREAS, providing complementary benefits as provided to members of the Kerman Peace Officers Association to the position of Lieutenant is also in the best interest of the City and its commitment to equity; and

WHEREAS, the City is in a positive financial position as to afford the proposed increase in salary and benefits.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Kerman resolves as follows:

Section 1. The above recitals are true and correct and incorporated herein by reference.

Section 2. The salary scale of the position of Lieutenant in the Kerman Police Department shall be increased by four percent (4%) annually during the period July 1, 2024 and June 30, 2027 as shown in **Exhibit 'A'**.

Section 3. That other adjustments in benefits, in the current KPOA Memorandum of Understanding dated July 1, 2024, as applicable, be afforded to the position of Lieutenant.

Section 4. That this resolution is effective upon its adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 9th day of October 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

Exhibit 'A'

Proposed/Recommended Salary for Police Lieutenant: 2024-2025

Salary Schedule-Unrepresented Public Safety Employee							
Lieutenant-Current	\$7,467	\$7,840	\$8,232	\$8,643	\$9,076	\$9,529	\$10,006
Lieutenant-Proposed	\$7,765	\$8,153	\$8,561	\$8,989	\$9,439	\$9,911	\$10,406



STAFF REPORT

MEETING DATE: October 9, 2024

PRESENTER: Theresa Johnson, Community Services Director

SUBJECT: Amendment to the Agriculture Lease Agreement Between the City of Kerman and Earl L. Giacolini and Janice E. Giacolini (9.3 acres) (TJ)

RECOMMENDATION: Adopt Resolution Approving Amendment No. 2 to Agriculture Lease Agreement Between the City of Kerman and Earl L. Giacolini and Janice E. Giacolini (9.3 acres)

EXECUTIVE SUMMARY:

The lease agreement addresses 9.3 acres of property the City purchased in 2021 from Earl and Janice Giacolini, and was approved by the City Council on December 22, 2021. The property is located on the east portion of Hart Ranch Community Park. The Lessee is Earl and Janice Giacolini. After purchasing the property and while the park improvements are being developed, the City agreed to lease the 9.3 acres to Mr. and Mrs. Giacolini. Amendment No. 1 to the lease agreement was approved on November 8, 2023, and expired on September 30, 2024.

Amendment No. 2 will extend the terms of the lease for one year commencing October 9, 2024. Staff met with Mr. Giacolini on September 25, 2024, and he is in agreement with the renewal terms.

A copy of Amendment No. 2 is attached as **Exhibit 'A'** to the proposed resolution. The conditions of the lease are \$630 per acre for rent for 5.8 farmable acres. The term of the amendment is for a commencing on October 9, 2024, and terminating on September 30, 2025.

FISCAL IMPACT:

Rental income to the City is \$3,654 for the extended term.

ATTACHMENTS:

A. Resolution w/Exhibit

Attachment 'A'

RESOLUTION NO. 24-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
APPROVING AMENDMENT NO. 2 TO AGRICULTURE LEASE AGREEMENT BETWEEN THE CITY
OF KERMAN AND EARL L. GIACOLINI AND JANICE E. GIACOLINI (9.3 ACRES)

WHEREAS, the City of Kerman owns approximately 9.3 acres of land (Property) outside of the City limits on land being developed as a park; and

WHEREAS, City and Earl L. Giacolini and Janice Giacolini entered a Lease Agreement relating to the Property on December 2021; and

WHEREAS, the parties wish to extend the Lease Agreement and modify the farmable acreage.

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

- Section 1. The foregoing recitals are true and correct and are incorporated by reference.
- Section 2. The City Council approves the Amendment No. 2 to Lease Agreement with Earl L. Giacolini and Janice Giacolini which is attached to this resolution as **Exhibit 'A'** and incorporated by reference.
- Section 3. The City Manager is authorized to sign Amendment No. 2 to Lease Agreement on behalf of the City.
- Section 4. This resolution is effective upon adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 9th day of October, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

Exhibit 'A'

**AMENDMENT NO. 2 TO AGRICULTURE LEASE AGREEMENT
BETWEEN CITY OF KERMAN AND EARL L. GIACOLINI AND
JANICE E. GIACOLINI (5.8 ACRES)**

This Amendment No. 2 to Agriculture Lease Agreement (hereafter “Amendment No. 2”) is entered into on this 15th day of October 2024, (“Effective Date”) by and between Earl L. Giacolini and Janice Giacolini, (referred to hereinafter collectively as “Lessee”), and the City of Kerman, a public agency (hereinafter as “City” or “Lessor”), collectively referred to as “Parties.”

RECITALS

WHEREAS, the City of Kerman owns approximately 9.3 acres of land (Property) outside of the City limits on land being developed as a park; and

WHEREAS, City and Earl L. Giacolini and Janice Giacolini entered a Lease Agreement relating to the Property on December 22, 2021; and

WHEREAS, as part of getting the Property ready for the City’s planned park on the site, only 5.8 acres of the 9.3 acres are farmable; and

WHEREAS, the parties wish to extend the Lease Agreement.

AGREEMENT

SECTION 1. Section 2 of the Lease Agreement is amended to read as follows:

Rent.

On or before December 31, 2024, the Lessee shall pay to the Lessor the sum of Six Hundred Thirty Dollars (\$630.00) per acre for 5.8 farmable acres as rent due for the October 9, 2024, through September 30, 2025, contract period.

SECTION 2. Section 3 of the Lease Agreement is amended by adding subsection 3c to read as follows.

- c. The term of the Lease Agreement shall be extended from October 9, 2024, through September 30, 2025.

SECTION 3. Except as amended by this Lease Amendment No. 2, all terms and conditions in the Lease Agreement shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed or caused this Amendment No. 2 to Lease Agreement to be executed as of the date set forth below.

LESSEE:
EARL L. GIACOLINI
JANICE E. GIACOLINI

Earl L. Giacolini

Date: _____

Janice E. Giacolini

Date: _____

CITY:
CITY OF KERMAN

John Jansons, City Manager

Date: _____

ATTEST:

Josie Camacho, City Clerk

APPROVED AS TO FORM



STAFF REPORT

MEETING DATE: October 9, 2024

PRESENTER: Josefina Alvarez, Finance Director

SUBJECT: Amending 2024/2025 Public Safety Salary Schedules (JA)

RECOMMENDATION: Council by motion adopt resolution amending the 2024/2025 Salary Schedules for Employees in Public Safety Bargaining Unit effective July 1, 2024.

EXECUTIVE SUMMARY:

On September 25, 2024, Council approved a resolution approving a Memorandum of Understanding between the City of Kerman and KPOA for July 1, 2024 thorough June 30, 2027, which included a 4% COLA for each year in 2024, 2025 and 2026.

California state law requires a pay schedule be approved and adopted by the City Council in accordance with public meeting laws that indicates the position title and the payrate for every position along with the effective date of any revisions. The salary scale must be posted or immediately accessible for public review or posted on the City’s website.

FISCAL IMPACT: The Salary changes were incorporated into the Fiscal year 2024/2025 budget that was presented with the Budget adoption meeting on June 12, 2024.

ATTACHMENTS:

A. Resolution w/Exhibit

Attachment 'A'

RESOLUTION NO. 24-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN AMENDING 2024/2025
SALARY SCHEDULES FOR EMPLOYEES IN THE PUBLIC SAFETY BARGAINING UNIT

WHEREAS, the City of Kerman and the KPOA have entered into a new Memorandum of Understanding for the period of July 1, 2024 through June 30, 2027 which include a 4% COLA for each year of the agreement; and

WHEREAS, the salary terms of the agreements have been incorporated into the revised salary scales attached effective July 1, 2024; and

WHEREAS, California State law requires pay schedules to be approved and adopted by the City Council.

NOW, THEREFORE, the City Council of the City of Kerman resolves as follows:

Section 1 The foregoing recitals are true and correct and incorporated by reference.

Section 2. The Council adopts amended salary schedules for employees in the KPOA as set forth in **Exhibit 'A'**.

Section 3. This resolution is effective immediately.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 9th day of October 2024, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

Exhibit ‘A’

Public Safety Employees
July 2024 - June 2025

Public Safety	Step A	Step B	Step C	Step D	Step E	Step F	Step G
Sergeant- 2,184 Annual Hours	\$ 6,720	\$ 7,056	\$ 7,408	\$ 7,779	\$ 8,168	\$ 8,576	\$ 9,005
Corporal- 2,184 Annual Hrs	\$ 5,316	\$ 5,582	\$ 5,861	\$ 6,154	\$ 6,461	\$ 6,785	\$ 7,124
Police Officer- 2,184 Annual Hrs	\$ 5,057	\$ 5,310	\$ 5,576	\$ 5,854	\$ 6,147	\$ 6,454	\$ 6,777
Records Manager	\$ 4,755	\$ 4,993	\$ 5,243	\$ 5,505	\$ 5,780	\$ 6,069	\$ 6,372
Records Clerk	\$ 3,620	\$ 3,801	\$ 3,992	\$ 4,191	\$ 4,401	\$ 4,621	\$ 4,852
Community Service Officer	\$ 3,806	\$ 3,996	\$ 4,196	\$ 4,406	\$ 4,626	\$ 4,857	\$ 5,100
Animal Control	\$ 4,205	\$ 4,416	\$ 4,636	\$ 4,868	\$ 5,112	\$ 5,367	\$ 5,636
Animal Shelter Attendant	\$ 4,205	\$ 4,416	\$ 4,636	\$ 4,868	\$ 5,112	\$ 5,367	\$ 5,636
Administrative Assistant	\$ 4,554	\$ 4,782	\$ 5,021	\$ 5,272	\$ 5,536	\$ 5,812	\$ 6,103

Sergeant and Police Officers Pay Based on 2,184 Annual Hours versus 2,080 Hours



STAFF REPORT

MEETING DATE: October 9, 2024

PRESENTER: Jesus A. Gonzalez, City Engineer

SUBJECT: Award of Contract for the Siskiyou Avenue Rehabilitation – Whitesbridge to Kearney, Federal Project No. STPL-5291(033) to Cal Valley Construction, Inc. (JG)

RECOMMENDATION: Council by motion adopt the resolution:

1. Awarding the contract for the Siskiyou Ave. Rehabilitation – Whitesbridge to Kearney, Federal Project No. STPL-5291(033) to Cal Valley Construction, Inc. in the amount of \$1,019,569.85; and
2. Authorizing a 10% construction contingency in the amount of \$101,956.00; and
3. Authorizing the City Manager to sign the construction contract on behalf of the City; and
4. Authorizing the City Manager to sign change orders, up to the additional contingency amount, on behalf of the City.

EXECUTIVE SUMMARY:

The Siskiyou Avenue Rehabilitation (Project), Federal Project No. STPL-5291(033), will consist of the rehabilitation of the existing pavement on Siskiyou Avenue from Whitesbridge Road to Kearney Boulevard. The work will consist of: 1) dig out and reconstruction of pavement areas with structure failure; 2) grind and pavement overlay of areas where the pavement surface is showing significant cracking and weathering; 3) fog seal placement over the entire pavement surface. The Project will also include the replacement or construction of various concrete improvements where they are currently damaged or non-compliant with ADA accessibility guidelines.

The Project will additionally construct improvements in vicinity of the Siskiyou Avenue pavement rehabilitation limits for taking advantage of the cost value resulting from having Cal Valley Construction, Inc. perform the work under one construction contract. The additional work will consist of: 1) construction of a raised crosswalk at the intersection of San Joaquin and Park Avenues; 2) removal and reconstruction of failed concrete infrastructure on Kenneth Avenue, north of California Avenue; 3) dig out and reconstruction of pavement areas, and removal and reconstruction of failed concrete infrastructure in the area bounded by Whitesbridge Road and Del Norte, California and Kenneth Avenues.

On August 21, 2024 the City advertised a request for bids with four contractors submitting by the September 11, 2024, 3:30 PM deadline. The results are as follows:

Contractor	Base Bid
Cal Valley Construction, Inc.	\$1,019,569.85
Avison Construction, Inc.	\$1,139,637.00
Granite Construction Company	\$1,049,263.95
R.J. Berry Jr., Inc.	\$1,169,521.00

Staff has reviewed the bid submitted by Cal Valley Construction, Inc. Based on the review, staff has determined the bid received to be responsive and Cal Valley Construction, Inc. to be a responsible contractor.

FISCAL IMPACT:

The total estimated Project cost is \$1,364,462, including design, construction, construction management, and contingency. The Siskiyou Avenue construction portion of the Project, \$912,883.85, will be funded with \$780,588 in Federal Surface Transportation Block Grant (STBG) funds and the required local match of \$132,295.85 from Local Transportation Funds. The remainder of the Project construction, outside of the Siskiyou Avenue limits, \$106,686, is not eligible for STBG funding and will be funded with Local Transportation Funds. There are sufficient Local Transportation Funds budgeted in the FY 24/25 Budget to cover the required local match and the work outside of the Siskiyou Avenue limits of work.

ATTACHMENTS:

A. Resolution

Attachment ‘A’

RESOLUTION NO. 24-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
AWARDING CONTRACT FOR SISKIYOU AVE. REHABILITATION – WHITESBRIDGE TO KEARNEY,
FEDERAL PROJECT NO. STPL-5291(033), TO CAL VALLEY CONSTRUCTION, INC.**

WHEREAS, the Invitation to Bid for the Siskiyou Ave. Rehabilitation – Whitesbridge to Kearney, Federal Project No. STPL-5291(033), was published in the Kerman News on August 21, 2024 and was sent electronically and mailed to all construction trade journals specified for the City by the California Uniform Construction Cost Accounting Commission in accordance with the City’s Formal Contract Procedures and California Public Contract Code Section 22037; and

WHEREAS, the Project consists of the rehabilitation of Siskiyou Avenue from Whitesbridge Road to Kearney Boulevard and additional improvements in the vicinity of the San Joaquin and Park Avenue intersection, Kenneth Avenue north of California Avenue and the area bounded by Whitesbridge Road and Del Norte, California and Kenneth Avenues; and

WHEREAS, the following bids for the Project were publicly opened and read aloud at the Kerman City Hall on September 11, 2024 at 3:30 PM:

Contractor	Base Bid
Cal Valley Construction, Inc.	\$1,019,569.85
Avison Construction, Inc.	\$1,139,637.00
Granite Construction Company	\$1,049,263.95
R.J. Berry Jr., Inc.	\$1,169,521.00

WHEREAS, the City Engineer’s Estimate was \$965,000.00 for the Base Bid.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN RESOLVES AS FOLLOWS:

1. The foregoing recitals are true and correct and incorporated by reference.
2. Upon the recommendation of the City Engineer, the Council awards the Siskiyou Avenue Rehabilitation – Whitesbridge to Kearney Project to Cal Valley Construction, Inc., 5125 N. Gates Avenue, Ste. 102, Fresno, CA 93722 in the amount of One Million One Hundred Sixty-Nine Thousand Five Hundred and Twenty-One Dollars and Eighty-Five Cents (\$1,019,569.85) which is incorporated by reference.
3. The City Manager is authorized to sign the City's standard form of agreement for construction projects, as contained in the bid package on behalf of the City of Kerman.

- 4. The City Manager is authorized to sign change orders, up to the additional contingency amount, on behalf of the City.
- 5. This resolution is effective upon adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 9th day of October, 2024, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk



STAFF REPORT

MEETING DATE: October 9, 2024

PRESENTER: Jesus A. Gonzalez, City Engineer

SUBJECT: Award of Contract for the Goldenrod Avenue Rehabilitation – Kearney Boulevard to San Joaquin Valley Railroad, Federal Project No. STPL-5291(034) to R.J. Berry Jr., Inc. (JG)

RECOMMENDATION: Council by motion adopt the resolution:

1. Awarding the contract Goldenrod Avenue Rehabilitation – Kearney Boulevard to San Joaquin Valley Railroad, Federal Project No. STPL-5291(034) to R.J. Berry Jr., Inc. in the amount of \$715,502.20; and
2. Authorizing a 10% construction contingency in the amount of \$71,550.00; and
3. Authorizing the City Manager to sign the construction contract on behalf of the City; and
4. Authorizing the City Manager to sign change orders, up to the additional contingency amount, on behalf of the City.

EXECUTIVE SUMMARY:

The Goldenrod Avenue Rehabilitation (Project), Federal Project No. STPL-5291(034), will consist of the rehabilitation of the existing pavement on Goldenrod Avenue from Kearney Boulevard to the San Joaquin Valley Railroad, just north of California Avenue. The work will consist of: 1) dig out and reconstruction of pavement areas with structure failure; 2) grind and pavement overlay of areas where the pavement surface is showing significant cracking and weathering; and 3) fog seal placement over the entire pavement surface. The Project will also include the replacement or construction of various concrete improvements where they are currently damaged or non-compliant with ADA accessibility guidelines.

The Project will additionally construct improvements in vicinity of the Goldenrod Avenue pavement rehabilitation limits for taking advantage of the cost value resulting from having R.J. Berry Jr., Inc. perform the work under one construction contract. The additional work will consist of: 1) removal and reconstruction of failed concrete infrastructure; and 2) dig out and reconstruction of pavement in the area bounded by Kearney Boulevard, Goldenrod Avenue, the San Joaquin Valley Railroad and 16th Street.

On August 21, 2024 the City advertised a request for bids with six contractors submitting by the September 11, 2024, 2:00 PM deadline. The results are as follows:

Contractor	Base Bid
R.J. Berry Jr., Inc.	\$715,502.20
Avison Construction, Inc.	\$724,260.00
Emmett Valley Construction, Inc.	\$727,665.00
Dave Christian Construction Co., Inc.	\$740,000.00
Granite Construction Company	\$776,034.06
Cal Valley Construction	\$789,186.36

Staff has reviewed the bid submitted by R.J. Berry Jr., Inc. Based on the review, Staff has determined the bid received to be responsive and R.J. Berry Jr., Inc. to be a responsible contractor.

FISCAL IMPACT:

The total estimated Project cost is \$959,000 including design, construction, construction management, and contingency. The Goldenrod Avenue construction portion of the Project, \$786,000, will be funded with \$477,000 in Federal Surface Transportation Block Grant (STBG) funds and the required local match of \$309,000 from Local Transportation Funds. The remainder of the Project construction, outside of the Goldenrod Avenue limits, \$110,000, is not eligible for STBG funding and will be funded with Local Transportation Funds. There are sufficient Local Transportation Funds budgeted in the FY 24/25 Budget to cover the required local match and the work outside of the Goldenrod Avenue limits of work.

ATTACHMENTS:

A. Resolution

Attachment ‘A’

RESOLUTION NO. 24-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
AWARDING CONTRACT FOR GOLDENROD AVE. REHABILITATION – KEARNEY TO SAN JOAQUIN
VALLEY RAILROAD, FEDERAL PROJECT NO. STPL-5291(034), TO R.J. BERRY JR. CONSTRUCTION,
INC.**

WHEREAS, the Invitation to Bid for the Goldenrod Ave. Rehabilitation – Kearney to San Joaquin Valley Railroad, Federal Project No. STPL-5291(034), was published in the Kerman News on August 21, 2024 and was sent electronically and mailed to all construction trade journals specified for the City by the California Uniform Construction Cost Accounting Commission in accordance with the City’s Formal Contract Procedures and California Public Contract Code Section 22037; and

WHEREAS, the Project consists of the rehabilitation of Goldenrod Avenue from Kearney Boulevard to the San Joaquin Valley Railroad and additional improvements in the area bounded by Kearney Boulevard, Goldenrod Avenue, the San Joaquin Valley Railroad and 16th Street; and

WHEREAS, the following bids for the Project were publicly opened and read aloud at the Kerman City Hall on September 11, 2024 at 2:00 PM:

Contractor	Base Bid
R.J. Berry Jr., Inc.	\$715,502.20
Avison Construction, Inc.	\$724,260.00
Emmett Valley Construction, Inc.	\$727,665.00
Dave Christian Construction Co., Inc.	\$740,000.00
Granite Construction Company	\$776,034.06
Cal Valley Construction	\$789,186.36

WHEREAS, the City Engineer’s Estimate was \$780,000.00 for the Base Bid.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN RESOLVES AS FOLLOWS:

1. The foregoing recitals are true and correct and incorporated by reference.
2. Upon the recommendation of the City Engineer, the Council awards the Goldenrod Avenue Rehabilitation – Kearney to the San Joaquin Valley Railroad Project to R.J. Berry Jr., Inc., 2020 High Street, Suite B, Selma, CA 93662 in the amount of Seven Hundred Fifteen Thousand Five Hundred and Two Dollars and Twenty Cents (\$715,502.20) which is incorporated by reference.

3. The City Manager is authorized to sign the City's standard form of agreement for construction projects, as contained in the bid package on behalf of the City of Kerman.
4. The City Manager is authorized to sign change orders, up to the additional contingency amount, on behalf of the City.
5. This resolution is effective upon adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 9th day of October, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk



STAFF REPORT

MEETING DATE: October 9, 2024

PRESENTER: Jesus A. Gonzalez, City Engineer

SUBJECT: Award of Contract for the Downtown Corridor Revitalization, Phase 1 Project to Wabo Landscape & Construction, Inc. (JG)

RECOMMENDATION: Council by motion adopt the resolution:

1. Awarding the contract for the Downtown Corridor Revitalization, Phase 1 Project to Wabo Landscape & Construction, Inc. in the amount of \$669,000.00; and
2. Authorizing a 5% construction contingency in the amount of \$33,500.00; and
3. Authorizing the City Manager to sign the construction contract on behalf of the City; and
4. Authorizing the City Manager to sign change orders, up to the additional contingency amount, on behalf of the City.

EXECUTIVE SUMMARY:

The Project will enhance Madera Avenue (State Route 145), its main North-South transportation corridor thereby promoting infill development and drawing business activity to the area. The Project will replace median turf with mulch, as well as replace unhealthy trees between C Street and Whitesbridge Road. Additionally, the Project will install benches, trash receptacles and planters between C Street and Kearney Boulevard. Supplemental to the Contract work, City personnel have engaged in separate activities for procuring mural artwork, installation of wayfinding signs and placement of streetlight banners, further enhancing the corridor.

On August 7, 2024 the City advertised a request for bids with five contractors submitting by the September 11, 2024, 3:00 PM deadline. The results are as follows:

Contractor	Base Bid
Wabo Landscape & Construction, Inc.	\$669,000.00
Clean Cut Landscape, Inc.	\$738,227.00
Harris Development Corp. dba HBC Enterprises	\$819,900.00

Truxell & Valentino Landscape Develop., Inc.	\$836,950.00
Marina Landscape, Inc.	\$971,800.00
Engineer's Estimate	\$560,000.00

Staff has reviewed the bid submitted by Wabo Landscape & Construction, Inc. Based on the review, staff has determined the bid received to be responsive and Wabo Landscape & Construction, Inc. to be a responsible contractor.

FISCAL IMPACT:

The total estimated cost for construction, including preparation of plans and specifications, construction management, and contingency is \$834,500. The cost excludes City procurement and installation of 1) art mural services; 2) light post banners and; 3) wayfinding signs. The funding to cover the construction costs will be through \$389,762 received in Clean California grant funding with a local match portion of \$444,738, inclusive of \$210,88 to cover the funding shortfall, coming from Measure M funding. There are sufficient accounts funds in the FY 24/25 Budget to cover the expense. If the Project does not move forward at this time, the City will lose out on the grant funding due to the pending expiration of the Clean California program.

ATTACHMENTS:

A. Resolution

Attachment 'A'

RESOLUTION NO. 24-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
AWARDING CONTRACT FOR THE DOWNTOWN CORRIDOR REVITALIZATION PROJECT
TO WABO LANDSCAPE & CONSTRUCTION, INC.

WHEREAS, the Invitation to Bid for the Downtown Corridor Revitalization Project was published in the Kerman News on August 7, 2024 and was sent electronically and mailed to all construction trade journals specified for the City by the California Uniform Construction Cost Accounting Commission in accordance with the City’s Formal Contract Procedures and California Public Contract Code Section 22037; and

WHEREAS, the Project will perform construction activities, consisting of turf removal and replacement with mulch; replacement of unhealthy trees and; installation of benches, trash receptacles and planters for promoting infill development and drawing business activity along the Madera Avenue corridor, within the City of Kerman; and

WHEREAS, the following bids for the Project were publicly opened and read aloud at the Kerman City Hall on September 11, 2024 at 3:00 p.m.; and

Downtown Corridor Revitalization	Base Bid
Wabo Landscape & Construction, Inc.	\$669,000.00
Clean Cut Landscape, Inc.	\$738,227.00
Harris Development Corp. dba HBC Enterprises	\$819,900.00
Truxell & Valentino Landscape Develop., Inc.	\$836,950.00
Marina Landscape, Inc.	\$971,800.00

WHEREAS, the City Engineer’s Estimate was \$560,000.00.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN RESOLVES AS FOLLOWS:

1. The foregoing recitals are true and correct and incorporated by reference.
2. Upon the recommendation of the City Engineer, the Council awards the Downtown Corridor Revitalization to Wabo Landscape & Construction, Inc., 726 Alfred Nobel Drive, Hercules, CA 94547 in the amount of Six Hundred and Sixty-Nine Thousand Dollars and Zero Cents (\$669,000.00) which is incorporated by reference.

3. The City Manager is authorized to sign the City's standard form of agreement for construction projects, as contained in the bid package on behalf of the City of Kerman.
4. The City Manager is authorized to sign change orders, up to the additional contingency amount, on behalf of the City.
5. This resolution is effective upon adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 9th day of October, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk



STAFF REPORT

MEETING DATE: October 9, 2024

PRESENTER: John Jansons, City Manager

SUBJECT: Dia De Los Muertos Parade Request(s) (JAJ)

RECOMMENDATION: City Council consider a resolution approving a request by Kerman Rotary Club to conduct a parade in conjunction with Rotary's Dia De Los Muertos Day festival and waive up to \$1000, or an amount to be determined by City Council of in-kind staff and equipment costs - with possible direction to staff.

EXECUTIVE SUMMARY:

In 2023, the Kerman Rotary Club produced a local festival in recognition of Dia De Los Muertos.

This year on November 2, 2024 the Kerman Rotary Club proposes to expand the festival with longer hours, greater participation and a proposed parade. It was demonstrated with the smaller event last year that the event was very successful and delivered significant community benefit by providing a cultural and family-friendly event honoring Hispanic heritage.

The City has reserved Kerckhoff Park for the Rotary Club's use, but the request to add a parade requires City permission, permits and greater coordination. The proposed parade is estimated to have up to 50 entries representing car clubs, motorcycle clubs, walkers, bands and floats from throughout Fresno County.

Coordination of a parade involves greater city involvement and potential resources. Public safety, traffic control and public inconvenience all need to be taken into consideration. It is recommended that city staff be involved to ensure public safety and it is estimated that traffic control equipment and staff time for support may total \$2,000. Of that amount, staff recommends that the City Council adopt a resolution, **Attachment 'A'**, to waive up \$1,000 of those costs or an amount as determined by City Council, with Rotary Club of Kerman reimbursing the City for the remaining balance of City expenses.

The proposed parade route is shown in **Attachment 'B'**.

Representatives of the Kerman Rotary Club have been invited to attend the October 9, 2024 City Council meeting to provide further detail on the proposed parade and address questions of the City Council.

ATTACHMENT:

- A. Resolution
- B. Proposed Parade Route Map

Attachment 'A'

RESOLUTION NO. 24-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN WAIVING FEES IN THE AMOUNT OF _____ ASSOCIATED WITH FACILITATING A COMMUNITY PARADE IN CONJUNCTION WITH DIA DE LOS MUERTOS EVENT ON NOVEMBER 2, 2024

WHEREAS, the City encourages family-friendly cultural, entertainment and community events to enrich the lives of Kerman residents, support Kerman community organizations and businesses and promote the quality of life in Kerman.

WHEREAS, the City has long successfully partnered with the Kerman Rotary Club to enrich the lives of Kerman residents; and

WHEREAS, many events require the expertise and assistance of City staff and resources to make them successful and safe; and

WHEREAS, many events are designed to raise funds for worthwhile causes and projects, supporting Kerman students and residents; and

WHEREAS, a proposed parade in conjunction with a Dia De Los Muertos Day festival, which the City wishes to support, will be a benefit to Kerman.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Kerman resolves as follows:

Section 1. The above recitals are true and correct and incorporated herein by reference.

Section 2. That the Rotary Club of Kerman will obtain all necessary permits and insurance coverages as required by the City or other Agencies.

Section 3. The City Council approves a waiver of City fees and costs associated with facilitating a parade in the amount of \$_____.

Section 4. That this resolution is effective upon its adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 9th day of October 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Section 7, Item D.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

Google Maps

