CITY COUNCIL REGULAR MEETING AGENDA

Wednesday, April 26, 2023 at 6:00 PM

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

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. Recognition of Kerman High School Mariachi De Leon (TJ)

B. Introduction of Ruth Belmonte, Code Enforcement Official (JAJ)

C. Economic Development Corporation Update (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 - April 12, 2023 (MR)

RECOMMENDATION: Council approve minutes as presented.

B. **SUBJECT:** Payroll (JA)

03/05/23 - 03/18/23: $184,223.89; Overtime: $8,830.63; Standby: $1,463.92; Comp Time Earned: 61.88

03/19/23 - 04/01/23: $183,026.48; Overtime: $14,834.19; Standby: $1,644.40; Comp Time Earned: 45.00

RECOMMENDATION: Council approve payroll as presented.

C. **SUBJECT:** Warrants (JA)

1. Nos. 26477-26624 $155,271.42 ACH $82,040.07

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

D. **SUBJECT:** Resolution Initiating Proceedings for the Annual Levy of Assessments for Landscape and Lighting District No. 1 (JJ)

RECOMMENDATION: Council by motion adopt resolution to initiate proceedings for the annual levy of assessments for Landscape and Lighting District No. 1 and authorize the City Engineer to file his annual report.

E. **SUBJECT:** Amendment to Agreement for Legal Services with Montoy Law Corporation (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving Amendment No. 2 Agreement for Legal Services with Montoy Law Corporation adjusting rates.

6. PUBLIC HEARINGS

None.

7. DEPARTMENT REPORTS

A. **SUBJECT:** Request for a Public Convenience or Necessity for a Type 20 (Off-Sale Beer and Wine) ABC License for Vikram Vohra and Vinay Vohra (Fast N Esy) Located at 14195 W Whitesbridge Rd. (JRO)

RECOMMENDATION: Council by motion, review and consider adoption of a Resolution Adopting Findings of Public Convenience or Necessity for a Type 20 (Off-Sale Beer & Wine) ABC License for Vikram Vohra and Vinay Vohra (Fast N Esy) Located at 14195 W Whitesbridge Rd. Which Has Received a Conditional Use Permit by the City's Planning Commission

B. **SUBJECT:** Award of Contract for the Stanislaus/San Joaquin Alley Paving from 1st to 3rd Street, Federal Project No. CML-5291(031) to Asphalt Design By Juan Gomez. (JJ)

RECOMMENDATION: Council by motion adopt resolution awarding the contract for the Stanislaus/San Joaquin Alley Paving from 1st to 3rd Street, Federal Project No. CML-5291(031), to Asphalt Design By Juan Gomez in the amount of $108,444.00 and authorize the City Manager to sign the contract.

C. **SUBJECT:** Consideration of Opposition to Initiative No. 21-0042A1, the Taxpayer Protection and Government Accountability Act as proposed by the California Business Roundtable (JAJ)

RECOMMENDATION: Council by motion adopt resolution opposing Initiative No. 2-0042A1, the Taxpayer Protection and Government Accountability Act as proposed by the California Business Roundtable.

D. **SUBJECT:** Consideration of City's position and possible Resolution regarding Assembly Bill 558 which proposes to change the governance structure of the Fresno County Transportation Agency and enact other project conditions (JAJ)

RECOMMENDATION: Staff recommends City Council:

1. Consider Assembly Bill 558 which proposes to change the governance structure of the Fresno County Transportation Agency and impose wage and environmental review conditions on funded projects; and
2. Determine whether to adopt a position in support or opposition to the proposed bill; and
3. Adopt resolution accordingly that communicates the Council's position to the bill's author Assembly Arambula, the Assembly Committee on Local Government, Cal Cities and Fresno County Transportation Authority.

E. **SUBJECT:** Council Reassignments for Committees, Commissions and Boards (MR)

RECOMMENDATION: Council discuss the reassignments and by minute order approve appointments.

F. **SUBJECT:** Presentation and discussion with possible direction of staff of Fiscal Year 23-24 City Council Priorities, Goals and Staff Work Plan Alignment (JAJ)

RECOMMENDATION: City Council receive presentation by staff to identify and discuss proposed priorities, projects, goals and alignment of Departmental work plans pursuant to the approval and direction of the City Council for Fiscal Year 23-24.

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 agendized and which meet other requirements for action.)

10. CLOSED SESSION

None

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) 846-9380. 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) 846-9380 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, 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.net.

Date: April 21, 2023 /s/ Marci Reyes, City Clerk

CITY COUNCIL REGULAR MEETING MINUTES

Wednesday, April 12, 2023 at 6:00 PM

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

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1. OPENING CEREMONIES

A. Welcome – Mayor

B. Call to Order - **6:00 p.m.**

C. Roll Call

PRESENT: Council Member Gary Yep, Mayor Pro Tem Bill Nijjer, Council Member Jennifer Coleman

ABSENT: Mayor Maria Pacheco, Council Member Ismael Herrera

D. Invocation - **Pastor Tom Boonstra, Kerman Baptist Church**

E. Pledge of Allegiance - **Performed**

2. AGENDA APPROVAL/ADDITIONS/DELETIONS

Motion made by Council Member Yep, Seconded by Council Member Coleman. Voting Yea: Mayor Pro Tem Nijjer

3. PRESENTATIONS/CEREMONIAL MATTERS - None

4. REQUEST TO ADDRESS COUNCIL - None

5. CONSENT CALENDAR

Motion made by Council Member Yep, Seconded by Council Member Coleman. Voting Yea: Mayor Pro Tem Nijjer

A. SUBJECT: Minutes - March 22, 2023

RECOMMENDATION: Council approve minutes as presented.

B. SUBJECT: Payroll

02/19/23 - 03/04/23: $178,975.17; Retro Pay & Other: $1,665.41; Overtime: $5,052.77; Holiday at 1/2 Time: $1,476.65; Standby: $1,548.70; Comp Time Earned: 29.25

RECOMMENDATION: Council approve payroll as presented.

C. SUBJECT: Warrants (JA)

1. Nos. 26320-26476 $791,955.55 ACH $79,668.19

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

D. SUBJECT: Monthly Investment Reports (JA)

RECOMMENDATION: Council accept monthly investment report as presented.

E. SUBJECT: Professional Services with PBK Architects for Community Safety Center/Police Station Feasibility Work (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving a contract for professional services with PBK Architects for Community Safety Center/Police Station Feasibility Work in an amount not to exceed $30,000. **Res 23-26**

F. SUBJECT: New National Opioid Settlements with Teva, Allergan, Walmart, Walgreens, and CVS (JAJ)

RECOMMENDATION: Council by motion:

Affirm City Manager's Approval of Settlement Agreements and Participation Forms for the City's participation in the National Opioid Settlement Agreements with Teva, Allergan, Walmart, Walgreens, and CVS.

Affirm the City Manager's Approval of the California State-Subdivision Agreements Regarding Distribution and Use of Settlement Funds relating to the National Opioid Settlement Agreements with Teva, Allergan, Walmart, Walgreens, and CVS.

Adopt a Resolution (i) approving and authorizing the City Manager to carry out all necessary acts such that the City can participate in the National Opioid Settlements with Teva, Allergan, Walmart, Walgreens, and CVS, including signing necessary documents and transmittal thereof as necessary and (ii) authorizing the City Manager to carry out all necessary acts such that the City can participate in the National Opioid Settlements, including, but not limited to, the transmittal of the executed documents in Recommendations 1 and 2 and all future settlements (as necessary and applicable) through the National Opioid Settlements process. **Res 23-29**

6. PUBLIC HEARINGS - None

7. DEPARTMENT REPORTS

A. SUBJECT: Resolutions required by the State Water Resources Control Board as part of the City's Clean Water State Revolving Fund Application for the Sewer Collection System and Wastewater Treatment Plant Improvements Project. (MB)

RECOMMENDATION: Council by motion to adopt the following:

1. Resolution authorizing the City Manager to sign and file a financial assistance application to the Clean Water State Revolving Fund for the design and construction of the Sanitary Sewer Collection System and Wastewater Treatment Plant Improvements Project.

2. Resolution stating the City Council's intention to be reimbursed for expenditures incurred ahead of the approval of the disbursement of Clean Water State Revolving Fund construction funds from the State Water Resources Control Board.

Motion made by Council Member Yep, Seconded by Council Member Coleman. Voting Yea: Council Member Yep Res 23-27, Res 23-28

B. SUBJECT: Consideration of Pension Management Policy, Enrollment in CalPERS Pension Pre-Funding Program and Year One Payment to Manage CalPERS Unfunded Accrued Liabilities (JAJ)

RECOMMENDATION: Council by motion adopt resolution to:

1. Approve Pension Management Policy, and

2. Approve enrollment and payments to CalPERS Pension Pre-Funding Program to manage unfunded accrued CalPERS Pension Program Liabilities.

Motion made by Council Member Coleman, Seconded by Council Member Yep. Voting Yea: Mayor Pro Tem Nijjer Res 23-30

8. CITY MANAGER/STAFF COMMUNICATIONS

A. Special Strategic Goal Setting Meeting, April 29, 2023

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

10. CLOSED SESSION - None

11. ADJOURNMENT – 6:22 p.m.

MINUTES CERTIFICATION

I, MARCI REYES, 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: April 13, 2023



Marci Reyes
City Clerk

CITY OF KERMAN
PAYROLL REPORT

PAY PERIOD: March 05, 2023 - March 18, 2023

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME HOURS	OVERTIME AMOUNT	HOLIDAY at 1/2 TIME HOURS	HOLIDAY at 1/2 TIME AMOUNT	STANDBY HOURS	STANDBY AMOUNT	GROSS SALARY	COMP TIME EARNED
ADMINISTRATION										
Alvarez, Josefina	$ 3,748.31	$ -	-	$ -	-	$ -	-	$ -	$ 3,748.31	-
Camacho, Josie	$ 2,515.54	$ -	-	$ -	-	$ -	-	$ -	$ 2,515.54	-
Cheema, Akayla	$ 2,356.62	$ -	11.58	$ 506.82	-	$ -	-	$ -	$ 2,863.43	-
Gonzalez, Diana	$ 3,553.84	$ -	-	$ -	-	$ -	-	$ -	$ 3,553.84	-
Jansons, John	$ 6,678.60	$ -	-	$ -	-	$ -	-	$ -	$ 6,678.60	-
Linares, Vanessa	$ 1,566.15	$ -	-	$ -	-	$ -	-	$ -	$ 1,566.15	-
Lopez, Jacqueline	$ 2,221.08	$ -	3.00	$ 122.12	-	$ -	-	$ -	$ 2,343.20	-
Mendoza Hernandez, Ariana	$ 1,389.72	$ -	-	$ -	-	$ -	-	$ -	$ 1,389.72	10.13
Mendoza, Gabriela	$ 2,019.38	$ -	3.00	$ 110.78	-	$ -	-	$ -	$ 2,130.16	-
Reyes, Marcia	$ 3,669.51	$ -	-	$ -	-	$ -	-	$ -	$ 3,669.51	-
Sandoval, Veronica	$ 1,494.15	$ -	-	$ -	-	$ -	-	$ -	$ 1,494.15	-
TOTAL	**$ 31,212.90**	**$ -**	**17.58**	**$ 739.72**	**-**	**$ -**	**-**	**$ -**	**$ 31,952.62**	**10.13**
REC/SOCIAL										
Acosta-Parra, Melany	$ 100.75	$ -	-	$ -	-	$ -	-	$ -	$ 100.75	-
Arredondo, Raquel	$ 352.00	$ -	-	$ -	-	$ -	-	$ -	$ 352.00	-
Brar, Manreet	$ 100.75	$ -	-	$ -	-	$ -	-	$ -	$ 100.75	-
Burdine-Slaven, Jeanna	$ 2,248.62	$ -	-	$ -	-	$ -	-	$ -	$ 2,248.62	-
Barrett, Shannon	$ 1,678.15	$ -	-	$ -	-	$ -	-	$ -	$ 1,678.15	2.25
Flores, Haley	$ 1,678.15	$ -	-	$ -	-	$ -	-	$ -	$ 1,678.15	-
Garcia, Anthony	$ 1,439.08	$ -	-	$ -	-	$ -	-	$ -	$ 1,439.08	-
Hurlbert, Ronald	$ 418.50	$ -	-	$ -	-	$ -	-	$ -	$ 418.50	-
Jauriqui, Jose	$ 594.00	$ -	-	$ -	-	$ -	-	$ -	$ 594.00	-
Johnson, Theresa	$ 3,186.62	$ -	-	$ -	-	$ -	-	$ -	$ 3,186.62	-
Lujan, Vanessa	$ 119.00	$ -	-	$ -	-	$ -	-	$ -	$ 119.00	-
Martinez, Aylah	$ 596.75	$ -	-	$ -	-	$ -	-	$ -	$ 596.75	-
Martinez, Jeness	$ 124.00	$ -	-	$ -	-	$ -	-	$ -	$ 124.00	-
Martinez Lopez, Jose	$ 589.00	$ -	-	$ -	-	$ -	-	$ -	$ 589.00	-
Negrete, Dean	$ 1,586.31	$ -	-	$ -	-	$ -	-	$ -	$ 1,586.31	-
Pena, Mercedes	$ 186.00	$ -	-	$ -	-	$ -	-	$ -	$ 186.00	-
Ruiz, Rosalba	$ 495.00	$ -	-	$ -	-	$ -	-	$ -	$ 495.00	-
Salvador, Mark	$ 2,922.72	$ -	-	$ -	-	$ -	-	$ -	$ 2,922.72	-
Sidhu, Nirmal	$ 2,054.77	$ -	-	$ -	-	$ -	-	$ -	$ 2,054.77	-
Silva, Jessica	$ 201.50	$ -	-	$ -	-	$ -	-	$ -	$ 201.50	-
Tovar, Jessica	$ 341.00	$ -	-	$ -	-	$ -	-	$ -	$ 341.00	-
Villarreal, Arlene	$ 2,028.04	$ -	-	$ -	-	$ -	-	$ -	$ 2,028.04	-
TOTAL	**$ 23,040.70**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 23,040.70**	**2.25**
POLICE										
Antuna, Miguel	$ 2,714.12	$ -	10.00	$ 484.66	-	$ -	-	$ -	$ 3,198.79	-
Arciga, Jose	$ 2,680.70	$ -	29.50	$1,466.79	-	$ -	-	$ -	$ 4,147.49	-
Barbosa, Isaias	$ 2,902.48	$ -	-	$ -	-	$ -	-	$ -	$ 2,902.48	-
Barcoma, Wilbert	$ 4,272.23	$ -	-	$ -	-	$ -	-	$ -	$ 4,272.23	-
Barra, Brenden	$ 2,070.80	$ -	3.00	$ 107.59	-	$ -	-	$ -	$ 2,178.39	-
Belding, Jeff	$ 3,578.45	$ -	-	$ -	-	$ -	-	$ -	$ 3,578.45	-
Castro, Jaclynn	$ 2,031.42	$ -	12.00	$ 421.91	-	$ -	-	$ -	$ 2,453.34	-
Chapman, Tom	$ 3,435.42	$ -	12.00	$ 722.77	-	$ -	-	$ -	$ 4,158.19	-
Clark, Patrick	$ 2,382.12	$ -	-	$ -	-	$ -	-	$ -	$ 2,382.12	-
Coronado, Krystal	$ 2,018.15	$ -	-	$ -	-	$ -	-	$ -	$ 2,018.15	-
Corrales, Edith	$ 857.50	$ -	-	$ -	-	$ -	-	$ -	$ 857.50	-
Cubillos, Theresa	$ 2,764.38	$ -	-	$ -	-	$ -	-	$ -	$ 2,764.38	9.75
Garcia, Andrew	$ 2,067.69	$ -	10.00	$ 369.23	-	$ -	-	$ -	$ 2,436.92	-
Gempis, Danzel	$ 1,875.23	$ -	-	$ -	-	$ -	-	$ -	$ 1,875.23	-
Golden, John	$ 5,005.20	$ -	-	$ -	-	$ -	-	$ -	$ 5,005.20	-
Gutierrez, Gloria	$ 2,135.40	$ -	5.11	$ 200.75	-	$ -	-	$ -	$ 2,336.15	-
Inthasone, Bryant	$ 1,968.92	$ -	14.00	$ 492.23	-	$ -	-	$ -	$ 2,461.15	-
Irazoqui, Mario	$ 1,706.86	$ -	-	$ -	-	$ -	-	$ -	$ 1,706.86	-
Levandusky, James	$ 2,342.13	$ -	-	$ -	-	$ -	-	$ -	$ 2,342.13	-
Lopez, Matt	$ 850.00	$ -	-	$ -	-	$ -	3.00	$ 15.94	$ 865.94	-
Lozano, Daniel	$ 1,521.20	$ -	4.50	$ 128.35	-	$ -	-	$ -	$ 1,649.55	-
Lozano, Patricia	$ 1,320.46	$ -	1.00	$ 24.76	-	$ -	-	$ -	$ 1,345.22	-
Mendoza, Sandra	$ 3,084.31	$ -	-	$ -	-	$ -	-	$ -	$ 3,084.31	-

CITY OF KERMAN
PAYROLL REPORT

PAY PERIOD: March 05, 2023 - March 18, 2023

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME HOURS	OVERTIME AMOUNT	HOLIDAY at 1/2 TIME HOURS	HOLIDAY at 1/2 TIME AMOUNT	STANDBY HOURS	STANDBY AMOUNT	GROSS SALARY	COMP TIME EARNED
Molina, Jesus	$ 2,305.19	$ -	4.00	$ 162.87	-	$ -	-	$ -	$ 2,468.06	-
Quintanilla, Rodolfo	$ 2,080.65	$ -	-	$ -	-	$ -	8.00	$ 48.05	$ 2,128.70	-
Rodrigues, Mary	$ 2,257.69	$ -	-	$ -	-	$ -	-	$ -	$ 2,257.69	-
Roth, Adriana	$ 2,080.65	$ -	-	$ -	-	$ -	-	$ -	$ 2,080.65	-
Ruiz, Jose	$ 1,984.61	$ -	-	$ -	-	$ -	-	$ -	$ 1,984.61	-
Vasquez, Francisco	$ 1,947.11	$ -	12.00	$ 411.88	-	$ -	-	$ -	$ 2,359.00	-
Velez, Bernice	$ 1,645.36	$ -	6.00	$ 185.10	-	$ -	-	$ -	$ 1,830.46	-
TOTAL:	**$ 72,119.17**	**$ -**	**$123.11**	**$5,178.90**	**$ -**	**$ -**	**$ 11.00**	**$ 63.99**	**$ 77,362.06**	**$ 9.75**
PUBLIC WORKS										
Arrellano, Antonio	$ 1,799.23	$ -	-	$ -	-	$ -	-	$ -	$ 1,799.23	-
Barajas, Michael	$ 3,583.56	$ -	-	$ -	-	$ -	-	$ -	$ 3,583.56	-
Camacho, Armando	$ 1,799.23	$ -	-	$ -	-	$ -	-	$ -	$ 1,799.23	-
Castro, Joseph	$ 2,959.55	$ -	-	$ -	-	$ -	-	$ -	$ 2,959.55	-
Cervantes, Pedro	$ 1,420.31	$ -	-	$ -	-	$ -	-	$ -	$ 1,420.31	-
Cruz-Villalobos, Eulises	$ 1,304.80	$ -	-	$ -	-	$ -	-	$ -	$ 1,304.80	-
Garcia, Destiny	$ 1,715.23	$ -	-	$ -	-	$ -	-	$ -	$ 1,715.23	-
Garcia, Guadalupe	$ 1,420.31	$ -	-	$ -	-	$ -	-	$ -	$ 1,420.31	-
Gastelum, Humberto	$ 2,922.72	$ -	-	$ -	-	$ -	-	$ -	$ 2,922.72	-
Gutierrez Olivarez, Norberto	$ 1,511.08	$ -	4.37	$ 158.10	-	$ -	-	$ -	$ 1,669.17	-
Hernandez, Julian	$ 1,715.69	$ -	-	$ -	-	$ -	-	$ -	$ 1,715.69	-
Isaak, Denise	$ 2,182.15	$ -	-	$ -	-	$ -	-	$ -	$ 2,182.15	-
Jimenez, Gabriela	$ 1,489.08	$ -	46.00	$1,403.10	-	$ -	32.00	$ 575.63	$ 3,467.81	-
Kaur, Harmeen	$ 1,848.64	$ -	-	$ -	-	$ -	-	$ -	$ 1,848.64	5.25
Lopez, Joel	$ 1,043.84	$ -	-	$ -	-	$ -	-	$ -	$ 1,043.84	-
Lopez, Josue	$ 1,489.08	$ -	-	$ -	-	$ -	-	$ -	$ 1,489.08	-
Martinez, Jaime	$ 1,304.80	$ -	-	$ -	-	$ -	-	$ -	$ 1,304.80	-
Morales, Andres	$ 1,715.69	$ -	-	$ -	-	$ -	-	$ -	$ 1,715.69	-
Ortiz, Carlos	$ 1,913.69	$ -	-	$ -	-	$ -	-	$ -	$ 1,913.69	-
Perez, Ruben Lopez	$ 1,775.08	$ -	-	$ -	-	$ -	-	$ -	$ 1,775.08	-
Ramirez, Manuel	$ 2,516.00	$ -	-	$ -	-	$ -	-	$ -	$ 2,516.00	-
Rivera, Coty	$ 2,057.54	$ -	28.25	$1,318.11	-	$ -	31.00	$ 797.30	$ 4,172.94	30.00
Sanchez, Daniel	$ 2,507.48	$ -	-	$ -	-	$ -	-	$ -	$ 2,507.48	-
Soto, Samuel	$ 1,794.15	$ -	1.00	$ 32.70	-	$ -	-	$ -	$ 1,826.86	-
Tinoco, Alfonso	$ 2,210.46	$ -	-	$ -	-	$ -	1.00	$ 27.01	$ 2,237.47	-
Valdivia, Blanco	$ 945.98	$ -	-	$ -	-	$ -	-	$ -	$ 945.98	-
TOTAL	**$ 48,945.36**	**$ -**	**79.62**	**$2,912.01**	**-**	**$ -**	**$ 64.00**	**$ 1,399.93**	**$ 53,257.30**	**$ 35.25**
PLANNING										
Campos, Manuel	$ 1,759.54	$ -	-	$ -	-	$ -	-	$ -	$ 1,759.54	4.50
Martinez, Mabel - FINAL PAY	$ 2,528.07	$ -	-	$ -	-	$ -	-	$ -	$ 2,528.07	-
Orozco, Jesus	$ 3,593.15	$ -	-	$ -	-	$ -	-	$ -	$ 3,593.15	-
TOTAL	**$ 7,880.76**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 7,880.76**	**$ 4.50**

PLANNING	
Bandy, R	$ 75.00
Molloy, Cory	$ 75.00
Nehring, K	$ 150.00
Nunez, M	$ 75.00
Felker, R	$ 75.00
Bishop, S	$ 75.00
Villar, V	$ -
Total	**$ 525.00**

COUNCIL	
Yep, G	$ 125.00
Herrera, I	$ 125.00
Nijjer, B	$ 125.00
Coleman, J	$ -
Pacheco, M	$ 125.00
Total	**$ 500.00**

GRAND TOTAL:	**$184,223.89**	**$0.00**	**220.31**	**$8,830.63**	**-**	**$0.00**	**75.00**	**$1,463.92**	**$ 194,518.44**	**61.88**

CITY OF KERMAN
PAYROLL REPORT

PAY PERIOD: March 19, 2023 - April 01, 2023

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME HOURS	OVERTIME AMOUNT	HOLIDAY at 1/2 TIME HOURS	HOLIDAY at 1/2 TIME AMOUNT	STANDBY HOURS	STANDBY AMOUNT	GROSS SALARY	COMP TIME EARNED
ADMINISTRATION										
Alvarez, Josefina	$ 3,748.31	$ -	-	$ -	-	$ -	-	$ -	$ 3,748.31	-
Camacho, Josie	$ 2,515.54	$ -	-	$ -	-	$ -	-	$ -	$ 2,515.54	-
Cheema, Akayla	$ 2,356.62	$ -	-	$ -	-	$ -	-	$ -	$ 2,356.62	-
Gonzalez, Diana	$ 3,553.84	$ -	-	$ -	-	$ -	-	$ -	$ 3,553.84	-
Jansons, John	$ 6,678.60	$ -	-	$ -	-	$ -	-	$ -	$ 6,678.60	-
Linares, Vanessa	$ 1,566.15	$ -	-	$ -	-	$ -	-	$ -	$ 1,566.15	-
Lopez, Jacqueline	$ 2,221.08	$ -	-	$ -	-	$ -	-	$ -	$ 2,221.08	9.00
Mendoza Hernandez, Ariana	$ 1,751.23	$ -	-	$ -	-	$ -	-	$ -	$ 1,751.23	3.00
Mendoza, Gabriela	$ 2,019.38	$ -	-	$ -	-	$ -	-	$ -	$ 2,019.38	9.00
Reyes, Marcia	$ 3,669.51	$ -	-	$ -	-	$ -	-	$ -	$ 3,669.51	-
Sandoval, Veronica	$ 1,494.15	$ -	-	$ -	-	$ -	-	$ -	$ 1,494.15	4.50
TOTAL	**$ 31,574.41**	**$ -**	**-**	**$ -**	**-**	**$ -**	**-**	**$ -**	**$ 31,574.41**	**21.00**
REC/SOCIAL										
Acosta-Parra, Melany	$ 232.50	$ -	-	$ -	-	$ -	-	$ -	$ 232.50	-
Aguilar, Corina	$ 38.75	$ -	-	$ -	-	$ -	-	$ -	$ 38.75	-
Arredondo, Raquel	$ 552.00	$ -	-	$ -	-	$ -	-	$ -	$ 552.00	-
Brar, Manreet	$ 232.50	$ -	-	$ -	-	$ -	-	$ -	$ 232.50	-
Burdine-Slaven, Jeanna	$ 2,248.62	$ -	-	$ -	-	$ -	-	$ -	$ 2,248.62	-
Barrett, Shannon	$ 1,678.15	$ -	-	$ -	-	$ -	-	$ -	$ 1,678.15	3.00
Escamilla, Paloma	$ 93.00	$ -	-	$ -	-	$ -	-	$ -	$ 93.00	-
Flores, Haley	$ 1,678.15	$ -	-	$ -	-	$ -	-	$ -	$ 1,678.15	-
Garcia, Anthony	$ 1,439.08	$ -	-	$ -	-	$ -	-	$ -	$ 1,439.08	-
Hurlbert, Ronald	$ 372.00	$ -	-	$ -	-	$ -	-	$ -	$ 372.00	-
Jauriqui, Jose	$ 610.50	$ -	-	$ -	-	$ -	-	$ -	$ 610.50	-
Johnson, Theresa	$ 3,186.62	$ -	-	$ -	-	$ -	-	$ -	$ 3,186.62	-
Lujan, Vanessa	$ 425.00	$ -	-	$ -	-	$ -	-	$ -	$ 425.00	-
Martinez, Aylah	$ 542.50	$ -	-	$ -	-	$ -	-	$ -	$ 542.50	-
Martinez, Jeness	$ 175.62	$ -	-	$ -	-	$ -	-	$ -	$ 175.62	-
Martinez Lopez, Jose	$ 589.00	$ -	-	$ -	-	$ -	-	$ -	$ 589.00	-
Negrete, Dean	$ 1,586.31	$ -	-	$ -	-	$ -	-	$ -	$ 1,586.31	-
Ortiz, Maryjane	$ 255.75	$ -	-	$ -	-	$ -	-	$ -	$ 255.75	-
Pena, Mercedes	$ 213.13	$ -	-	$ -	-	$ -	-	$ -	$ 213.13	-
Ruiz, Rosalba	$ 627.00	$ -	-	$ -	-	$ -	-	$ -	$ 627.00	-
Salvador, Mark	$ 2,922.72	$ -	-	$ -	-	$ -	-	$ -	$ 2,922.72	-
Sidhu, Nirmal	$ 2,054.77	$ -	-	$ -	-	$ -	-	$ -	$ 2,054.77	-
Silva, Jessica	$ 341.00	$ -	-	$ -	-	$ -	-	$ -	$ 341.00	-
Tovar, Jessica	$ 534.75	$ -	-	$ -	-	$ -	-	$ -	$ 534.75	-
Villarreal, Arlene	$ 2,100.32	$ -	-	$ -	-	$ -	-	$ -	$ 2,100.32	-
TOTAL	**$ 24,729.72**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 24,729.72**	**3.00**
POLICE										
Antuna, Miguel	$ 2,714.12	$ -	20.00	$ 969.33	-	$ -	-	$ -	$ 3,683.45	-
Arciga, Jose	$ 2,809.42	$ -	22.50	$1,118.74	-	$ -	8.00	$ 66.30	$ 3,994.45	-
Barbosa, Isaias	$ 2,902.48	$ -	14.00	$ 719.37	-	$ -	-	$ -	$ 3,621.84	4.50
Barcoma, Wilbert	$ 4,272.23	$ -	-	$ -	-	$ -	-	$ -	$ 4,272.23	-
Barra, Brenden	$ 2,070.80	$ -	16.25	$ 582.77	-	$ -	-	$ -	$ 2,653.57	-
Belding, Jeff	$ 3,578.45	$ -	-	$ -	-	$ -	3.50	$ 37.02	$ 3,615.47	4.50
Castro, Jaclynn	$ 2,031.42	$ -	7.25	$ 254.91	-	$ -	-	$ -	$ 2,286.33	-
Chapman, Tom	$ 3,435.42	$ -	5.00	$ 301.15	-	$ -	-	$ -	$ 3,736.58	-
Clark, Patrick	$ 2,382.12	$ -	28.00	$1,389.57	-	$ -	-	$ -	$ 3,771.69	-
Coronado, Krystal	$ 2,018.15	$ -	6.00	$ 252.27	-	$ -	-	$ -	$ 2,270.41	-
Corrales, Edith	$ 857.50	$ -	-	$ -	-	$ -	-	$ -	$ 857.50	-
Cubillos, Theresa	$ 2,764.38	$ -	-	$ -	-	$ -	-	$ -	$ 2,764.38	1.50
Garcia, Andrew	$ 2,067.69	$ -	4.00	$ 147.69	-	$ -	-	$ -	$ 2,215.38	-
Gempis, Danzel	$ 1,875.23	$ -	2.00	$ 66.97	-	$ -	-	$ -	$ 1,942.20	-
Golden, John	$ 5,005.20	$ -	-	$ -	-	$ -	-	$ -	$ 5,005.20	-
Gutierrez, Gloria	$ 2,135.40	$ -	2.00	$ 79.14	-	$ -	-	$ -	$ 2,214.54	-
Inthasone, Bryant	$ 1,968.92	$ -	-	$ -	-	$ -	-	$ -	$ 1,968.92	4.50
Irazoqui, Mario	$ 1,706.86	$ -	7.00	$ 224.03	-	$ -	-	$ -	$ 1,930.89	-
Levandusky, James	$ 2,342.13	$ -	-	$ -	-	$ -	-	$ -	$ 2,342.13	-

CITY OF KERMAN
PAYROLL REPORT

PAY PERIOD: March 19, 2023 - April 01, 2023

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME HOURS	OVERTIME AMOUNT	HOLIDAY at 1/2 TIME HOURS	HOLIDAY at 1/2 TIME AMOUNT	STANDBY HOURS	STANDBY AMOUNT	GROSS SALARY	COMP TIME EARNED
Lozano, Daniel	$ 1,521.20	$ -	11.00	$ 313.75	-	$ -	-	$ -	$ 1,834.95	-
Lozano, Patricia	$ 1,320.46	$ -	4.00	$ 99.03	-	$ -	-	$ -	$ 1,419.50	-
Mendoza, Sandra	$ 3,084.31	$ -	6.00	$ 327.78	-	$ -	-	$ -	$ 3,412.09	-
Molina, Jesus	$ 2,305.19	$ -	-	$ -	-	$ -	-	$ -	$ 2,305.19	1.50
Quintanilla, Rodolfo	$ 2,080.65	$ -	42.50	$ 1,531.63	-	$ -	-	$ -	$ 3,612.27	-
Rodrigues, Mary	$ 2,257.69	$ -	-	$ -	-	$ -	-	$ -	$ 2,257.69	-
Roth, Adriana	$ 2,080.65	$ -	14.00	$ 504.54	-	$ -	-	$ -	$ 2,585.18	-
Ruiz, Jose	$ 1,984.61	$ -	14.00	$ 640.70	-	$ -	-	$ -	$ 2,625.32	-
Vasquez, Francisco	$ 1,947.11	$ -	44.00	$ 1,510.23	-	$ -	-	$ -	$ 3,457.35	-
Velez, Bernice	$ 1,645.36	$ -	2.00	$ 61.70	-	$ -	-	$ -	$ 1,707.06	-
TOTAL:	**$ 71,461.01**	**$ -**	**$271.50**	**$11,095.30**	**$ -**	**$ -**	**$ 13.50**	**$ 113.94**	**$ 82,670.24**	**$ 16.50**
PUBLIC WORKS										
Arrellano, Antonio	$ 1,799.23	$ -	-	$ -	-	$ -	-	$ -	$ 1,799.23	-
Barajas, Michael	$ 3,583.56	$ -	-	$ -	-	$ -	-	$ -	$ 3,583.56	-
Camacho, Armando	$ 1,799.23	$ -	-	$ -	-	$ -	-	$ -	$ 1,799.23	-
Castro, Joseph	$ 2,959.55	$ -	-	$ -	-	$ -	-	$ -	$ 2,959.55	-
Cervantes, Pedro	$ 1,420.31	$ -	-	$ -	-	$ -	-	$ -	$ 1,420.31	-
Cruz-Villalobos, Eulises	$ 1,304.80	$ -	-	$ -	-	$ -	-	$ -	$ 1,304.80	-
Garcia, Destiny	$ 1,715.23	$ -	-	$ -	-	$ -	-	$ -	$ 1,715.23	-
Garcia, Guadalupe	$ 1,420.31	$ -	-	$ -	-	$ -	-	$ -	$ 1,420.31	-
Gastelum, Humberto	$ 2,922.72	$ -	-	$ -	-	$ -	-	$ -	$ 2,922.72	-
Gutierrez Olivarez, Norberto	$ 1,511.08	$ -	-	$ -	-	$ -	-	$ -	$ 1,511.08	-
Hernandez, Julian	$ 1,715.69	$ -	41.00	$ 1,426.25	-	$ -	32.00	$ 666.28	$ 3,808.22	-
Isaak, Denise	$ 2,182.15	$ -	-	$ -	-	$ -	-	$ -	$ 2,182.15	-
Jimenez, Gabriela	$ 1,489.08	$ -	-	$ -	-	$ -	-	$ -	$ 1,489.08	-
Kaur, Harmeen	$ 1,848.64	$ -	-	$ -	-	$ -	-	$ -	$ 1,848.64	-
Lopez, Joel	$ 1,296.65	$ -	-	$ -	-	$ -	-	$ -	$ 1,296.65	-
Lopez, Josue	$ 1,489.08	$ -	-	$ -	-	$ -	-	$ -	$ 1,489.08	3.00
Martinez, Jaime	$ 1,304.80	$ -	-	$ -	-	$ -	-	$ -	$ 1,304.80	-
Morales, Andres	$ 1,715.69	$ -	-	$ -	-	$ -	-	$ -	$ 1,715.69	-
Ortiz, Carlos	$ 1,913.69	$ -	-	$ -	-	$ -	-	$ -	$ 1,913.69	-
Perez, Ruben Lopez	$ 1,775.08	$ -	-	$ -	-	$ -	-	$ -	$ 1,775.08	-
Ramirez, Manuel	$ 2,516.00	$ -	1.00	$ 47.17	-	$ -	-	$ -	$ 2,563.17	-
Rivera, Coty	$ 2,057.54	$ -	-	$ -	-	$ -	-	$ -	$ 2,057.54	-
Sanchez, Daniel	$ 2,507.48	$ -	-	$ -	-	$ -	-	$ -	$ 2,507.48	1.50
Soto, Samuel	$ 1,794.15	$ -	1.00	$ 32.70	-	$ -	-	$ -	$ 1,826.86	-
Tinoco, Alfonso	$ 2,210.46	$ -	48.50	$ 2,140.21	-	$ -	32.00	$ 864.18	$ 5,214.85	-
Valdivia, Blanco	$ 945.98	$ -	-	$ -	-	$ -	-	$ -	$ 945.98	-
TOTAL	**$ 49,198.17**	**$ -**	**91.50**	**$ 3,646.33**	**-**	**$ -**	**$ 64.00**	**$ 1,530.46**	**$ 54,374.96**	**$ 4.50**
PLANNING										
Campos, Manuel	$ 1,845.02	$ -	2.75	$ 92.56	-	$ -	-	$ -	$ 1,937.57	-
Orozco, Jesus	$ 3,593.15	$ -	-	$ -	-	$ -	-	$ -	$ 3,593.15	-
TOTAL	**$ 5,438.17**	**$ -**	**$ 2.75**	**$ 92.56**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 5,530.72**	**$ -**

PLANNING	
Bandy, R	$ -
Molloy, Cory	$ -
Nehring, K	$ -
Nunez, M	$ -
Felker, R	$ -
Bishop, S	$ -
Villar, V	$ -
Total	**$ -**

COUNCIL	
Yep, G	$ 125.00
Herrera, I	$ 125.00
Nijjer, B	$ 125.00
Coleman, J	$ 125.00
Pacheco, M	$ 125.00
Total	**$ 625.00**

GRAND TOTAL:	**$183,026.48**	**$0.00**	**365.75**	**$14,834.19**	**-**	**$0.00**	**77.50**	**$1,644.40**	**$ 199,505.07**	**45.00**

Accounts Payable

Checks by Date - Detail by Check Date

User: Gmendoza
Printed: 4/21/2023 11:11 AM

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	Check Amount
ACH	10147	EMPLOYMENT DEVELOPMENT DEPA	03/24/2023	
	032423	C PR TAX DEPOSIT- 03/24/23- SDI PAYABLE		1,693.19
	032423	C PR TAX DEPOSIT- 03/24/23- SIT PAYABLE		3,846.44
		Total for this ACH Check for Vendor 10147:		5,539.63
ACH	10517	FEDERAL TAXES PAYROLL	03/24/2023	
	032423	C PAYROLL TAX DEPOSIT- 03/24/23- FICA P		23,545.72
	032423	C PAYROLL TAX DEPOSIT- 03/24/23- FICA M		5,506.66
	032423	C PAYROLL TAX DEPOSIT- 03/24/23- FIT PA		12,472.16
		Total for this ACH Check for Vendor 10517:		41,524.54
ACH	10518	KERMAN POLICE OFFICERS ASSN	03/24/2023	
	032423	C MEMBERSHIP DUES- 03/24/23		735.50
		Total for this ACH Check for Vendor 10518:		735.50
ACH	10519	KERMAN MUNICIPAL EMPLOYEES AS	03/24/2023	
	032423	C MEMBERSHIP DUES 03/24/23		165.00
		Total for this ACH Check for Vendor 10519:		165.00
ACH	10520	ICMA-RC	03/24/2023	
	032423	C LOAN PAYMENTS		2,666.80
	032423	C DEFERRED COMP- 03/24/23		2,667.40
		Total for this ACH Check for Vendor 10520:		5,334.20
ACH	10522	CALPERS	03/24/2023	
	032423	C EMPLOYER PAID CONTRIBUTIONS- 03/2		16,007.88
	032423	EMPLOYEE PAID CONTRIBUTIONS		12,733.32
		Total for this ACH Check for Vendor 10522:		28,741.20
		Total for 3/24/2023:		82,040.07
		Report Total (6 checks):		82,040.07

Accounts Payable

Checks by Date - Detail by Check Date

User: Gmendoza
Printed: 4/21/2023 11:14 AM

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	Check Amount
26477	UB*01647	MICHAEL CARLSON	04/03/2023	
		Refund Check 012860-000, 15647 WOOTEN C		146.19
			Total for Check Number 26477:	146.19
26478	UB*01643	CENTURY COMMUNITIES	04/03/2023	
		Refund Check 015223-198, 103 S 16TH ST		41.73
			Total for Check Number 26478:	41.73
26479	UB*01644	CENTURY COMMUNITIES	04/03/2023	
		Refund Check 015223-213, 131 S 16TH ST		0.68
			Total for Check Number 26479:	0.68
26480	UB*01649	CENTURY COMMUNITIES	04/03/2023	
		Refund Check 015223-214, 136 S 16TH ST		6.49
		Refund Check 015223-214, 136 S 16TH ST		0.15
			Total for Check Number 26480:	6.64
26481	UB*01650	CENTURY COMMUNITIES	04/03/2023	
		Refund Check 015223-200, 14206 W GRAGNA		12.75
		Refund Check 015223-200, 14206 W GRAGNA		0.23
			Total for Check Number 26481:	12.98
26482	UB*01652	CENTURY COMMUNITIES	04/03/2023	
		Refund Check 015223-196, 107 S MCKENNA A		0.27
		Refund Check 015223-196, 107 S MCKENNA A		16.87
			Total for Check Number 26482:	17.14
26483	UB*01655	CENTURY COMMUNITIES	04/03/2023	
		Refund Check 015223-211, 192 S MCKENNA A		34.22
			Total for Check Number 26483:	34.22
26484	UB*01646	BILLY EZERNACK	04/03/2023	
		Refund Check 018837-000, 14463 W CALIFOR		12.45
		Refund Check 018837-000, 14463 W CALIFOR		15.18
		Refund Check 018837-000, 14463 W CALIFOR		10.12
		Refund Check 018837-000, 14463 W CALIFOR		24.90
			Total for Check Number 26484:	62.65
26485	UB*01642	JOSEPH CROWN CONSTRUCTION	04/03/2023	
		Refund Check 014325-299, 15871 W ISABELL		3.81
			Total for Check Number 26485:	3.81
26486	UB*01653	JOSEPH CROWN CONSTRUCTION	04/03/2023	

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
		Refund Check 014325-298, 15828 W REGAL A		0.07
		Refund Check 014325-298, 15828 W REGAL A		3.17
			Total for Check Number 26486:	3.24
26487	UB*01651	NA LANDSEADAL	04/03/2023	
		Refund Check 018720-000, 15155 W D ST		10.35
		Refund Check 018720-000, 15155 W D ST		18.45
		Refund Check 018720-000, 15155 W D ST		0.67
		Refund Check 018720-000, 15155 W D ST		12.75
		Refund Check 018720-000, 15155 W D ST		1.07
		Refund Check 018720-000, 15155 W D ST		148.31
			Total for Check Number 26487:	191.60
26488	UB*01648	NICOLE LEE	04/03/2023	
		Refund Check 013723-002, 16167 W E ST		135.56
			Total for Check Number 26488:	135.56
26489	UB*01654	CHRISTY & MARK MCNABB	04/03/2023	
		Refund Check 012010-000, 302 S PARK AVE		0.18
		Refund Check 012010-000, 302 S PARK AVE		10.15
		Refund Check 012010-000, 302 S PARK AVE		2.46
			Total for Check Number 26489:	12.79
26490	UB*01645	JULIA OAXACA	04/03/2023	
		Refund Check 008399-000, 472 S 4TH ST		0.72
		Refund Check 008399-000, 472 S 4TH ST		0.10
		Refund Check 008399-000, 472 S 4TH ST		3.11
		Refund Check 008399-000, 472 S 4TH ST		5.53
		Refund Check 008399-000, 472 S 4TH ST		3.82
			Total for Check Number 26490:	13.28
			Total for 4/3/2023:	682.51
26491	12257	AMERITAS LIFE INSURANCE CORP	04/06/2023	
	032823	HR- CLAIMS FUNDING ENDING 03/25/23		2,603.60
	040123	HR- APRIL PREMIUMS		422.50
			Total for Check Number 26491:	3,026.10
26492	11355	BADGER METER	04/06/2023	
	80122602	FIN- BEACON HOSTING SERV UNIT MARC		115.38
	80122602	FIN- BEACON HOSTING SERV UNIT MARC		115.38
			Total for Check Number 26492:	230.76
26493	12358	CAL VALLEY CONSTRUCTION INC	04/06/2023	
	PPR 02	CAP- VINELAND AVE REHAB PROJECT PM		156,329.19
	PPR 02	CAP- VINELAND AVE REHAB PROJECT PM		139,622.69
			Total for Check Number 26493:	295,951.88
26494	10064	CAL VALLEY PRINTING	04/06/2023	
	38934	CC- EMPLOYEE UNIFORMS- CODE ENFOR		50.88
	38934	ADM- EMPLOYEE UNIFORMS- ADMIN		693.88

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
			Total for Check Number 26494:	744.76
26495	11633	FAVIOLA CARDENAS	04/06/2023	
	035307	CC- COUNCIL MEETING SUPPLIES- MARCI		60.00
			Total for Check Number 26495:	60.00
26496	12315	CENTRAL CALIFORNIA SPCA	04/06/2023	
	26303	AAC- 2 FERAL FELINE OVARIOHYSTEREC		112.00
			Total for Check Number 26496:	112.00
26497	10452	CITY OF FRESNO WMD	04/06/2023	
	COK2212054	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2212054	WTR- WEEKLY LAB ANALYSIS		44.00
	COK2212054	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2212054	SWR- WEEKLY LAB ANALYSIS		4.00
	COK2212054	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2212130	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2212130	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2212130	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2212213	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2212213	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2212213	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2212283	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2212283	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2212283	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2301030	SWR- WEEKLY LAB ANALYSIS		4.00
	COK2301030	WTR- WEEKLY LAB ANALYSIS		21.00
	COK2301030	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2301030	SWR- WEEKLY LAB ANALYSIS		13.00
	COK2301030	SWR- WEEKLY LAB ANALYSIS		15.00
	COK2301030	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2301030	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2301098	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2301098	WTR- WEEKLY LAB ANALYSIS		33.00
	COK2301098	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2301098	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2301156	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2301156	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2301156	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2301241	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2301241	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2301241	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2301255	WTR- WEEKLY LAB ANALYSIS		7.50
	COK2301326	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2301326	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2301336	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2302026	WTR- WEEKLY LAB ANALYSIS		7.50
	COK2302077	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2302077	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2302077	SWR- WEEKLY LAB ANALYSIS		4.00
	COK2302077	WTR- WEEKLY LAB ANALYSIS		44.00
	COK2302077	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2302155	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2302155	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2302155	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2302220	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2302220	WTR- WEEKLY LAB ANALYSIS		30.00

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
	COK2302220	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2302262	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2302262	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2302262	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2303062	WTR- WEEKLY LAB ANALYSIS		44.00
	COK2303062	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2303062	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2303062	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2303062	SWR- WEEKLY LAB ANALYSIS		4.00
	COK2303149	SWR- WEEKLY LAB ANALYSIS		14.00
	COK2303149	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2303149	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2303205	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2303205	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2303205	SWR- WEEKLY LAB ANALYSIS		14.00
			Total for Check Number 26497:	1,717.00
26498	10103	COLONIAL LIFE	04/06/2023	
	34202050401407	HR- MARCH EMPLOYEE CONTRIBUTION		604.12
	34202050401407	HR- ROUNDING ADJ		-0.03
			Total for Check Number 26498:	604.09
26499	10106	CON EDISON CLEAN ENERGY	04/06/2023	
	104810	REC 6%- SOLAR RESBCT 0301-033123		530.13
	104810	PLAN - SOLAR RESBCT 0301-033123		33.13
	104810	SWR - SOLAR ARRAY 2 0301-033123		3,958.76
	104810	CLRK - SOLAR RESBCT 0301-033123		66.26
	104810	VE 3%- SOLAR RESBCT 0301-033123		265.06
	104810	PLAN - SOLAR RESBCT 0301-033123		33.13
	104810	PARKS 1%- SOLAR RESBCT 0301-033123		88.36
	104810	ADM - SOLAR RESBCT 0301-033123		16.57
	104810	PD 5%- SOLAR RESBCT 0301-033123		441.78
	104810	WTR 71%- SOLAR RESBCT 0301-033123		6,273.22
	104810	ADM - SOLAR RESBCT 0301-033123		16.57
	104810	PLAN REC 1%- SOLAR RESBCT 0301-03312		88.36
	104810	ADM - SOLAR RESBCT 0301-033123		16.56
	104810	SWR 1%- SOLAR RESBCT 0301-033123		88.36
	104810	SC 2%- SOLAR RESBCT 0301-033123		176.71
	104810	ADM - SOLAR RESBCT 0301-033123		16.57
	104810	SWR - SOLAR ORIGINAL 0301-033123		8,038.09
	104810	CITY HALL 3 %- SOLAR RESBCT 0301-0331		66.27
	104810	CTC 7 %- SOLAR RESBCT 0301-033123		618.49
			Total for Check Number 26499:	20,832.38
26500	10108	COOKS COMMUNICATIONS CORP	04/06/2023	
	153574	PD REP- INPUT ADAPTER FOR TOUGHBOC		156.92
			Total for Check Number 26500:	156.92
26501	10826	CROWN SERVICES CORPORATION	04/06/2023	
	2621541	REC- PORT A POTTS HANDWASH STATION		312.69
			Total for Check Number 26501:	312.69
26502	10119	DASH MEDICAL GLOVES	04/06/2023	
	17120	PD- 2 CASES OF LARGE 2 CASES OF XL GL		278.64

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
			Total for Check Number 26502:	278.64
26503	10157	FERGUSON ENTERPRISES INC	04/06/2023	
	1777688	SWR- SUPPLIES FOR PONDS		126.13
	1777723	WTR- EMERGENCY HYDRANT REPAIR AT		880.20
			Total for Check Number 26503:	1,006.33
26504	12280	FIDELITY SECURITY LIFE INSURANC	04/06/2023	
	165700845	HR- APRIL VISION PREMIUM		778.67
	165700849	HR- APRIL COBRA VISION PREMIUM		12.87
			Total for Check Number 26504:	791.54
26505	11028	FRESNO HUMANE ANIMAL SERVICES	04/06/2023	
	20241-032423	AC- 2 FLATS OF FELINE VACCINE DAPP		95.88
	20241-032423	AC- 2 FLATS OF CANINE DOG VACCINE DA		115.44
	20241-032423	AC- 2 FLATS OF BORDETALLA VACCINE		135.76
			Total for Check Number 26505:	347.08
26506	10185	GRAINGER	04/06/2023	
	9655461201	SWR- SPLIT JAW CLAMP METER		215.99
			Total for Check Number 26506:	215.99
26507	11358	GREAT AMERICA FINANCIAL SERVIC	04/06/2023	
	33723065	VE- LANIER MPC307 COPIER FLEET SHOP		154.61
	33723066	PD- PATROL OPS COPIER/FAX		179.82
	33723067	BPO- LANIER/MP C3004 COPIER		125.29
	33723067	BPO- LANIER/MP C3004 COPIER		125.29
			Total for Check Number 26507:	585.01
26508	10239	KERWEST INC	04/06/2023	
	23061	CC- ORD 23-02 PUBLICATION		1,238.00
			Total for Check Number 26508:	1,238.00
26509	10282	OFFICE DEPOT	04/06/2023	
	301729896001	PD- OFFICE SUPPLIES		23.96
	302159240001	ADM- HEATER		54.48
			Total for Check Number 26509:	78.44
26510	11833	ORKIN	04/06/2023	
	239794898	CTC- PEST CONTROL CTC- MARCH 2023		116.99
			Total for Check Number 26510:	116.99
26511	10289	P.G.& E.	04/06/2023	
	2881141119-9	CS- CNG VEHICLES FUEL- MARCH 2023		657.03
	5467738309-0	WTR/SWR/SD -02/14/23-03/15/23		308.01
	5467738309-0	WTR/SWR/SD -02/14/23-03/15/23		20,961.20
	5467738309-0	WTR/SWR/SD -02/14/23-03/15/23		337.90
	5467738309-0	WTR/SWR/SD 02/14/23-03/15/23 TRUE UP		26.29
	8542225974-8	PARKS 1%- SOLAR CONNECTION FEE 02/2		3.64
	8542225974-8	CTC 7%- SOLAR CONNECTION FEE 02/23-0		25.50
	8542225974-8	ADMIN- SOLAR CONNECTION FEE 02/23-0		0.69
	8542225974-8	CITY HALL 3%- SOLAR CONNECTION FEE		2.74
	8542225974-8	VE 3%- SOLAR CONNECTION FEE 02/23-03		10.93

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
	8542225974-8	ADMIN- SOLAR CONNECTION FEE 02/23-0		0.68
	8542225974-8	ADMIN- SOLAR CONNECTION FEE 02/23-0		0.68
	8542225974-8	ADMIN- SOLAR CONNECTION FEE 02/23-0		0.68
	8542225974-8	REC 6%- SOLAR CONNECTION FEE 02/23-0		21.86
	8542225974-8	PLANN- SOLAR CONNECTION FEE 02/23-0		1.36
	8542225974-8	SC 2%- SOLAR CONNECTION FEE 02/23-03/		7.30
	8542225974-8	PD 5%- SOLAR CONNECTION FEE 02/23-03/		18.22
	8542225974-8	SWR 1%- SOLAR CONNECTION FEE 02/23-(		3.64
	8542225974-8	PLAN REC 1%- SOLAR CONNECTION FEE (		3.64
	8542225974-8	BLDG- SOLAR CONNECTION FEE 02/23-03/		1.37
	8542225974-8	WTR 71%- SOLAR CONNECTION FEE 02/23		258.68
	8542225974-8	CITY CLKR- SOLAR CONNECTION FEE 02/		2.73
	9081203718-3	CS- KATEYS PARK- MARCH 2023		76.95
			Total for Check Number 26511:	22,731.72
26512	11772	RELIABLE TRANSLATIONS, INC	04/06/2023	
	24403	BPO- PC TRANSCRIPTION/TRANSLATION (		1,873.60
			Total for Check Number 26512:	1,873.60
26513	11506	SCA OF CA LLC	04/06/2023	
	2023-002000	STRT- STREET SWEEPING MAR 2023		8,500.00
			Total for Check Number 26513:	8,500.00
26514	10337	SLUMBERGER LUMBER	04/06/2023	
	ACCT 3305	WTR- SUPPLIES- 1 INV <$50		49.02
	ACCT 3305	SWR- SUPPLIES FOR A SEWER PROJECT AT		177.90
	ACCT 3305	SWR- SUPPLIES- 3 INV <$50		51.70
	ACCT 3305	WTR- SUPPLIES- 1 INV <$50		15.98
	ACCT 3305	SWR- SUPPLIES FOR SPRAYING THE SEWE		55.44
	ACCT 3305	SWR- SUPPLIES FOR A SEWER PROJECT AT		307.58
			Total for Check Number 26514:	657.62
26515	11460	SUPERIOR POOL PRODUCTS LLC	04/06/2023	
	Q2022319	WTR- 170 GAL BULK CHLORINE WELL 9A		604.48
			Total for Check Number 26515:	604.48
26516	10357	TAYLOR MADE IRRIGATION	04/06/2023	
	26260	MEDIANS- IRRIGATION FITTINGS		84.39
			Total for Check Number 26516:	84.39
26517	10754	THE HOME DEPOT PRO-SUPPLY WORI	04/06/2023	
	738032010	CS- AIR FILTERS - CTC HVAC		83.67
			Total for Check Number 26517:	83.67
26518	10371	TJ LAW & ASSOCIATES INVESTIGATIC	04/06/2023	
	23-072	PD- J. CARDENAS BACKGROUND INVESTI		400.00
			Total for Check Number 26518:	400.00
26519	10651	UNION PACIFIC RAILROAD COMPANY	04/06/2023	
	0785837	LICENSE FEE FOR UPRR AGREEMENT (PR(		5,000.00
			Total for Check Number 26519:	5,000.00
26520	10387	USA BLUE BOOK	04/06/2023	

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
	300012	WTR- CHLORINE RESIDUAL TESTER		492.93
			Total for Check Number 26520:	492.93
26521	12178	VALLEY ANIMAL CENTER SPAY & NE	04/06/2023	
	113387	AC- RESCUE DISCOUNT		-5.40
	113387	AC- CANINE NEUTERED RABIE VACCINE (		122.00
	113777	AC- RESCUE DISCOUNT		-19.00
	113777	AC- EUTHANASIA OF CANINE 40-65# CASI		95.00
			Total for Check Number 26521:	192.60
26522	10391	VALLEY FARM SUPPLY STORES	04/06/2023	
	020623	STRTS- SUPPLIES- 6 INV <$50		93.81
	020623	PARKS- SUPPLIES- 2 INV <$50		54.47
	020623	WTR- SUPPLIES- 7 INV <$50		156.53
	020623	SWR- SUPPLIES- 5 INV <$50		190.82
	020723	VE EQUIP- SUPPLIES- 2 INV <$50		44.91
	020923	LLD- SUPPLIES- 2 INV <$50		19.60
	152499	SD- PAILS TOWELS EYE WASH SOAP GLOV		62.93
	152531	SWR- 2 TOOL BOXES FOR WWTP CREW		326.90
	152599	WTR- 2" AIR VENT		54.47
	152653	PARKS- BLUE PAINT MARKER STIHL CHA		59.14
	152817	PD REP- SUPPLIES- 1 INV <$50		34.83
	152877	VE REP- SUPPLIES- 1 INV <$50		18.73
	153068	MEDIANS- STIHIL CHAINS		50.98
	175048	PARK- HORIZON SPRAY HOUSE		61.83
	175086	SWR- SHOVEL PICK		66.89
	175093	SWR- RESPIRATOR CARTRIDGE		118.75
	175150	MEDIANS- SUPPLIES		141.40
	175187	SD- MASK SILICONE RESP		75.06
	175213	STRTS- PUNCH PIN CRESCENT SHOVEL		144.90
	175260	SM EQUIP- SUPPLIES- 1 INV <$50		24.69
	175319	VE EQUIP- 150 PC MECHANIC TOOLS SET		577.52
	175330	VE EQUIP- BATTERY CHAINSAW		250.63
	175389	PARKS- PICKUP TOOL		58.82
	175696	PARKS- DOUBLE HITCH MOUNT CHROME		112.33
	175718	SD- SUPPLIES FOR WIRING OF LIONS PAR		155.68
	175732	VE EQUIP- FLEX VOLT MAX BATT		337.81
	175872	BLDG- SUPPLIES- 1 INV <$50		25.06
			Total for Check Number 26522:	3,319.49
26523	12290	VERIZON	04/06/2023	
	324000044097	VE- VEHICLE TRACKING SUBSCRIPTION-		644.30
	624000033752	PD- MONTHLY GPS SERVICE FOR KPD VEI		625.35
			Total for Check Number 26523:	1,269.65
26524	10399	VETERINARY MEDICAL CENTER	04/06/2023	
	218815	AAC- 2 EUTHANASIA CANINES CASE 23-0		90.00
			Total for Check Number 26524:	90.00
26525	12378	VISALIA INDUSTRIAL TEXTILES INC	04/06/2023	
	40204	PD- LESS LETHAL ORANGE SLINGS- REPL		1,349.40
			Total for Check Number 26525:	1,349.40
26526	10419	ZIM INDUSTRIES INC	04/06/2023	
	4400	PULL PUMP AG WELL-DEGROOT LEASE		6,300.00

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
			Total for Check Number 26526:	6,300.00
			Total for 4/6/2023:	381,356.15
26527	11525	ADOLPHS A-1 TREE SERVICE	04/13/2023	
	653-2023	TREE TRMG- TRIM CYPRESS & REDWOOI		5,000.00
			Total for Check Number 26527:	5,000.00
26528	11387	LUISA AGUIRRE	04/13/2023	
	040323	REC- INSTRUCTOR FEE-ZUMBA MAR 2023		605.50
			Total for Check Number 26528:	605.50
26529	10040	AT&T MOBILITY	04/13/2023	
	287286967034X04	PD- MAR MDT WIRELESS SERVICE 03/01/2		477.16
	287287185708X04	PD- SRO CELL PHONES/MDT		178.84
	287288087181X04	PD- ACT CELL PHONE IPAD SERVICE AND		129.28
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		129.40
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		159.53
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		44.58
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		23.71
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		159.53
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		12.41
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		118.56
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		5.93
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		12.41
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		22.29
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		12.41
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		118.56
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		46.90
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		12.41
	287293504071X04	VAR- TABLETS FOR FOOD BANK PROGRA		80.48
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		51.95
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		136.06
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		22.29
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		8.89
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		44.58
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		22.28
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		22.29
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		190.35
	287293504071X04	VAR- MONTHLY CELLULAR SERVICE- 03/0		44.58
			Total for Check Number 26529:	2,287.66
26530	12382	SHANNON BARRETT	04/13/2023	
	033023	REC- MILEAGE REIMBURSEMENT - FIREB		38.12
	040123	REC- MILEAGE REIMBURSEMENT - TESOI		45.33
			Total for Check Number 26530:	83.45
26531	12075	RHONDA BREWER	04/13/2023	
	040323	REC- INSTRUCTOR FEE-HIIT FITNESS MAI		217.00
			Total for Check Number 26531:	217.00
26532	10617	C A REDING CO INC	04/13/2023	
	665806	SWR 50%- LANIER MPC4504 COPIES 02282		55.91
	665806	WTR 50%- LANIER MPC4504 COPIES 02282		55.92

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
	666018	CS- SC-LANIER MPC4504 MAR 23- REC ADI		30.00
	666018	CS- SC-LANIER MPC4504 MAR 23- KERMA		8.40
	666018	CS- SC-LANIER MPC4504 MAR 23- PLANNI		40.00
	666018	CS- SC-LANIER MPC4504 MAR 23- ALMON		30.00
	666018	CS- SC-LANIER MPC4504 MAR 23- YSB		9.35
	666018	CS- SC-LANIER MPC4504 MAR 23- SR CTR		10.04
	666018	CS- SC-LANIER MPC4504 MAR 23- GENERA		89.28
			Total for Check Number 26532:	328.90
26533	10067	CALIFORNIA BUILDING STANDARDS	04/13/2023	
	033123	FIN- BLDG STANDARDS ADMN FEE 3RD Q		164.70
			Total for Check Number 26533:	164.70
26534	10078	CALIFORNIA STATE DISBURSEMENT	04/13/2023	
	0195001403-01	C WITHHOLDING ORDER P/R DATE 04/07/2		319.93
			Total for Check Number 26534:	319.93
26535	12126	CENTRAL SANITARY SUPPLY	04/13/2023	
	7955597	CS- TRASH LINERS/CLEANER - JANITORIA		379.35
			Total for Check Number 26535:	379.35
26536	10109	COUNTY OF FRESNO	04/13/2023	
	041123	PD- MAR PARKING ACTIVITY		486.00
			Total for Check Number 26536:	486.00
26537	10114	CROWN SHORT LOAD CONCRETE	04/13/2023	
	118546	SDWLK REP- CONCRETE 415 S MADERA A		613.53
			Total for Check Number 26537:	613.53
26538	10715	DC HEATING AND COOLING	04/13/2023	
	1594	CS- LO CHARGE REFILL- CITY HALL SERV		295.00
			Total for Check Number 26538:	295.00
26539	10126	DEPARTMENT OF CONSERVATION	04/13/2023	
	033123	FIN- STRONG MOTION 3RD QTR FY 2022/2		480.88
			Total for Check Number 26539:	480.88
26540	10128	DEPARTMENT OF JUSTICE	04/13/2023	
	647560	PD- MARCH LIVE SCAN		32.00
			Total for Check Number 26540:	32.00
26541	12380	DULCE DERAS	04/13/2023	
	00330097	CTC- SH DEPOSIT 04/01/23		100.00
			Total for Check Number 26541:	100.00
26542	10571	DITCH WITCH	04/13/2023	
	501630	VE EQUIP- HOSES FOR MUD VAC		725.04
			Total for Check Number 26542:	725.04
26543	10136	DIVISION OF THE STATE ARCHITECT	04/13/2023	
	033123	FIN- REMIT STATE FEE ON BUS LIC		82.60

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
			Total for Check Number 26543:	82.60
26544	12056	ENVIRONMENTAL CONCEPTS	04/13/2023	
	223119	STRTS- POLYFLEX CRACK SEALER		2,525.50
			Total for Check Number 26544:	2,525.50
26545	11398	FASTSIGNS	04/13/2023	
	FRES-96911	REC- KFM PARKING DATE SIGNS REMAIN		12.60
	FRES-97959	REC- KERMAN FARMERS MARKET- 2 72")		448.57
			Total for Check Number 26545:	461.17
26546	11550	FRESNO COUNTY SHERIFFS OFFICE -	04/13/2023	
	#2022-5723	C FTB-WAGE GARNISHMENT P/R DATE- 04		137.00
			Total for Check Number 26546:	137.00
26547	10162	FRESNO COUNTY TREASURER	04/13/2023	
	SO20410	PD- MAR RMS/JMS/CAD ACCESS FEES		188.04
	SO20410	PD- APR DISPATCHING SERVICES		22,102.14
			Total for Check Number 26547:	22,290.18
26548	10169	FRESNO PET CEMETERY	04/13/2023	
	45298	AAC- 23 ANIMAL CARCASSES DISPOSED (		307.80
			Total for Check Number 26548:	307.80
26549	10176	GALLS LLC	04/13/2023	
	5286277	WTR 50%- FLASHLIGHTS-2		74.66
	5286277	SWR 50%- FLASHLIGHTS-2		74.66
	5286277	VE- FLASHLIGHTS-2		149.33
			Total for Check Number 26549:	298.65
26550	12379	GILL CHEVROLET	04/13/2023	
	C137-23	VE CAP- 2023 CHEV SILVERADO 2500HD		55,973.28
			Total for Check Number 26550:	55,973.28
26551	10185	GRAINGER	04/13/2023	
	9624587375	SWR- UPS UNIT FOR BIOLAC POND		565.90
			Total for Check Number 26551:	565.90
26552	10191	H & J CHEVROLET INC	04/13/2023	
	54477	VE CAP- REFUND OVERPAYMENT OF NEW		-74.00
	54548	VE CAP- REFUND OVERPAYMENT OF NEW		-37.00
	CVW29568	VE REP- CREDIT ON INV 29546 ALREADY I		-435.68
	CVW29737	VE REP- TURN SIGNAL SWITCH #1374		213.64
	CVW29787	VE REP- MODULE & SENSOR KIT #1424		523.68
	CVW29904	VE REP- SPARK PLUG WIRE KIT #1397		118.13
			Total for Check Number 26552:	308.77
26553	12187	HAMNER JEWELL & ASSOCIATES	04/13/2023	
	202475	CS- PROFESSIONAL SERVICES- RAILROAI		2,346.74
			Total for Check Number 26553:	2,346.74
26554	10767	IDESIGN CUSTOM SCREEN PRINTING	04/13/2023	

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
	032223	REC- START SMART BASEBALL SHIRTS		374.00
	032823	REC- YOUTH THEATER SHIRTS		278.00
			Total for Check Number 26554:	652.00
26555	10222	JERRY'S AUTOMOTIVE	04/13/2023	
	991614	VE REP- STEERING WHEEL AIRBAG REPAI		253.00
			Total for Check Number 26555:	253.00
26556	10251	LIGHTHOUSE ELECTRIC INC	04/13/2023	
	30530	SWR- PUSH BUTTON STATION HEADWORI		3,405.52
			Total for Check Number 26556:	3,405.52
26557	12381	MONICA LOPEZ	04/13/2023	
	00331767	CTC- SH DEPOSIT 04/01/23		100.00
			Total for Check Number 26557:	100.00
26558	10678	MAC'S EQUIPMENT INC	04/13/2023	
	258256	VE REP- BACK UP ALARMS #1548 & 1549		69.72
	259123	WTR- FILTERS FOR WELL #9		119.86
	259124	PD - CAR COVER NEW TAHOE		83.89
	259126	BLDG- FILTER FOR PD GENERATOR		41.08
	259447	VE EQUIP- BATTERY FOR TRENCHER		307.28
	259495	WTR- HOSE & CLAMP WELL 9		42.30
			Total for Check Number 26558:	664.13
26559	10261	MID VALLEY DISPOSAL INC	04/13/2023	
	033123	SWA- MARCH 2023 SW CHARGES		171,562.03
	033123	SWA- CITY PORTION FOR MARCH 2023		-34,312.41
	033123	SWA- ROLL OFF/FRANCHISE FEES		-2,776.00
			Total for Check Number 26559:	134,473.62
26560	11965	MISSION UNIFORM SERVICE	04/13/2023	
	033123	VAR- UNIFORMS, MATS, SUPPLIES- UNIFO		1,507.96
	033123	VAR- UNIFORMS, MATS, SUPPLIES- STREE		42.31
	033123	VAR- UNIFORMS, MATS, SUPPLIES- UNIFO		24.93
	033123	VAR- UNIFORMS, MATS, SUPPLIES- VEHIC		153.11
	033123	VAR- UNIFORMS, MATS, SUPPLIES- STREE		143.94
	033123	VAR- UNIFORMS, MATS, SUPPLIES- BLDG		30.40
	033123	VAR- UNIFORMS, MATS, SUPPLIES- STORM		22.71
	033123	VAR- UNIFORMS, MATS, SUPPLIES- STREE		35.76
	033123	VAR- UNIFORMS, MATS, SUPPLIES- SOLID		16.98
	033123	VAR- UNIFORMS, MATS, SUPPLIES- WATEI		112.42
	033123	VAR- UNIFORMS, MATS, SUPPLIES- LANDS		105.95
	033123	VAR- UNIFORMS, MATS, SUPPLIES- SEWEI		107.29
			Total for Check Number 26560:	2,303.76
26561	11014	NET TRANSCRIPTS	04/13/2023	
	NT15037	PD- TRANSCRIPTION FOR SIR 22-008 INVE		65.67
			Total for Check Number 26561:	65.67
26562	10282	OFFICE DEPOT	04/13/2023	
	304305867001	PD- OFFICE SUPPLIES- TYLENOL EXTRA S		15.90

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
			Total for Check Number 26562:	15.90
26563	10286	O'REILLY AUTOMOTIVE INC	04/13/2023	
	376171	PD REP- TURN SIGNAL SWITCH #1490		56.43
	376405	PD REP- FUEL PUMP #1424		219.56
	377311	VE SUPP- SUPPLIES- 1 INV <$50		14.34
	377889	VE EQUIP- BATTERY FOR TORO MOWER		61.83
	378010	VE REP- BATTERY FOR STOCK		130.13
	378011	VE SUPP- MECHANICAL NITRILE GLOVES		62.09
	378094	VE EQUIP- SUPPLIES- 1 INV <$50		4.21
	378117	VE REP- WIPER BLADES #1461		72.45
	378216	VE REP- WIPER BLADES #1395		72.45
	378239	VE REP- SUPPLIES- 1 INV <$50		21.80
	378946	VE MAINT- AIR & OIL FILTERS BRAKE CL		137.72
	379241	PD REP- WHEEL CYLINDERS		59.94
	379368	VE MAINT- SUPPLIES-1 INV <$50		14.67
	379368	PD MAINT- SUPPLIES-1 INV <$50		14.68
	379513	VE REP- PULLEYS BELTS BLWR PARTS TE		175.16
	379513	VE MAINT- AIR FILTER #1395		17.25
	380765	VE REP- RETURN		-280.64
	380828	VE REP- WIPER BLADES #1508		72.45
	380828	VE MAINT- CABIN AIR & OIL FILTERS #15(		42.29
	380833	VE REP- AC DRIER EXPANTION VALVE #13		76.67
	381281	SD- SUPPLIES- 1 INV <$50		28.32
	381298	VE REP- RETURN		-76.67
	381836	VE - UNDERCOATING FOR NEW SILVERAI		63.16
	382495	VE REP- BATTERY #1408		187.44
	382507	VE REP- CORE RETURN		-22.00
			Total for Check Number 26563:	1,225.73
26564	10289	P.G.& E.	04/13/2023	
	4647279811-8	PD- MARCH PG&E		1,632.96
	4939626163-5	VE- MONTHLY SERVICE 02/16/23-03/19/23		1,375.33
	5741309690-0	PARKS- MONTHLY SERVICE 02/14/23-03/15/		514.01
	6825025396-7	ADM- MONTHLY UTILITIES-6825025396-7 (		134.41
	6825025396-7	ADM- MONTHLY UTILITIES-6825025396-7 (		268.82
	6825025396-7	ADM- MONTHLY UTILITIES-6825025396-7 (		268.82
	6825025396-7	ADM- MONTHLY UTILITIES-6825025396-7 (		537.64
	6825025396-7	ADM- MONTHLY UTILITIES-6825025396-7 (		134.41
	6825025396-7	ADM- MONTHLY UTILITIES-6825025396-7 (		537.64
	6825025396-7	ADM- MONTHLY UTILITIES-6825025396-7 (		134.40
	6825025396-7	ADM- MONTHLY UTILITIES-6825025396-7 (		134.41
			Total for Check Number 26564:	5,672.85
26565	10301	PETTY CASH	04/13/2023	
	040523	VAR- REPLENISH PETTY CASH		37.75
	040523	VAR- REPLENISH PETTY CASH		38.10
	040523	VAR- REPLENISH PETTY CASH		51.19
	040523	VAR- REPLENISH PETTY CASH		25.00
	040523	VAR- REPLENISH PETTY CASH		35.98
	040523	VAR- REPLENISH PETTY CASH		19.00
	040523	VAR- REPLENISH PETTY CASH		7.32
			Total for Check Number 26565:	214.34
26566	10315	QUINN COMPANY	04/13/2023	
	PC000538470	WTR- PARTS FOR WELL 9 GENERATOR		268.46

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
			Total for Check Number 26566:	268.46
26567	10316	R G EQUIPMENT OF FRESNO INC	04/13/2023	
	140983	VE EQUIP- MUFFLER FOR TORO MOWER		476.73
	140984	VE EQUIP- BLADES FOR WALKER MOWER		72.25
			Total for Check Number 26567:	548.98
26568	11714	ROD CARSEY	04/13/2023	
	23-04A	BPO- PLAN CHECK FEES- (MARCH 1-31 20		2,388.00
			Total for Check Number 26568:	2,388.00
26569	11041	ROSENBALM ROCKERY	04/13/2023	
	66966	SB1383- 75 TONS OF WALK ON BARK		3,146.65
			Total for Check Number 26569:	3,146.65
26570	10332	SEBASTIAN	04/13/2023	
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		105.85
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		5.28
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		344.98
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		47.71
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		22.20
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		236.04
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		208.76
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		21.64
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		86.00
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		153.38
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		114.90
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		70.63
	10745498	VAR- SERVICES FOR CAMERA PROJ (PD)- (		76.05
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		14.05
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		73.33
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		366.07
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		22.20
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		22.20
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		539.84
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		47.72
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		197.40
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		344.98
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		2.44
	10745498	VAR- MONTHLY PHONE SERVICE- 03/21/23		31.20
			Total for Check Number 26570:	3,154.85
26571	11403	DAVINDER SIDHU	04/13/2023	
	00290575	CTC- CTC DEPOSIT 02/18/23		400.00
			Total for Check Number 26571:	400.00
26572	11650	SITEONE LANDSCAPE SUPPLY COMP/	04/13/2023	
	128132240-001	MEDIANS- VALVE BOX HAND SAW		104.70
			Total for Check Number 26572:	104.70
26573	10337	SLUMBERGER LUMBER	04/13/2023	
	ACCT 3115	PARKS- SUPPLIES- 5 INV <$50		139.43
	ACCT 3115	BLDG- LADDER CORDS		145.66
	ACCT 3115	BLDG- FLUOR LIGHT TUBES		57.15
	ACCT 3115	STRTS- SUPPLIES- 4 INV <$50		95.39

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
	ACCT 3115	LLD- SUPPLIES- 3 INV <$50		109.57
	ACCT 3115	BLDG- JANITORIAL SUPPLIES- 1 INV <$50		18.49
	ACCT 3115	SDWLK REP- SUPPLIES- 1 INV <$50		45.08
	ACCT 3115	SWR- 4" PIPE & COUPLINGS		315.96
	ACCT 3115	PARKS- 1 YD CONCRETE (FOR PD GUN RA		426.38
	ACCT 3115	SDWLK REP- REDI-MIX CONCRETE		52.13
	ACCT 3115	BLDG- SUPPLIES- 1 INV <$50		28.17
	ACCT 3115	LLD 50%- PLIERS WRECH		50.65
	ACCT 3115	PARKS 50%- PLIERS WRECH		50.65
	ACCT 3115	MEDIANS- SUPPLIES-2 INV <$50		43.46
	ACCT 3116	CS- BLDG- MAINT-REPAIR SUPPLIES		316.26
	ACCT 3116	CS- BLDG MAINT- GENERAL SUPPLIES		96.33
	ACCT 3116	CS- BLDG- JANITORIAL SUPPLIES		75.49
			Total for Check Number 26573:	2,066.25
26574	12054	SPARKLETTS	04/13/2023	
	21577585011523	PW- DRINKING WATER- PUBLIC WORKS		22.47
	21577585011523	FIN- DRINKING WATER- ADMIN, FIN, PLAI		11.59
	21577585011523	FIN- DRINKING WATER- ADMIN, FIN, PLAI		8.44
	21577585011523	FIN- DRINKING WATER- ADMIN, FIN, PLAI		5.27
	21577585011523	FIN- DRINKING WATER- ADMIN, FIN, PLAI		8.57
	21577585011523	FIN- DRINKING WATER- ADMIN, FIN, PLAI		8.57
	21577585011523	FIN- DRINKING WATER- ADMIN, FIN, PLAI		17.14
	21577585011523	FIN- DRINKING WATER- ADMIN, FIN, PLAI		4.22
	21577585011523	PW- DRINKING WATER- PUBLIC WORKS		22.47
	21577585011523	FIN- DRINKING WATER- ADMIN, FIN, PLAI		2.11
			Total for Check Number 26574:	110.85
26575	11907	SPRINGBROOK HOLDING COMPANY I	04/13/2023	
	INV-012406	FIN- MONTHLY WEB PAYMENTS MARCH 2		172.41
	INV-012406	FIN- MONTHLY WEB PAYMENTS MARCH 2		495.42
	INV-012406	FIN- MONTHLY WEB PAYMENTS MARCH 2		623.17
			Total for Check Number 26575:	1,291.00
26576	11388	STREET DECOR INC	04/13/2023	
	34196	CS- HONOR BANNERS (11) 11 ACTIVE/VET		1,466.42
			Total for Check Number 26576:	1,466.42
26577	10357	TAYLOR MADE IRRIGATION	04/13/2023	
	26355	MEDIANS- IRRIGATION FITTINGS		45.77
			Total for Check Number 26577:	45.77
26578	10754	THE HOME DEPOT PRO-SUPPLY WORI	04/13/2023	
	739114536	CS- JANITORIAL SUPPLIES- APRIL		862.49
			Total for Check Number 26578:	862.49
26579	11502	TIREHUB LLC	04/13/2023	
	33469928	VE REP- 4-265/70/17 TIRES #1522		520.08
	33677468	PD REP- 3-245/55/18 TIRES #1493		412.75
			Total for Check Number 26579:	932.83
26580	10168	UNITY IT	04/13/2023	
	365128	TECH- SCADA SUPPORT MARCH 2023		42.51
	365128	TECH- MONTHLY TECH SUPPORT SERVICI		3,922.25
	365128	TECH- HP BUSINESS DESKTOP PRODESK 6		949.32

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
	365128	TECH- SCADA SUPPORT MARCH 2023		42.50
	365128	TECH- SDRAM FOR J. OROZCO DESKTOP		51.14
			Total for Check Number 26580:	5,007.72
26581	10377	US POST OFFICE	04/13/2023	
	040523	VAR- ADVANCE PMNT/UB PERMIT 2		2,000.00
	040523	VAR- ADVANCE PMNT/UB PERMIT 2		1,100.00
	040523	VAR- ADVANCE PMNT/UB PERMIT 2		800.00
	040523	VAR- ADVANCE PMNT/UB PERMIT 2		100.00
			Total for Check Number 26581:	4,000.00
26582	10406	WEST HILLS OIL INC	04/13/2023	
	76696	VE- FUEL MAR 16-31 1,346.661 GALLONS		6,121.37
	76696	VE- ACT PROGRAM PD 56.894 GALLONS		278.16
			Total for Check Number 26582:	6,399.53
26583	11035	WORLD OIL ENVIRONMENTAL SERVI	04/13/2023	
	I500-00911640	VE- USED OIL DISPOSAL		45.00
			Total for Check Number 26583:	45.00
			Total for 4/13/2023:	278,702.55
26584	UB*01660	GEORGE BARADIN	04/14/2023	
		Refund Check 005588-000, 965 S 1ST ST		122.97
			Total for Check Number 26584:	122.97
26585	UB*01659	ZOILA GUEVARA	04/14/2023	
		Refund Check 017312-000, 14447 W G ST		93.61
			Total for Check Number 26585:	93.61
26586	UB*01424	STUART ITOGA	04/14/2023	
		Refund Check 013587-000, 16168 W TROY AV		4.60
		Refund Check 013587-000, 16168 W TROY AV		21.54
		Refund Check 013587-000, 16168 W TROY AV		0.64
		Refund Check 013587-000, 16168 W TROY AV		0.40
			Total for Check Number 26586:	27.18
26587	UB*01658	LONDON PROPERTIES LTD	04/14/2023	
		Refund Check 013337-000, 15920 W STANISL		0.05
		Refund Check 013337-000, 15920 W STANISL		98.15
		Refund Check 013337-000, 15920 W STANISL		0.03
		Refund Check 013337-000, 15920 W STANISL		0.75
		Refund Check 013337-000, 15920 W STANISL		0.16
			Total for Check Number 26587:	99.14
26588	UB*01657	GREGORIO VALDIVIA III	04/14/2023	
		Refund Check 015871-000, 799 S PARK AVE		100.00
			Total for Check Number 26588:	100.00
26589	UB*01656	VALLEY WEST PROPERTY	04/14/2023	
		Refund Check 018685-000, 454 S ALMOND AV		0.10
		Refund Check 018685-000, 454 S ALMOND AV		222.91

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
			Total for Check Number 26589:	223.01
			Total for 4/14/2023:	665.91
26590	12385	BEATRIZ ALEJANDRE	04/20/2023	
	00335568	CTC- SH DEPOSIT 04/11/2023		100.00
			Total for Check Number 26590:	100.00
26591	12257	AMERITAS LIFE INSURANCE CORP	04/20/2023	
	041123	HR- CLAIMS FUNDING ENDING 04/08/23		1,069.57
			Total for Check Number 26591:	1,069.57
26592	10040	AT&T MOBILITY	04/20/2023	
	287287978139X04	AC- MAR CELLULAR SERVICE		44.88
	287287978139X04	PD- MAR CELLULAR SERVICE		411.46
			Total for Check Number 26592:	456.34
26593	11917	BLAIS & ASSOCIATES LLC	04/20/2023	
	BA_5186_2023	ADM- CDFA CRC KERMAN COMMUNITY R		4,792.50
	BA_5187_2023	ADM- HELEN PUTNAM- ANIMAL SHELTEF		1,384.00
	BA_5188_2023	ADM- HELEN PUTNAM- TRINIS PARK 2023		1,519.00
	BA_5189_2023	ADM- CONGRESSIONALLY DIRECTED SPE		5,400.00
	BA_5265_2023	ADM- KRM GRANT RESEARCH AND SUPP(		2,100.00
			Total for Check Number 26593:	15,195.50
26594	10064	CAL VALLEY PRINTING	04/20/2023	
	39094	CC- COUNCIL LOGO SHIRTS		294.44
			Total for Check Number 26594:	294.44
26595	11633	FAVIOLA CARDENAS	04/20/2023	
	035310	CC- COUNCIL MEETING SUPPLIES- APRIL		60.00
			Total for Check Number 26595:	60.00
26596	12315	CENTRAL CALIFORNIA SPCA	04/20/2023	
	26729	AAC- 2 FERAL FELINE CASTRATION CASE		120.00
	26830	AAC- 1 FERAL FELINE CASTRATION CASE		46.00
			Total for Check Number 26596:	166.00
26597	12383	CITY OF DEL REY OAKS	04/20/2023	
	200001839	MUNICIPAL CODE CLEAN UP SEMINAR		75.00
			Total for Check Number 26597:	75.00
26598	10452	CITY OF FRESNO WMD	04/20/2023	
	COK2303252	SWR- WEEKLY LAB ANALYSIS		48.00
	COK2303252	WTR- WEEKLY LAB ANALYSIS		30.00
	COK2303252	SWR- WEEKLY LAB ANALYSIS		14.00
			Total for Check Number 26598:	92.00
26599	10104	COMCAST	04/20/2023	
	815550021014764	FIN- TECHNOLOGY SERVICES- 04/14/23-05/		190.77
	815550021026546	TECH- TECHNOLOGY SERVICES- 04/14/23-(		152.74

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
	815550021026548	TECH- TECHNOLOGY SERVICES- 04/14/23-(		152.74
			Total for Check Number 26599:	496.25
26600	11498	COMCAST CABLE COMMUNICATIONS	04/20/2023	
	168901399	PD- APR ETHERNET SERVICES		696.29
			Total for Check Number 26600:	696.29
26601	11874	CSG CONSULTANTS INC	04/20/2023	
	50511	BPO- PROFESSIONAL SERVICES- PLAN CH		2,523.50
	50511	BPO- PROFESSIONAL SERVICES- BLDG INS		9,016.00
	50552	BPO- PROFESSIONAL SERVICES- BLDG AD		1,680.00
			Total for Check Number 26601:	13,219.50
26602	11382	DATA TICKET INC	04/20/2023	
	150249	PD- MAR PARKING ACTIVITY		220.35
			Total for Check Number 26602:	220.35
26603	10458	RAUL HERRERA ECN POLYGRAPH AN	04/20/2023	
	KERM-APR-2023	PD- PRE-EMPLOYMENT POLY: APPLICANT		250.00
	KERM-FEB-2023	PD-PRE-EMPLOYMENT POLY: APPLICANT		500.00
			Total for Check Number 26603:	750.00
26604	10572	FRESNO CITY COLLEGE	04/20/2023	
	17322480-81	PD- INTERVIEW & INTERROGATION OFC. I		150.00
	17323460-61	PD- TRAFFIC COLLISION INVESTIGATION		372.00
			Total for Check Number 26604:	522.00
26605	10159	FRESNO COUNCIL OF GOVERNMENTS	04/20/2023	
	81060/81378	BPO- MULTI-JURISDICTIONAL HOUSING E		8,210.19
			Total for Check Number 26605:	8,210.19
26606	12379	GILL CHEVROLET	04/20/2023	
	1070	VE REP- SPARK PLUG WIRE SHIELD #1397		65.31
	1071	VE REP- WHEEL SENSOR #1522		58.08
			Total for Check Number 26606:	123.39
26607	11358	GREAT AMERICA FINANCIAL SERVICE	04/20/2023	
	33825736	PD- RECORDS COPIER/FAX AGREEMENT #		280.56
	33825738	WTR- LANIER MP C4504 PUBLIC WORKS		93.72
	33825738	SWR- LANIER MP C4504 PUBLIC WORKS		93.72
			Total for Check Number 26607:	468.00
26608	12386	SAMANTHA GUTIERREZ	04/20/2023	
	00331920	CTC- SH DEPOSIT 04/08/23		100.00
			Total for Check Number 26608:	100.00
26609	11761	JOHN JANSONS	04/20/2023	
	041223	ADM- PARKING REIMBURSEMENT FOR CI		30.00
	041323	ADM- PARKING REIMBURSEMENT FOR CI		30.00
			Total for Check Number 26609:	60.00
26610	10239	KERWEST INC	04/20/2023	

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
	23032	BPO- PUBLIC NOTICES/ADVERTISING		206.00
			Total for Check Number 26610:	206.00
26611	11096	LOZANO SMITH LLP	04/20/2023	
	2185519	ADM- ADMIN-HR PERSONNEL MATTER- 0		620.00
			Total for Check Number 26611:	620.00
26612	10282	OFFICE DEPOT	04/20/2023	
	300502008001	ADM- HP PRINTER		316.02
	300515633001	ADM- OFFICE SUPPLIES		171.70
	300860749-1	BPO- OFFICE SUPPLIES		65.95
	300860749-1	BPO- OFFICE SUPPLIES		65.94
	301115893-001	BPO- OFFICE SUPPLIES		35.30
			Total for Check Number 26612:	654.91
26613	10289	P.G.& E.	04/20/2023	
	4055166878-9	LLD- MONTHLY SERVICE 02/28/23-03/28/23		2,488.01
	7660122617-8	AC- MAR PG&E		1,567.63
	8970493475-4	PARKS- KERCKHOFF PARK 03/10/23-04/07/2		8.87
			Total for Check Number 26613:	4,064.51
26614	12384	PATRICIA POLANCO	04/20/2023	
	00332804	CTC- PARK RENTAL		50.00
	00332804	CTC- SH DEPOSIT- PARK RENTAL		100.00
			Total for Check Number 26614:	150.00
26615	12026	PRECISION CIVIL ENGINEERING INC	04/20/2023	
	28011	BPO- PROFESSIONAL SERVICES- 21-009.8 C		1,367.50
	28012	BPO- PROFESSIONAL SERVICES- 21-009.4 C		4,872.50
			Total for Check Number 26615:	6,240.00
26616	10309	PROFORCE LAW ENFORCEMENT	04/20/2023	
	515855	PD- 1 RAL FOREND TUBE REPLACEMENT		47.64
			Total for Check Number 26616:	47.64
26617	10324	RIVERSIDE NURSERY & LANDSCAPE	04/20/2023	
	1634	MEDIANS- 40 LODGE POLES- GOLDENROI		194.36
	1646	MEDIANS- PLANTS FOR MEDIANS		823.09
	1647	MEDIANS- PLANTS & TREES FOR MEDIAN		280.84
			Total for Check Number 26617:	1,298.29
26618	11714	ROD CARSEY	04/20/2023	
	2304B	BPO- PLAN CHECK FEES FOR 23-018- MAR		55.00
			Total for Check Number 26618:	55.00
26619	10331	SEBASTIAN	04/20/2023	
	32924	ADM- SHORTEL TROUBLESHOOTING WAV		1,161.25
			Total for Check Number 26619:	1,161.25
26620	12165	ARACELI SIERRA	04/20/2023	
	00333067	CTC- SH DEPOSIT 04/09/2023		100.00

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
			Total for Check Number 26620:	100.00
26621	10561	SOUTHERN COMPUTER WAREHOUSE	04/20/2023	
	IN-007161682	FIN- 1-HP COMPUTER AND 2 27" MONITOR		320.91
	IN-007161682	FIN-E-WASTE		10.79
	IN-007161682	FIN- 1-HP COMPUTER AND 2 27" MONITOR		937.03
			Total for Check Number 26621:	1,268.73
26622	10357	TAYLOR MADE IRRIGATION	04/20/2023	
	26233	MEDIANS- IRRIGATION FITTINGS		28.71
	26467	WTR- WATER LINE REPAIR FITTINGS		28.56
			Total for Check Number 26622:	57.27
26623	10387	USA BLUE BOOK	04/20/2023	
	317554	WTR- STENNER PUMP		1,686.09
			Total for Check Number 26623:	1,686.09
26624	10413	YAMABE & HORN ENGINEERING INC	04/20/2023	
	48431	TRACT 6236		6,832.89
	48432	SPR 19-04 OVERNITE TRUCK PARKING		1,268.18
	48433	BWC INDUSTRIAL PROPERTY		686.41
	48434	TRACT 6293		4,245.00
	48435	EASTSIDE COMMUNITY PARK		30,800.85
	48436	TRACT 6302		3,143.75
	48437	VINELAND AVE REHAB - CALIFORNIA TO		4,625.78
	48437	VINELAND AVE REHAB - CALIFORNIA TO		599.32
	48438	KEARNEY BLVD REHABILITATION- PARK		418.46
	48438	KEARNEY BLVD REHABILITATION- PARK		3,229.79
	48439	STANISLAUS/ SAN JOAQUIN ALLEY PAVIN		984.53
	48439	STANISLAUS/ SAN JOAQUIN ALLEY PAVIN		667.47
	48440	WELL NO 12 & 14 EMERGENCY GENERAT(		1,376.25
	48441	NORTHWEST PARK		1,265.00
	48442	LIONS PARK RECHARGE PROJECT		1,845.00
	48443	FY 21-22 STREET SEALING PROJECT		760.00
	48444	FY 22-23 GENERAL ENGINEERING		1,950.00
	48445	FY 22-23 GENERAL ENGINEERING-STREET		1,440.00
	48446	FY 22-23 GENERAL ENGINEERING-WATER		360.00
	48447	FY 22-23 GENERAL ENGINEERING-WATER		3,400.00
	48448	FY 22-23 GENERAL ENGINEERING-SEWER		3,400.00
	48449	FY 22-23 GENERAL ENGINEERING-GIS MA		890.00
	48450	TPM 2022-01 SHAKTI		3,101.25
	48451	SCHAAD TTM		77.50
	48452	SISKIYOU AVE REHABILITATION - WHITE		927.27
	48452	SISKIYOU AVE REHABILITATION - WHITE		7,156.95
	48453	GOLDENROD AVE REHABILITATION- KEA		537.72
	48453	GOLDENROD AVE REHABILITATION- KEA		4,150.28
	48454	CALIFORNIA AVE SIDEWALK- 9TH TO VIN		4,351.03
	48454	CALIFORNIA AVE SIDEWALK- 9TH TO VIN		563.73
	48455	SPR 2022-01 IRON FITNESS		232.50
			Total for Check Number 26624:	95,286.91
			Total for 4/20/2023:	155,271.42

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	
			Report Total (148 checks):	816,678.54

STAFF REPORT

MEETING DATE: April 26, 2023

PRESENTER: Jerry Jones, City Engineer

SUBJECT: Resolution Initiating Proceedings for the Annual Levy of Assessments for Landscape and Lighting District No. 1 (JJ)

RECOMMENDATION: Council by motion adopt resolution to initiate proceedings for the annual levy of assessments for Landscape and Lighting District No. 1 and authorize the City Engineer to file his annual report.

EXECUTIVE SUMMARY:
The Landscape and Lighting District (LLD) No. 1 maintains public landscaping in median islands and landscape strips along major streets. The revenue from the district also pays for street lighting costs for areas within the LLD. All new developments are annexed into the LLD and charged an annual assessment that is collected with property taxes. There are currently 13 sub-areas within the LLD.

This is the first of three actions by Council required by State law for the levy of the annual assessments. Following this action, the City Engineer will prepare a report, detailing the proposed assessments, that will be submitted to the Council for review and approval. The next action required by Council will be the approval of the resolution of intention to levy and collect the annual assessments, which will set the date for the public hearing required prior to the confirmation of assessments. The final step in the process is for Council to conduct the required public hearing, receive any testimony, and confirm the annual assessments. The assessment roll is then submitted to the County Assessor for inclusion on the property owner's tax bill. No new annexations took place this past year.

FISCAL IMPACT:
The annual assessments from the LLD are used for maintenance of public landscaping and street lighting. Last year the total assessments were $355,503.98.

ATTACHMENTS:
A. Resolution

Attachment 'A'

RESOLUTION NO. 23-___

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN, CALIFORNIA, INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENT FOR LANDSCAPE AND LIGHTING DISTRICT NO. 1 OF THE CITY OF KERMAN

WHEREAS, the Council has approved no new annexations to Landscape and Lighting District No. 1 of the City of Kerman (herein LLD No. 1) during the period of January 1, 2022 to December 31, 2022 inclusive; and

WHEREAS, proceedings for the annual assessment for LLD No. 1 for the fiscal year 2023-2024 need to be initiated.

NOW, THEREFORE IT IS HEREBY FOUND, DETERMINED, AND ORDERED as follows:

1. The Council proposes to undertake proceedings for the levy of the annual assessment of LLD No. 1 under Part 2 of Division 15 of the Streets and Highways Code of the State of California (Section 22500 et seq.) generally known as the Landscaping and Lighting Act of 1972 (Herein the "Act").

2. The City Engineer shall prepare and file a report in accordance with Article 4 (commencing with Section 22565) of the Act.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 26th day of April, 2023, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

_____
Marci Reyes
City Clerk

STAFF REPORT

MEETING DATE: April 26, 2023

PRESENTER: John Jansons, City Manager

SUBJECT: Amendment to Agreement for Legal Services with Montoy Law Corporation (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving Amendment No. 2 Agreement for Legal Services with Montoy Law Corporation adjusting rates.

EXECUTIVE SUMMARY: The City of Kerman has contracted with the Montoy Law Corporation since 2015 to provide the City with municipal legal services. Since that time, the Firm rates have been adjusted once in 2019. Ms. Montoy has requested a new adjustment effective July 1, 2023.

The resolution attached would approve Amendment No. 2 to the contract for services and increase rates and fees charged to the City of Kerman for legal services.

The proposed new rates are competitive in our geographic region and reasonable to keep pace with rising costs experienced by firms who serve the City. See comparable rates under Discussion.

DISCUSSION: The City of Kerman has contracted with the Montoy Law Corporation since 2015 to provide the City with municipal legal services. Since that time, Montoy rates have been adjusted once in 2021. The resolution attached, would approve Amendment No. 2 to the contract for services and increase rates charged to the City of Kerman for legal services. Rates for general services would be increased from $195 to $215 and rates for litigation would be increased from $235 to $260.00

The proposed rates are competitive in our geographic region and reasonable to keep pace with rising costs. For example, the proposed $215 rate for general services is still less than the rates for general legal services for surrounding cities as reflected below:

- Avenal: $225.00
- Clovis: $235.00
- Chowchilla $240.00
- Coalinga $265.00
- Corcoran $245.00
- Del Rey CSD $250.00
- Madera $235.00

FISCAL IMPACT: As stated, the Firm has not increased rates since 2021 to account for the rising costs of doing business and in recognition of the City's limited resources available for legal services. The primary hourly fee charged to the City for general legal services will increase from $195/hr. to $215/hr. The proposed amendment, Exhibit 'A' to the Resolution, details the increased rates which average approximately 10% above the 2021 rates currently in effect.

ATTACHMENTS:

A. Resolution w/Exhibit

Attachment 'A'

RESOLUTION NO. 23-___

RESOLUTION APPROVING AMENDMENT NO. 2 TO AGREEMENT FOR LEGAL SERVICES WITH MONTOY LAW CORPORATION

WHEREAS, the City of Kerman requires competent and professional municipal legal services and advice; and

WHEREAS, the Montoy Law Corporation (Firm) has served the City since 2015 as contract City Attorney and both parties wish to continue this relationship; and

WHEREAS, Firm did not request a rate increase until 2021 to account for their rising costs of doing business and in recognition of City's financial situation in particular years; and

WHEREAS, another rate increase is warranted to keep pace with recent inflation and increased costs of doing business, and the requested increase is modest at only 10%; and

WHEREAS, the City deems the proposed increases reasonable and appropriate in the marketplace and a continuance of good value for competent and professional legal services; and

WHEREAS, Firm further represents that it is willing to accept responsibility for performing such services in accordance with the terms and conditions set forth in Amendment No. 2 to Agreement

NOW THEREFORE, 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 City Council approves Amendment No. 2 to Agreement for Legal Services with Montoy Law Corporation (Exhibit 'A').

SECTION 3. The City Council authorizes the Mayor to execute the Amendment.

SECTION 4. 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 26th day of April 2023, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

_____
Marci Reyes
City Clerk

AMENDMENT NO. 2 TO LEGAL SERVICES AGREEMENT

The City of Kerman ("City") and Montoy Law Corporation ("Firm") agree to enter into Amendment No. 2 to Legal Services Agreement as follows:

RECITALS

A. The City and Firm entered into a Legal Services Agreement ("Agreement") on July 1, 2015, for City Attorney legal services.

B. Hilda Cantu Montoy has served as City Attorney to City under the Agreement.

C. Firm has the legal competence, experience, and qualifications to provide professional legal services required by City.

D. The parties have determined to set new rates for legal services as set forth in this Amendment No. 2 to Agreement ("Amendment").

AGREEMENT

1. Section 3 of the Agreement shall be amended to read as follows:

3. Compensation. CITY shall compensate FIRM for legal services as follows:

3.1 General Services Attorney Rate: $215.00 Hourly.

3.1.1 General Services shall include all legal services except Pitchess Motions, Administrative Hearings, and Litigation.

3.1.2 Examples of General Services include: staff meetings, advisory services, agenda review, drafting/negotiating contracts, drafting/reviewing correspondence, documents, resolutions, and ordinances, research, and preparation of legal memoranda.

3.1.3 No travel time will be charged to attend meetings at Kerman City Hall or in the City of Kerman.

3.2 Administrative Hearings and Litigation Attorney Rate: $260.00 Hourly.

3.3 Rate for Paralegal Work: $90.00 Hourly.

3.4 Administrative Fees: NONE.

3.5 Reimbursement:

3.5.1 FIRM will not be reimbursed for any secretarial or clerical service, mileage reimbursement, printing expense of less than 500 pages per particular item, or normal office operating expenses except as set forth in the next paragraph of this Agreement.

3.5.2 FIRM will be reimbursed for reasonable and necessary out-of-pocket expenses directly related to legal services such as required courier charges and extraordinary copying or printing expenses (over 300 pages per particular item), and expenses relating to litigation in accordance with Exhibit A of Agreement and incorporated herein by reference.

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

3. This Amendment No. 1 shall be effective on July 1, 2023.

MONTOY LAW CORPORATION	**CITY OF KERMAN**
_____	_____
Hilda Cantú Montoy	Maria Pacheco
President	Mayor
Date: _____, 2023	Date: _____, 2023

STAFF REPORT

MEETING DATE: April 26, 2023

PRESENTER: Jesus R. Orozco, Community Development Director

SUBJECT: Request for a Public Convenience or Necessity for a Type 20 (Off-Sale Beer and Wine) ABC License for Vikram Vohra and Vinay Vohra (Fast N Esy) Located at 14195 W Whitesbridge Rd. (JRO)

RECOMMENDATION: Council by motion, review and consider adoption of a Resolution Adopting Findings of Public Convenience or Necessity for a Type 20 (Off-Sale Beer & Wine) ABC License for Vikram Vohra and Vinay Vohra (Fast N Esy) Located at 14195 W Whitesbridge Rd. Which Has Received a Conditional Use Permit by the City's Planning Commission

EXECUTIVE SUMMARY: A request for Public Convenience or Necessity (PCN) for a Type 20 (Off-Sale Beer and Wine) ABC license was presented at the February 22, 2023, City Council (Council) meeting. The Council determined to table the matter as there were only three Council Members present. The PCN request was submitted by Vikram Vohra and Vinay Vohra (Fast N Esy) located at 14195 W. Whitesbridge Rd. The subject site is in undue concentrated Census Tract 40.06. As a result of the undue concentration of ABC licenses in this census tract, under section 23958.4 of the Business and Professions Code, the Council must determine within 90 days of notification of a completed application that a PCN would be served by the issuance of the ABC license. Because a pending alcohol CUP was pending before the Planning Commission (Commission), the PCN request was placed on hold. The Planning Commission (Commission) held a public hearing on April 10, 2023, and adopted Resolution No. 2023-023 (see Attachment 'C') approving the Alcohol CUP. The Commission resolution includes the required findings for approval consistent with Ordinance No. 23-01 as well as 30 conditions of approval. Fast N Esy.

DISCUSSION: Project Proposal Applicants Vikram Vohra and Vinay Vohra wish to include the sale of beer and wine as a component of a convenience store to be developed in association with a 24-hour fueling station and a drive-through restaurant. Alcohol sales will only be sold out of the convenience store. Before an ABC license is issued by the State Department of Alcohol Beverage Control, the Council must first determine by making findings that ABC sales would serve a public convenience or necessity (PCN). The Commission's approval of CUP 2023-03, is subject to a number of conditions and allows for the sale of beer and wine between the hours of 6 AM and 1 AM.

Council Policy

Historically, the Council considered PCN requests for convenience stores on a case-by-case basis. The case-by-case basis approach was determined to be non-objective by Council. In order to address concerns regarding an objective review of PCN and ABC sales, the Council adopted Ordinance No. 23-01, requiring all new and expansion of alcohol sales to procure a CUP. Additionally, specific distance restrictions were imposed as part of the CUP review and consideration process. The applicant has completed the CUP process as required by the ordinance. The Commission approved CUP 2023-03 for Fast N Esy with the understanding the Council must make a PCN determination.

Census Tract 40.06

As already mentioned in this report, there is an undue concentration of ABC sales within Census Tract 40.06. Census Tract 40.06 encompasses properties north of Kearney Blvd., well beyond city limits and properties east of Madera Ave, well beyond city limits as shown in Attachment 'B'. At this time there are eight (8) Off-sale ABC licenses where only two (2) Off-sale ABC licenses are allowed in the census tract. Approval of this PCN would result in nine (9) Off-sale ABC licenses. The next closest ABC sales site is located within the Wal-Mart shopping center, which currently holds a Type 21 (Off-sale General). Of note, one of the eight (8) Off-sale ABC license's is located outside the City's sphere of influence.

The table shows all active ABC licenses in Census Tract 40.06.

Census Tract 40.06						
Sale Type	Lic. Type	Orig. Iss. Date	Expir. Date	Primary Owner	Premises Addr.	Business Name
On-sale	41	5/31/2006	4/30/2023	GONG, HUI ZHI	160 S MADERA AVE	HONG KONG RESTAURANT
Off-sale	21	5/24/2010	6/30/2023	THRIFTY PAYLESS, INC.	456 S MADERA AVE	RITE AID 5853
Off-sale	21	10/1/2009	9/30/2023	MAHLI & SAMRA INCORPORATED	432 S MADERA AVE	FASTRIP 918
Off-sale	21	12/4/2013	6/30/2023	WALMART INC.	14061 W WHITESBRIDGE RD	WALMART 5701
Off-sale	20	2/12/2016	6/30/2023	CHAHAL MANAGEMENT INC	240 S MADERA AVE	KERMAN U SAVE MINI MART
Off-sale	20	10/15/2019	9/30/2023	R&S DIVERSIFIED, INC.	14980 W WHITESBRIDGE AVE	KERMAN CARNITAS
Off-sale	20	11/13/2020	10/31/2023	RASHED, YAHYA ABDULKARIM	1048 N MADERA AVE	HWY 145 MARKET
Off-sale	20	4/22/2021	6/30/2023	GROCERY OUTLET INC	14868 W WHITESBRIDGE RD	GROCERY OUTLET
Off-sale	21	11/29/2022	10/31/2023	DB KERMAN INC	14859 W WHITESBRIDGE AVE	KERMAN FOODMART
On-sale	47 &77	1/26/2023	12/31/2023	ALONSO CORPORATION	170 N MADERA AVE	CEVICHES & BEER

Findings

In considering a Type 20 (Off-sale Beer and Wine) ABC license, the Council must determine that the request is warranted by a PCN, and Council must make a determination on whether or not a PCN would be served by the issuance of an off-sale ABC license prior to the issuance of a license by the State's Department of Alcohol Beverage Control.

To that end, applicants Vikram Vohra and Vinay Vohra (Fast N Esy) have submitted an application for a CUP and SPR in order to ensure compliance with the recently adopted ordinance related ABC sales. Moreover, ABC sales are generally incidental to convenience stores with fueling stations which is a permitted use in commercial zone districts. At this time, staff has not been in receipt of any comments in favor or against the ABC license application due to the mandatory notice of application posted on the site.

Additional, the General Plan includes numerous goals and policies intended to help guide economic and community development in the City. The following policies directly or indirectly support findings for a public convenience or necessity.

- **Policy ED – 1.1 Increase Business.** The City shall strive to increase the number of businesses operating in Kerman to satisfy the routine needs and dining, services, and retail desires of residents while also increasing sales, property, business, and potential transient-occupancy taxes.

- **Policy ED – 3.2 Expanding Operations and Employment.** The City shall assist existing industries in expanding their operations and increasing employment in Kerman to reduce commutes.

- **Policy ED – 3.4 Attracting Industries for Local Jobs.** The City shall seek industries that complement the existing workforce in terms of educational and vocational skills set and commute patterns, and will provide full-time, stable employment with competitive wages and benefits.

CEQA: The proposed project is a commercial project pursuant to and in conformity with the Kerman 2040 General Plan. According to CEQA Guidelines Section 15183, a project that is consistent with a general plan required no further environmental review since it is consistent with the development density established by the 2040 General Plan for which an EIR was certified. There are no project-specific significant effects on the project or the site which would require additional environmental review. Accordingly, staff recommends that the Council find the project exempt from further review under CEQA.

FISCAL IMPACT:

None

ATTACHMENTS:

A. Resolution
B. Census Tract 40.06 Map
C. Planning Commission Resolution

Attachment 'A'

RESOLUTION NO. 23-___

A RESOLUTION OF THE CITY OF KERMAN CITY COUNCIL ADOPTING FINDINGS OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 20 OFF-SALE BEER AND WINE ABC LICENSE FOR VIKRAM VOHRA AND VINAY VOHRA (FAST N ESY) LOCATED AT 14195 W. WHITESBRIDGE ROAD WHICH HAS RECEIVED AN ALCOHOL CONDITIONAL USE PERMIT BY THE CITY PLANNING COMMISSION

WHEREAS, on January 23, 2023, the Community Development Department received a complete application for a Public Convenience or Necessity (PCN) request regarding an application for a Type 20 (Off-Sale Beer & Wine) alcohol license (ABC license), from Vikram Vohra and Vinay Vohra (Fast N Esy) located at 14195 W Whitesbridge Rd.; and

WHEREAS, the California Department of Alcoholic Beverage Control has determined that there is an undue concentration of off-sale ABC licenses in Census Tract 40.06 in which Fast N Esy wishes to establish ABC sales; and

WHEREAS, a Public Convenience or Necessity (PCN) determination is required when the Alcoholic Beverage Control Board of the State of California (ABC) finds that there is an oversaturation of alcohol beverage outlets in a particular census tract; and.

WHEREAS, the City Council is the City's governing body and has the ability to make a determination of public convenience or necessity; and

WHEREAS, the City Council has adopted an ordinance requiring all new ABC licenses to procure a Conditional Use Permit; and

WHEREAS, the City of Kerman Planning Commission has held a public hearing to review and consider a Conditional Use Permit (CUP) application for Fast N Esy; and

WHEREAS, the Planning Commission has made the requisite findings required by Ordinance No. 23-01 for approval for Conditional Use Permit 2023-03 and has approved the CUP subject to conditions of approval; and

WHEREAS, on April 26, 2023 the City Council considered the request for public convenience or necessity. makes findings of public convenience or necessity for a Type 20 Off-Sale Beer & Wine alcohol license; and

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

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

2. The City Council hereby determines that public convenience or necessity would be served by the issuance of a Type 20 ABC Off-Sale Beer and Wine alcohol license to Fast

N Esy located at 14195 W. Whitesbridge Rd. in the City of Kerman. The Council's determination is based on the following findings:

a. The sale of beer and wine would serve the public convenience as Fast N Esy has successfully procured an Alcohol Conditional Use Permit as required by Ordinance 23-02. Additionally, the CUP is subject to numerous health and safety conditions.

b. Alcohol sales are an incidental activity within convenience stores with fueling stations which is a permitted use in commercial zone districts.

c. The proposed use would stimulate economic activity by generating sales tax revenues, full- and part-time jobs while guiding community and economic goals and policies of the General Plan.

d. Staff has not been in receipt of any comments in favor or against the ABC license application being issued as a result of the mandatory notice of application posted on the site.

3. The City Council authorizes the City Manager or his designee to submit a letter to ABC advising it of the Council's adoption of this Resolution to allow for the issuance of a Type 20 ABC license.

4. This resolution is effective upon adoption.

The foregoing resolution was approved by the City Council of the City of Kerman at a regular meeting held on the 26th of April 2023, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSAL:

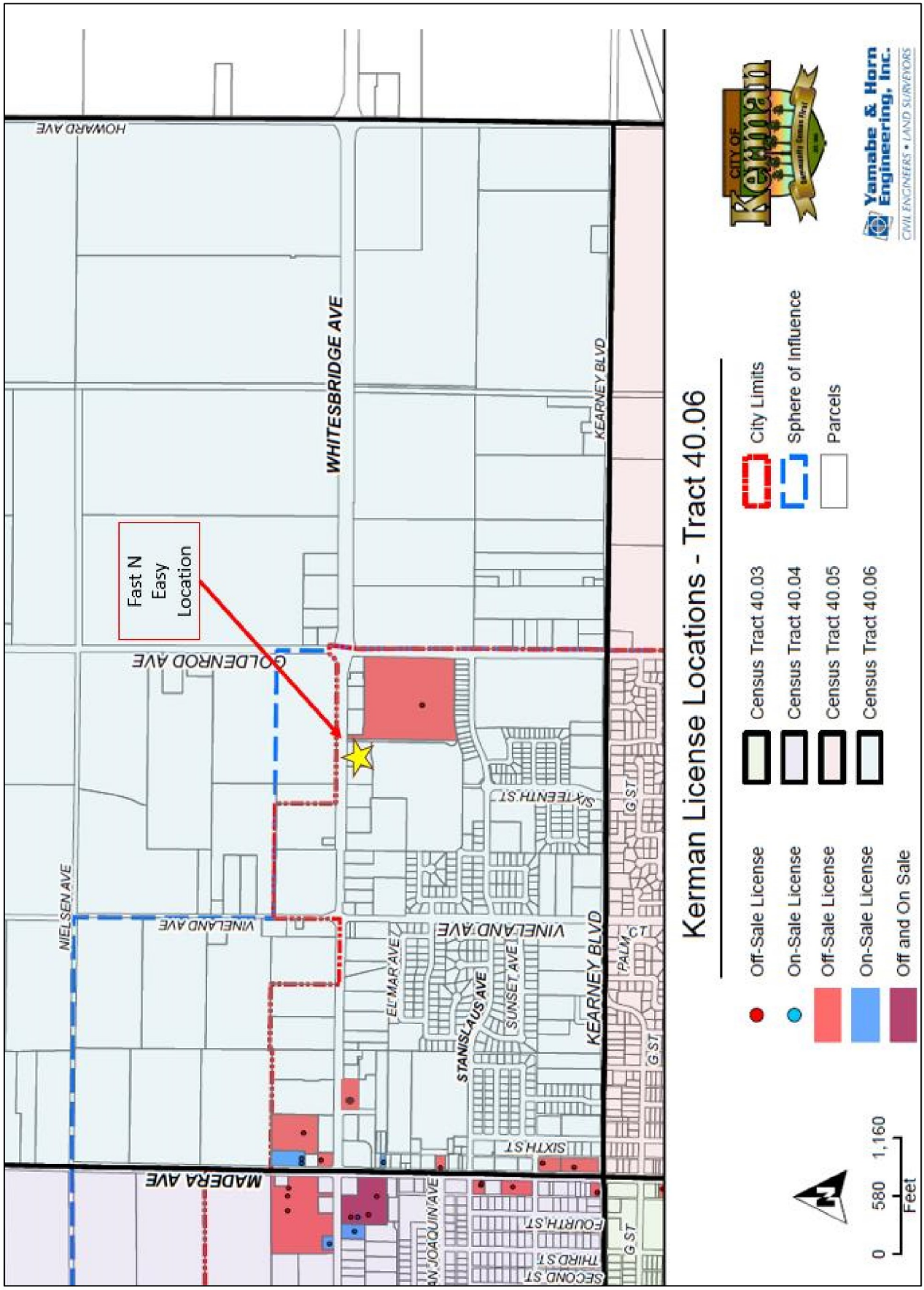
The foregoing resolution is hereby approved

_____
Maria Pacheco
Mayor

ATTEST:

_____
Marci Reyes
City Clerk

Attachment 'B'



Attachment 'C'

Resolution No. 2023-03

A RESOLUTION OF THE CITY OF KERMAN PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT 2023-03, TO ALLOW FOR THE ESTABLISHMENT OF ALCOHOL BEVERAGE SALES, THE DEVELOPMENT OF A DRIVE-THROUGH FACILITY, AND AN AUTOMOBILE SERVICE STATION, LOCATED AT 14195 WEST WHITESBRIDGE ROAD, IN KERMAN, CA (APN: 023-220-82S) (FAST N ESY).

WHEREAS, the Planning Commission considered a request for a conditional use permit filed by Fred Avila (applicant) on behalf of Vikram Vohra/Fast N Esy (property owner) for the development of a drive-through facility, a fueling station, and the establishment of a type 20 (Off-sale Beer & Wine) Alcohol Beverage Sales, located at 14195 W, Whitesbridge Rd., in Kerman, CA (APN: 023-220-82S) (Fast n Esy); and

WHEREAS, a public notice was circulated to adjacent properties within a 300-foot radius of the project site and published in the local newspaper at least 10 days prior to the meeting as required by law; and

WHEREAS, a written report was prepared by staff which included a recommendation for approval of Conditional Use Permit 2023-03 and was made available for public review at least 72 hours prior to the public hearing; and

WHEREAS, the project was assessed under the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission, after hearing public testimony and deliberating, now desires to approve Conditional Use Permit 2023-03 subject to the findings and conditions of approval, and adopt a finding of a Class 32 Categorical Exemption (In-Fill Development Project) pursuant to CEQA Guidelines Section 15332.

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

1) Recitals: The above recitals are true and correct and are incorporated herein:

2) CEQA: The Planning Commission finds and determines that a Class 32 Categorical Exemption (In-Fill Development Project) set forth in CEQA Guidelines Section 15332 applies to this project as it is (a) consistent with applicable goals and policies of the General Plan and standards of the Zoning Ordinance, (b) the site in within City limits and consist of land less than 5 acres surrounded by substantially developed land, (c) there is no known endangered habitats, rare or threatened species on the project site, (d) as conditioned, the project will not have a significant effect on environment relating to traffic, noise, air quality, and water quality, and (e) the project site can be adequately served by existing utilities and public services. Furthermore, none of the exceptions to categorical exemptions set forth in CEQA Guidelines section 15300.2 apply to this project.

3) Conditional Use Permit: The Planning Commission has determined that all findings required for approval of Conditional Use Permit 2023-03 can be made, including those required by the City of Kerman Municipal Code Section 17.12.040 (C) as follows:

A. That the proposed establishment, maintenance, and operations of the use applied for will not be detrimental to the public health, safety, and welfare of the persons residing or working in the neighborhood of such proposed use, or whether it will be injurious or detrimental to property and improvements in the neighborhood or the city;

Finding A (1). The project will not be detrimental to public health, safety, or welfare. It is located in a designated general commercial area with hours of operation and conditions of approval which will minimize any potential negative impacts on adjacent land uses. The conditions of approval (Exhibit 'A') limit types of uses that may be objectionable or detrimental to other permitted uses or adverse to the public interest health, safety, convenience, or welfare of the city. The Planning Commission adopts the Police Chief's determination that the proposed use: (i) would not be detrimental to the public health, safety, comfort, or welfare of persons located within five hundred (500') feet of the site; and (ii) would not significantly increase the severity of existing law enforcement or public nuisance problems in the area (e.g. increase in service calls related public intoxication nuisance, vagrancy, or loitering).

B. That the proposed use is substantially consistent with the Kerman General Plan;

Finding B (1). The development of a drive-through facility, an automobile service station, and the establishment of alcohol beverage sales are permitted uses subject to a conditional use permit in the (CG General Commercial), which is a consistent zone with the General Plan GC (General Commercial) land use designation. The project is consistent with the General Plan, including General Plan objectives ED-1.1, LU-2.4, LU-2.5, LU-2.9, and CIRC-4.2.

Finding B (2). The project is located along a general commercial corridor suitable for many retail, business professional, service commercial, and other similar activities and uses.

Finding B (3). The conditions of approval preserve the integrity and character of the zone district and ensure compliance with the General Plan and Zoning Ordinance.

C. That the environmental document is prepared as per the California Environmental Quality Act (CEQA).

Finding C (1). As described in greater detail, above, a preliminary environmental assessment was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA). The project falls within Categorical Exemption per CEQA Guidelines Section 15332 (In-Fill Development Project) as the project as a whole meets the required criteria described in said section. There are no project-specific significant effects on the project or the site which would require additional environmental review.

D. That the site for the proposed is adequate in size, shape, and location to accommodate the use as it relates to the district for which the use is proposed.

Finding D (1). The location of the project is within the CG - General Commercial zone district which is located along a commercial corridor suited for retail, office, commercial services, and other similar activities and uses along the Whitesbridge Road corridor in an undeveloped

parcel of land. The project's design and operations are appropriate to meet all applicable development and operational standards of the Zoning Ordinance.

4. Conditions of Approval: Given the foregoing, the Planning Commission approves Conditional Use Permit 2023-03, subject to the conditions of approval attached herein as **Exhibit 'A'**.

5. Effective Date: This Resolution shall take into effect immediately.

I HEREBY CERTIFY that the foregoing Resolution was approved at a regular meeting of the Planning Commission of the City of Kerman on the 10th day of April 2023, and was fully adopted at the said meeting by the following vote:

AYES: S. Bishop, R. Bandy, R. Felker, C. Molloy, K. Nehring
NOES:
ABSENT: V. Villar, M. Nunez
ABSTAIN:

The foregoing resolution is hereby approved.

Scott Bishop
Chairperson

ATTEST:

Jesus R. Orozco
Planning Commission Secretary

Exhibit 'A'

Conditions of Approval
Fast N Esy – CUP 2023-03
April 10, 2023

Notice To Applicant

Pursuant to Government Codes Section 66020(d)(1) and/or Section 66499.37, any protest related to the imposition of fees, dedications, reservations, or exactions for this project or any proceedings undertaken regarding the City's actions taken or determinations made regarding the project, including but not limited to validity of conditions of approval must occur within ninety (90) calendar days after the date of this decision. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

Important: Please Read Carefully

This project is subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies; those determined through conditional use permit review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community; and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings can be made.

All discretionary conditions of approval for CUP 2023-03 will ultimately be deemed mandatory unless appealed by the applicant to the City Council within ten (10) working days after the decision by the Planning Commission. In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval for this entitlement, you may do so by filing a written appeal with the City Clerk. The appeal shall state the grounds for the appeal and wherein the Commission failed to conform to the requirements of the zoning ordinance. This should include identification of the decision or action appealed (including its identification number) and specific reasons why you believe the decision or action appealed should not be upheld, and the identity of the appellant.

Approval of this conditional use permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development.

Approval of this conditional use permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this use permit, the zoning ordinance, and all City standards and specifications. This use permit and site plan review is granted, and the conditions imposed, based upon the application submittal provided by the applicant, including any operational statement. The application is material to the issuance of this use permit. Unless the conditions of approval specifically require operation inconsistent with the application, a new or revised use permit is required if the operation of this establishment changes or becomes inconsistent with the application. Failure to operate in accordance with the conditions and requirements imposed may result in revocation

of the use permit, or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the use permit review process, or for additions or alterations to any construction or building plans not specifically submitted and reviewed and approved pursuant to this use permit or subsequent amendments or revisions. These conditions are conditions imposed solely upon the use permit as delineated herein and are not conditions imposed on the City or any third party. Likewise, imposition of conditions to ensure compliance with federal, state, or local laws and regulations does not preclude any other type of compliance enforcement.

These conditions are applicable to any person or entity making use of this use permit, and references to "developer" or "applicant" herein also include any applicant, property owner, owner, leasee, operator, or any other person or entity making use of this use permit.

General Conditions

1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by the receipt in the Planning Division of the applicant's signature upon an Acknowledgement and Acceptance of Conditions within 30 days of the date of approval.

2. Any intensification or expansion of the uses beyond their approval shall be cause for review and modification of the use permit to be approved by the Commission.

3. Any proposed future modifications to the site not specifically contemplated by CUP 2023-03, including but not limited to; the building exterior, parking/loading areas, fences/walls, new buildings, or landscaping shall require an amendment to CUP 2023-03.

4. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specified in the conditions of approval listed herein or mandated by statute.

5. It shall be the responsibility of the property owner and/or applicant to ensure that any required permits, inspections, and approval from any regulatory agency are obtained from the concerned agency prior to issuance of a business license or final occupancy issuance.

6. Failure to comply with the conditions of approval contained herein shall be cause for review and possibly modification or revocation to CUP 2023-03.

7. Approval of CUP 2023-03 is for the benefit of the applicant. The submittal of application(s) by the applicant for this project was a voluntary act on the part of the applicant not required by the City. Therefore, as a condition of approval of this project, the applicant agrees to defend, indemnify, and hold harmless the City of Kerman and its agents, officers, consultants, independent contractors, and employees ("City") from any and all claims, actions, or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the project, including any challenges to associated environmental review, and for any and all costs, attorney's fees, and damages arising therefrom (collectively "claim"). The City shall promptly notify the applicant of any claim.

   Nothing in this condition shall obligate the City to defend any claim and the City shall not be required to pay or perform any settlement arising from any such claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any claim, and if the City does decide to independently defend a claim,

the applicant shall be responsible for City's attorneys' fees, expenses of litigation, and costs for that independent defense, including the costs of preparing any required administrative record. Should the City decide to independently defend any claim, the applicant shall not be required to pay or perform any settlement arising from any such claim unless the applicant approves the settlement.

Building Division

8. A building permit shall be required for all proposed or future tenant and site improvements as required by the California Building Code, California Fire Code, and Americans with Disability Act (ADA) prior to occupancy.

9. The developer and/or property owner shall submit plans consistent with California Building Standards Code, to include site development and ADA accessibility based upon the codes in effect at the time of plan check submittal.

10. The applicant and/or owner shall submit an application for a Construction and Demolition (C&D) permit per KMC, Chapter 8.12 and required permits from other enforcement agencies including but not limited to the following: Mid Valley Disposal, San Joaquin Valley Air Pollution District.

11. Prior to the commencement of any work on the project site, the general contractor and all sub-contractors shall obtain a City business license.

12. Construction, repair, and/or remodeling shall be permitted to occur between the hours of 7:00 a.m. and 10:00 p.m., consistent with 9.26.020 of the KMC.

North Central Fire Protection District

13. Please contact the NCFPD by email at Fire.Prevention@NorthCentralFire.org or by phone at (559) 878-4560 to schedule an over-the-counter meeting to receive your specific requirements for your project. Failure to schedule an appointment with the NCFPD will affect your ability to obtain final approval for your project.

Planning Division

General

14. On-site litter and graffiti shall be corrected per the KMC, Section 17.100.050 (B) – Litter and Graffiti.

15. The business and/or property owner shall keep the property clear of all trash, rubbish, and debris at all times. Dumping of refuse shall be restricted to the refuse containers scheduled to service the site.

16. The business and/or property owner shall comply with all applicable federal, state, or local laws, rules, and regulations. Material violations of said laws, rules, and regulations may be cause for review and possible revocation of the use permit.

17. Business owner(s) shall be responsible for securing a business license from the Finance Department before the commencement of any commercial activity.

Conditional Use Permit 2023-03

18. Approval of Conditional Use Permit 2023-03 is contingent upon the site being developed in substantial conformance with Site Plan Review (SPR) 2022-02, which is pending. Final approval of SPR 2022-02 shall be at the administrative level by the Planning Division.

19. Conditional Use Permit 2023-03 shall allow for the development of a drive-through facility, an automobile service station, and establishment of off-sale Type 20 ABC license as further described in conditions No. 20 through 22.

20. ABC Sales. The site shall be permitted to procure a Type 20 (Off-sale Beer & Wine) ABC license from the State Department of Alcohol Beverage Control (ABC), which requires a determination of Public Convenience or Necessity by the City Council. In the event ABC denies the license, CUP 2023-03 shall be modified, at the Applicant's/Owner's own expense.

    a. Alcohol sales and services shall only be permitted to occur from the convenience market associated with the vehicle fueling stations. No alcohol sales or services shall be permitted to occur from the adjoining food tenant / drive-through facility use.
    b. Sales and service of alcohol beverages shall be permitted only between the hours of 6:00 Am to 1:00 AM, each day of the week. All alcohol areas shall be locked or made not accessible to the public outside of the permitted hours.
    c. The following alcohol beverages shall not be sold in quantities of fewer than three (3) individual containers per sale:
        i. Beer, including malt beverages and malt liquor products, in containers of 24 oz. or less; and
        ii. Pre-mixed wine products commonly known as "wine cooler"
    d. No wine shall be sold with an alcohol content greater than 15% by volume.
    e. No individual containers of beer or malt beverage products shall be sold, regardless of containers size, unless the containers are in manufactured pre-packaged multi-unit quantities. This restriction applies to any beer that is not sold or marketed by the manufacturer in a multi-unit package quantity.
    f. The sale or dispensing of alcohol beverages shall be made to persons who are within the interior of the licensed premises only and not through a pass-out window or a slide-out tray to the exterior of the premises.
    g. The business owner shall be responsible for ensuring that all ABC sales activities comply with the operational standards as codified in KMC 17.100.050.

21. Drive-Through Facility. The site shall be permitted to operate a drive-through facility consistent with SPR 2022-02 (once approved). The drive-through facility shall be permitted to operate within the hours of 6:00 AM and 12:00 AM, every day of the week. There shall be no onsite dining permitted unless the business owner/applicant can demonstrate parking requirements will be met. The Planning Division shall determine said parking requirements via a parking plan.

22. Automobile Service Station. The site shall be permitted to render vehicle fueling services 24-hours, every day of the week. Associated lighting shall be reviewed and approved by the Planning Division as part of SPR 2022-02.

23. There shall be no outdoor dining and/or outdoor storage of equipment or materials permitted as part of this CUP approval.

Signage

24. Proposed and future permanent signage shall comply with KMC 17.76.050 and 17.100.060

25. No sign shall interfere with a driver's or pedestrian's view of public right-of-way or in any other manner impair public safety or interfere with the safe operation of a motor vehicle on public streets. This includes, but is not limited to, the driver's view of approaching, merging, or intersecting traffic.

26. Temporary signage shall be permitted for special events (i.e. grand opening, local, State, or Federal recognized holidays), to be displayed for thirty (30) days or less per year and advertise a grand opening or community affair.

Police Department

27. Video Surveillance shall be installed consistent with KMC 17.100.050 (D) – Video Surveillance. Surveillance system installed shall be in color and monitor areas where alcohol sales and consumption is permitted to occur under this CUP. The system shall have correct date and time stamped and retained for no less than thirty (30) days. Footage shall be made available to law enforcement within 24 hours of initial request.

28. The operation of the business shall not result in criminal activity or repeated nuisance activities on the property as specified in KMC, Section 17.100.070 – Loitering and Other Nuisance Activities.

29. The business owner or operator shall be responsible for the removal of deterrent behavior including loitering and/or vagrancy in or upon the business site or properties adjacent to the licensed premises. The business owner shall install "No Trespassing" and "No Loitering" signs on the premise to the specifications of the Police Department.

30. No alcohol beverages shall be consumed on-site or any property adjacent to the licensed premises under the control of the licensee(s) as depicted on the most recently certified ABC-257 and ABC 253 form.

End of Conditions

STAFF REPORT

MEETING DATE: April 26, 2023

PRESENTER: Jerry Jones, City Engineer

SUBJECT: Award of Contract for the Stanislaus/San Joaquin Alley Paving from 1st to 3rd Street, Federal Project No. CML-5291(031) to Asphalt Design By Juan Gomez. (JJ)

RECOMMENDATION: Council by motion adopt resolution awarding the contract for the Stanislaus/San Joaquin Alley Paving from 1st to 3rd Street, Federal Project No. CML-5291(031), to Asphalt Design By Juan Gomez in the amount of $108,444.00 and authorize the City Manager to sign the contract.

EXECUTIVE SUMMARY: The Stanislaus/San Joaquin Alley Paving from 1st to 3rd Street, Federal Project No. CML-5291(031), will consist of the paving of the alley between Stanislaus Avenue and San Joaquin Avenue, from 1st to 3rd Street. The Project will also include new concrete alley approaches with an ADA accesible path of travel around the approaches. The Project was advertised and bids were received from thirteen contractors on Wednesday, March 1, 2023 and the results are as follows:

Contractor	Base Bid
Tosted Asphalt Inc.	$105,786.82
Asphalt Design By Juan Gomez	$108,444.00
Central Valley Asphalt	$115,125.00
On Point Grading & Paving, Inc.	$120,924.00
Avison Construction, Inc.	$125,865.00
Cal Valley Construction, Inc.	$127,676.00
Witbro Inc., dba Seal Rite Paving & Grading	$127,750.00
Bush Engineering, Inc.	$131,592.00
R.J. Berry Jr., Inc.	$139,206.00
Emmett Valley Construction, Inc.	$147,957.00
Jim Crawford Construction Co., Inc.	$168,544.00
Garcia Paving, Inc.	$181,488.18
Dawson-Mauldin, LLC	$192,685.00
Engineer's Estimate	$106,000.00

This Project is being funded in part by Federal Congestion Mitigation and Air Quality Improvement (CMAQ) program funds. As a requirement of this funding, the City must establish a Disadvantaged Business Enterprise (DBE) participation goal that bidders must meet, or bidders must demonstrate that they made a Good Faith Effort (GFE) in attempting to meet the established DBE goal. The DBE goal for this Project was 11%. The bid submitted by Tosted Asphalt committed to DBE participation in the amount of 6%. Since they did not meet the DBE goal, they are required to provide evidence that they made a GFE to try and meet the goal. Staff reviewed the GFE documentation submitted by Tosted Asphalt, and determined that the GFE made was not sufficient to comply with the requirements of the CMAQ funding. As such, Staff has determined that the bid submitted by Tosted Asphalt is non-responsive.

Due to the fact that bid submitted by Tosted Asphalt was deemed non-responsive, Staff reviewed the second lowest bid, submitted by Asphalt Design By Juan Gomez, along with information regarding their previous work experience. Asphalt Design has committed to DBE participtaion in the amount of 22%, exceeding the goal of 11%. Based on review, Staff has determined the bid received to be responsive and Asphalt Design By Juan Gomez to be a responsible contractor.

FISCAL IMPACT:

The total estimated Project cost is $163,681, including design, construction, construction management, and contingency. The Project will be funded with $133,149 in Federal CMAQ funds and $30,532 from Local Transportation Funds. The Local Transportation Funds budgeted for the Project were in the amount of $17,683. The additional $12,849 needed to fund the Project is available from Local Transportation Funds.

ATTACHMENTS:

A. Resolution

Attachment 'A'

RESOLUTION NO. 23-___

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN AWARDING CONTRACT FOR THE STANISLAUS/SAN JOAQUIN ALLEY PAVING FROM 1ST TO 3RD STREET, FEDERAL PROJECT NO. CML-5291(031), TO ASPHALT DESIGN BY JUAN GOMEZ

WHEREAS, the Invitation to Bid for the Stanislaus/San Joaquin Alley Paving from 1st to 3rd Street, Federal Project No. CML-5291(031), was published in the Kerman News on February 1, 2023 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 paving of the alley between Stanislaus Avenue and San Joaquin Avenue, from 1st to 3rd Street, 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 March 1, 2023 at 2:00 p.m.:

Contractor	Base Bid
Tosted Asphalt Inc.	$105,786.82
Asphalt Design By Juan Gomez	$108,444.00
Central Valley Asphalt	$115,125.00
On Point Grading & Paving, Inc.	$120,924.00
Avison Construction, Inc.	$125,865.00
Cal Valley Construction, Inc.	$127,676.00
Witbro Inc., dba Seal Rite Paving & Grading	$127,750.00
Bush Engineering, Inc.	$131,592.00
R.J. Berry Jr., Inc.	$139,206.00
Emmett Valley Construction, Inc.	$147,957.00
Jim Crawford Construction Co., Inc.	$168,544.00
Garcia Paving, Inc.	$181,488.18
Dawson-Mauldin, LLC	$192,685.00

WHEREAS, the City Engineer's Estimate was $106,000.00 for the Base Bid; and

WHEREAS, the Project is being funded in part with Federal Congestion Mitigation and Air Quality Improvement (CMAQ) program funds and as a requirement of the CMAQ program funds bidders must meet the Disadvantaged Business Enterprise (DBE) participation percentage goal established by the City or demonstrate that they made a Good Faith Effort (GFE) in attempting to meet said goal; and

WHEREAS, the bid submitted by Tosted Asphalt Inc. did not meet the DBE goal and furthermore did not provide sufficient evidence that Tosted Asphalt Inc. made a satisfactory GFE in an attempt to meet the DBE goal and as such the bid submitted by Tosted Asphalt Inc. is deemed non-responsive.

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

1. Upon the recommendation of the City Engineer, the Stanislaus/San Joaquin Alley Paving from 1st to 3rd Street, Federal Project No. CML-5291(031), be awarded to: Asphalt Design By Juan Gomez, 4061 W. Belmont Ave., Fresno, CA 93722 in the amount of One Hundred and Eight Thousand Four Hundred and Forty-Four Dollars and Zero Cents ($108,444.00).

2. 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.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 26th day of April, 2023, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

_____
Marci Reyes
City Clerk

STAFF REPORT

MEETING DATE: April 26, 2023

PRESENTER: John Jansons, City Manager

SUBJECT: Consideration of Opposition to Initiative No. 21-0042A1, the Taxpayer Protection and Government Accountability Act as proposed by the California Business Roundtable (JAJ)

RECOMMENDATION: Council by motion adopt resolution opposing Initiative No. 2-0042A1, the Taxpayer Protection and Government Accountability Act as proposed by the California Business Roundtable.

EXECUTIVE SUMMARY: Initiative No. 21-0042A1, the Taxpayer Protection and Government Accountability Act would amend the California Constitution with provisions that limit voters' authority and input, adopt new and stricter rules for raising taxes and fees, and may make it more difficult to impose fines and penalties for violation of state and local laws.

The proposed constitutional initiative is sponsored by the California Business Roundtable. The measure puts billions of local government tax and fee revenues at risk statewide with related core public service impacts. The measure would have significant negative impacts on Kerman operations and core service delivery.

The impact of passage of Initiative No. 21-0042A1 to Kerman is potentially devastating due to reduced fee revenues, increased legal defense costs, invalidation of taxes or future reduction of tax revenues and delayed annexations and development potentially costing the City millions of dollars and dramatically reducing or eliminating the City's ability to provide basic, core municipal services to residents, businesses and visitors. Most negatively impacted immediately would be Public Safety, Infrastructure and Parks and Recreation programs.

DISCUSSION: On Jan. 4, 2022, the California Business Roundtable filed the Taxpayer Protection and Government Accountability Act or AG# 21-0042A1 (Exhibit 'A'). On Feb. 1, 2023, the measure qualified for the November 2024 ballot.

The League of California Cities, along with a broad coalition of local governments, labor and public safety leaders, infrastructure advocates, and businesses, strongly opposes this initiative. A summary of the negative impacts to local governments, including Kerman, is summarized in Exhibit 'B',

Local government revenue-raising authority is currently substantially restricted by state statute and constitutional provisions, including the voter approved provisions of Proposition 13 of 1978, Proposition 218 of 1996, and Proposition 26 of 2010. The Taxpayer Protection and

Government Accountability Act adds and expands restrictions on voters and local government tax and fee authority.

MAJOR PROVISIONS

Fees and Charges

- Except for licensing and other regulatory fees, fees and charges may not exceed the "actual cost" of providing the product or service for which the fee is charged. "Actual cost" is the "minimum amount necessary." The burden to prove the fee or charge does not exceed "actual cost" is changed to "clear and convincing" evidence.
- Requires fees and charges paid for the use of local and state government property and the amount paid to purchase or rent government property to be "reasonable." These fees and charges are currently allowed to be market-based. Whether the amount is "reasonable" (introducing a new legal standard aiming to force below market fee and charge amounts) must be proved by "clear and convincing evidence."[1] The standard may significantly reduce the amount large companies (e.g., oil, utilities, gas, railroads, garbage/refuse, cable, and other corporations) will pay for the use of local public property.
- Prohibits fees on new development based on vehicle miles traveled.

Local governments levy a variety of fees and other charges to provide core public services.

Major examples of affected fees and charges are:

- Nuisance abatement charges, such as for weed, rubbish, and general nuisance abatement to fund community safety, code enforcement, and neighborhood cleanup programs.
- Commercial franchise fees.
- Emergency response fees, such as in connection with DUI.
- Advanced Life Support (ALS) transport charges.
- Document processing and duplication fees.
- Transit fees, tolls, parking fees, and public airport and harbor use fees.
- Facility use charges, fees for parks and recreation services, garbage disposal tipping fees.

Taxes[2]:

- Taxes and fees adopted after Jan. 1, 2022, that do not comply with the new rules, are void unless reenacted[3].

[1] Initiative No. 21-0042A1 (pg.5; (3))
[2] Initiative No. 21-0042A1 (pgs.4-6; Section 1 (a)-(j)
[3] Initiative No. 21-0042A1 (pg.7; Section 6 (Sec. 2)(g)

- Invalidates *Upland* decision that allows a majority of local voters to pass special taxes. The measure specifies that taxes proposed by the initiative are subject to the same rules as taxes placed on the ballot by a city council.
- Expressly prohibits local advisory measures which allow local voters to express a preference for how local general tax dollars should be spent.[4]
- Requires voter approval to expand existing taxes (e.g., Utility, Transient Occupancy) to new territory (e.g., annexations) or to expand the tax base (e.g., new utility service)
- New taxes can only be imposed for a specific time period.
- City charters may not be amended to include a tax or fee.
- All state taxes require majority voter approval.

Fines and Penalties[5]:

- May require voter approval of fines, penalties, and levies for corporations and property owners that violate state and local laws unless a new, undefined adjudicatory process is used to impose the fines and penalties.

  Under existing law, cities are required to provide due process before imposing a penalty or fine for violation of its municipal code:

  1. A local agency must adopt administrative procedures that govern imposing fines and penalties, including providing a reasonable period of time for a person responsible for a continuing violation to correct or remedy the violation [Gov't Code 53069.4].
  2. Notice must be given to the violating party before imposing the penalty; and give the party an opportunity to be heard and present any facts or arguments [*Merco Construction Engineers v. Los Angeles Unified School District* (1969) 274 CA 2d 154, 166].
  3. The fine may not be "excessive" [U.S. Constitution amendments VIII and XIV].

  Fees Provide Local Services:

  Virtually every city, county, and special district must regularly (e.g., annually) adopt increases to fee rates and charges and revise rate schedules to accommodate new users and activities. Most of these would be subject to new standards and limitations under threat of legal challenge. Based on the current volume of fees and charges imposed by local agencies, including council-adopted increases to simply accommodate inflation, Cal Cities estimates the amount of local government fee and charge revenue at risk is approximately $2 billion per year including those adopted since Jan. 1, 2022. Over ten years, $20 billion of local government fee and charge revenues will be at heightened legal peril.

[4] Initiative No. 21-0042A1 (pg.6 (3))
[5] Initiative No. 21-0042A1 (pg. 5 (4))

Hundreds of local tax measures were approved in 2022[6] that likely do not comply with the provisions of the initiative. Nearly $2 billion of annual revenues from these voter-approved measures will cease a year after the effective date of the measure, reducing the local public services funded by these measures, unless the tax is re-submitted for voter approval.

Reductions on local government tax revenues have impacts on core services and infrastructure including fire and emergency response, law enforcement, streets and roads, drinking water, sewer sanitation, parks, libraries, public schools, affordable housing, homelessness prevention, and mental health services.

The initiative converts administratively-imposed fines and penalties into taxes unless a new, undefined, and ambiguous "adjudicatory due process" is followed. This provision may put at risk authority to impose fines and penalties for violations of state and local law.

FISCAL IMPACT: As detailed in Exhibit 'C', the Taxpayer Protection and Government Accountability Act will take billions of dollars away from local government services statewide. Most negatively impacted immediately would be Public Safety, Infrastructure and Parks and Recreation programs.

Costs to Kerman would include: reduced fee revenues, increased legal defense costs, invalidation of taxes or future reduction of tax revenues and delayed annexations and development potentially costing the City millions of dollars and dramatically reducing or eliminating the City's ability to provide basic, core municipal services to residents, businesses and visitors.

ATTACHMENTS:

A. Resolution w/Exhibits
Electronic Link to Full text of Ballot Initiative:
https://oag.ca.gov/system/files/initiatives/pdfs/21-0042A1%20%28Taxes%29.pdf

[6] http://www.californiacityfinance.com/Votes2211final.pdf

Attachment 'A'

RESOLUTION NO. 23- ___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN OPPOSING 2024 INITIATIVE 21-0042A1, THE TAXPAYER PROTECTION AND GOVERNMENT ACCOUNTABILITY ACT AS PROPOSED BY THE CALIFORNIA BUSINESS ROUNDTABLE

WHEREAS, an association representing California's wealthiest corporations and developers is spending millions to push a deceptive proposition aimed for the November 2024 statewide ballot; and

WHEREAS, the measure includes undemocratic provisions that would make it more difficult for local voters to pass measures needed to fund local services and infrastructure, and would limit voter input by prohibiting local advisory measures where voters provide direction on how they want their local tax dollars spent; and

WHEREAS, the measure creates new constitutional loopholes that allow corporations to pay far less than their fair share for the impacts they have on our communities, including local infrastructure and our environment; and

WHEREAS, the measure may make it much more difficult for state and local regulators to issue fines and levies on corporations that violate laws intended to protect our environment, public health and safety, and our neighborhoods; and

WHEREAS, the measure puts billions of dollars Statewide and millions currently dedicated to local services provided by the City of Kerman at risk and could force cuts to law enforcement, fire and emergency response, parks, libraries, affordable housing, and health services.

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

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

Section 2. The City of Kerman opposes Initiative 21-0042A1.

Section 3. The City of Kerman will join the No on Initiative 21-0042A1 coalition, a growing coalition of public safety, education, labor, local government, and infrastructure groups throughout the state.

Section 4. The City Clerk is hereby directed to email a copy of this adopted Resolution to the League of California Cities.

Section 5. This Resolution is effective immediately.

The foregoing resolution was considered by the City Council to the City of Kerman at a regular meeting of said Council held on April 26, 2023 adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

_____
Marci Reyes
City Clerk

BELL, McANDREWS & HILTACHK, LLP
ATTORNEYS AND COUNSELORS AT LAW
455 CAPITOL MALL, SUITE 600
SACRAMENTO, CALIFORNIA 95814

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21-0042 Amdt. # 1

January 4, 2022

RECEIVED
JAN 04 2022
INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Anabel Renteria
Initiative Coordinator
Office of the Attorney General
State of California
PO Box 994255
Sacramento, CA 94244-25550

Re: Initiative 21-0042 – Amendment Number One

Dear Initiative Coordinator:

Pursuant to subdivision (b) of Section 9002 of the Elections Code, enclosed please find Amendment #1 to Initiative No. 21-0042 "The Taxpayer Protection and Government Accountability Act." The amendments are reasonably germane to the theme, purpose or subject of the initiative measure as originally proposed.

I am the proponent of the measure and request that the Attorney General prepare a circulating title and summary of the measure as provided by law, using the amended language.

Thank you for your time and attention processing my request.

Sincerely,

Thomas W. Hiltachk

The Taxpayer Protection and Government Accountability Act

[Deleted codified text is denoted in ~~strikeout~~. Added codified text is denoted by *italics and underline*.]

Section 1. Title

This Act shall be known, and may be cited as, the Taxpayer Protection and Government Accountability Act.

Section 2. Findings and Declarations

(a) Californians are overtaxed. We pay the nation's highest state income tax, sales tax, and gasoline tax. According to the U.S. Census Bureau, California's combined state and local tax burden is the highest in the nation. Despite this, and despite two consecutive years of obscene revenue surpluses, state politicians in 2021 alone introduced legislation to raise more than $234 *billion* in new and higher taxes and fees.

(b) Taxes are only part of the reason for California's rising cost-of-living crisis. Californians pay billions more in hidden "fees" passed through to consumers in the price they pay for products, services, food, fuel, utilities and housing. Since 2010, government revenue from state and local "fees" has more than doubled.

(c) California's high cost of living not only contributes to the state's skyrocketing rates of poverty and homelessness, they are the pushing working families and job-providing businesses out of the state. The most recent Census showed that California's population dropped for the first time in history, costing us a seat in Congress. In the past four years, nearly 300 major corporations relocated to other states, not counting thousands more small businesses that were forced to move, sell or close.

(d) California voters have tried repeatedly, at great expense, to assert control over whether and how taxes and fees are raised. We have enacted a series of measures to make taxes more predictable, to limit what passes as a "fee," to require voter approval, and to guarantee transparency and accountability. These measures include Proposition 13 (1978), Proposition 62 (1986), Proposition 218 (1996), and Proposition 26 (2010).

(e) Contrary to the voters' intent, these measures that were designed to control taxes, spending and accountability, have been weakened and hamstrung by the Legislature, government lawyers, and the courts, making it necessary to pass yet another initiative to close loopholes and reverse hostile court decisions.

Section 3. Statement of Purpose

(a) In enacting this measure, the voters reassert their right to a voice and a vote on new and higher taxes by requiring any new or higher tax to be put before voters for approval. Voters also intend that all fees and other charges are passed or rejected by the voters themselves or a governing body elected by voters and not unelected and unaccountable bureaucrats.

(b) Furthermore, the purpose and intent of the voters in enacting this measure is to increase transparency and accountability over higher taxes and charges by requiring any tax measure placed on the ballot—

either at the state or local level—to clearly state the type and rate of any tax, how long it will be in effect, and the use of the revenue generated by the tax.

(c) Furthermore, the purpose and intent of the voters in enacting this measure is to clarify that any new or increased form of state government revenue, by any name or manner of extraction paid directly or indirectly by Californians, shall be authorized only by a vote of the Legislature and signature of the Governor to ensure that the purposes for such charges are broadly supported and transparently debated.

(d) Furthermore, the purpose and intent of the voters in enacting this measure is also to ensure that taxpayers have the right and ability to effectively balance new or increased taxes and other charges with the rapidly increasing costs Californians are already paying for housing, food, childcare, gasoline, energy, healthcare, education, and other basic costs of living, and to further protect the existing constitutional limit on property taxes and ensure that the revenue from such taxes remains local, without changing or superseding existing constitutional provisions contained in Section 1(c) of Article XIII A.

(e) In enacting this measure, the voters also additionally intend to reverse loopholes in the legislative two-thirds vote and voter approval requirements for government revenue increases created by the courts including, but not limited to, *Cannabis Coalition v. City of Upland*, *Chamber of Commerce v. Air Resources Board*, *Schmeer v. Los Angeles County*, *Johnson v. County of Mendocino*, *Citizens Assn. of Sunset Beach v. Orange County Local Agency Formation Commission*, and *Wilde v. City of Dunsmuir*.

Section 4. Section 3 of Article XIII A of the California Constitution is amended to read:

Sec. 3*(a) Every levy, charge, or exaction of any kind imposed by state law is either a tax or an exempt charge.*

(b)(1) ~~(a)~~ Any change in state ~~statute~~ *law* which results in any taxpayer paying a *new or* higher tax must be imposed by an act passed by not less than two-thirds of all members elected to each of the two houses of the Legislature, *and submitted to the electorate and approved by a majority vote,* except that no new ad valorem taxes on real property, or sales or transaction taxes on the sales of real property, may be imposed. *Each Act shall include:*

(A) A specific duration of time that the tax will be imposed and an estimate of the annual amount expected to be derived from the tax.

(B) A specific and legally binding and enforceable limitation on how the revenue from the tax can be spent. If the revenue from the tax can be spent for unrestricted general revenue purposes, then a statement that the tax revenue can be spent for "unrestricted general revenue purposes" shall be included in a separate, stand-alone section. Any proposed change to the use of the revenue from the tax shall be adopted by a separate act that is passed by not less than two-thirds of all members elected to each of the two houses of the Legislature and submitted to the electorate and approved by a majority vote.

(2) The title and summary and ballot label or question required for a measure pursuant to the Elections Code shall, for each measure providing for the imposition of a tax, including a measure proposed by an elector pursuant to Article II, include:

(A) The type and amount or rate of the tax;

(B) The duration of the tax; and

(C) The use of the revenue derived from the tax.

(c) Any change in state law which results in any taxpayer paying a new or higher exempt charge must be imposed by an act passed by each of the two houses of the Legislature. Each act shall specify the type of exempt charge as provided in subdivision (e), and the amount or rate of the exempt charge to be imposed.

(d) ~~(b)~~ As used in this section *and in Section 9 of Article II*, "tax" means *every* ~~any~~ levy, charge, or exaction of any kind imposed by ~~the State~~ *state law that is not an exempt charge.* ~~except the following:~~

(e) As used in this section, "exempt charge" means only the following:

~~(1) a charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the State of conferring the benefit or granting the privilege to the payor.~~

(1) ~~(2)~~ A *reasonable* charge ~~imposed~~ for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the ~~reasonable~~ *actual* costs to the State of providing the service or product to the payor.

(2) ~~(3)~~ A charge ~~imposed~~ for the reasonable regulatory costs to the State incident to issuing licenses and permits, performing investigations, inspections, and audits, enforcing agricultural marketing orders, and the administrative enforcement and adjudication thereof.

(3) A levy, charge, or exaction collected from local units of government, health care providers or health care service plans that is primarily used by the State of California for the purposes of increasing reimbursement rates or payments under the Medi-Cal program, and the revenues of which are primarily used to finance the non-federal portion of Medi-Cal medical assistance expenditures.

(4) A *reasonable* charge ~~imposed~~ for entrance to or use of state property, or the purchase, rental, or lease of state property, except charges governed by Section 15 of Article XI.

(5) A fine~~,~~ *or* penalty, ~~or other monetary charge~~ *including any applicable interest for nonpayment thereof,* imposed by the judicial branch of government or ~~the State, as a result of~~ *a state administrative enforcement agency pursuant to adjudicatory due process, to punish* a violation of law.

(6) A levy, charge, assessment, or exaction collected for the promotion of California tourism pursuant to Chapter 1 (commencing with Section 13995) of Part 4.7 of Division 3 of Title 2 of the Government Code.

(f) ~~(c)~~ Any tax or exempt charge adopted after January 1, *2022* ~~2010~~, but prior to the effective date of this act, that was not adopted in compliance with the requirements of this section is void 12 months after the effective date of this act unless the tax or exempt charge is reenacted ~~by the Legislature and signed into law by the Governor~~ in compliance with the requirements of this section.

(g)(1) ~~(d)~~ The State bears the burden of proving by ~~a preponderance of the~~ *clear and convincing* evidence that a levy, charge, or other exaction is *an exempt charge and* not a tax. *The State bears the burden of proving by clear and convincing evidence that the amount of the exempt charge is reasonable and that the amount charged does not exceed the actual cost of providing the service or product to the payor.* ~~, that the amount is no more than necessary to cover the reasonable costs of the governmental activity and~~

~~that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burdens on, or benefits received from, the governmental activity~~

(2) The retention of revenue by, or the payment to, a non-governmental entity of a levy, charge, or exaction of any kind imposed by state law, shall not be a factor in determining whether the levy, charge, or exaction is a tax or exempt charge.

(3) The characterization of a levy, charge, or exaction of any kind as being voluntary, or paid in exchange for a benefit, privilege, allowance, authorization, or asset, shall not be a factor in determining whether the levy, charge, or exaction is a tax or an exempt charge.

(4) The use of revenue derived from the levy, charge or exaction shall be a factor in determining whether the levy, charge, or exaction is a tax or exempt charge.

(h) As used in this section:

(1) "Actual cost" of providing a service or product means: (i) the minimum amount necessary to reimburse the government for the cost of providing the service or product to the payor, and (ii) where the amount charged is not used by the government for any purpose other than reimbursing that cost. In computing "actual cost" the maximum amount that may be imposed is the actual cost less all other sources of revenue including, but not limited to taxes, other exempt charges, grants, and state or federal funds received to provide such service or product.

(2) "Extend" includes, but is not limited to, doing any of the following with respect to a tax or exempt charge: lengthening its duration, delaying or eliminating its expiration, expanding its application to a new territory or class of payor, or expanding the base to which its rate is applied.

(3) "Impose" means adopt, enact, reenact, create, establish, collect, increase or extend.

(4) "State law" includes, but is not limited to, any state statute, state regulation, state executive order, state resolution, state ruling, state opinion letter, or other legal authority or interpretation adopted, enacted, enforced, issued, or implemented by the legislative or executive branches of state government. "State law" does not include actions taken by the Regents of the University of California, Trustees of the California State University, or the Board of Governors of the California Community Colleges.

Section 5. Section 1 of Article XIII C of the California Constitution is amended, to read:

Sec. 1. Definitions. As used in this article:

(a) "Actual cost" of providing a service or product means: (i) the minimum amount necessary to reimburse the government for the cost of providing the service or product to the payor, and (ii) where the amount charged is not used by the government for any purpose other than reimbursing that cost. In computing "actual cost" the maximum amount that may be imposed is the actual cost less all other sources of revenue including, but not limited to taxes, other exempt charges, grants, and state or federal funds received to provide such service or product.

(b) "Extend" includes, but is not limited to, doing any of the following with respect to a tax, exempt charge, or Article XIII D assessment, fee, or charge: lengthening its duration, delaying or eliminating its expiration, expanding its application to a new territory or class of payor, or expanding the base to which its rate is applied.

(c) ~~(a)~~ "General tax" means any tax imposed for general governmental purposes.

(d) "Impose" means adopt, enact, reenact, create, establish, collect, increase, or extend.

(e) ~~(b)~~ "Local government" means any county, city, city and county, including a charter city or county, any special district, or any other local or regional governmental entity*, or an elector pursuant to Article II or the initiative power provided by a charter or statute*.

(f) "Local law" includes, but is not limited to, any ordinance, resolution, regulation, ruling, opinion letter, or other legal authority or interpretation adopted, enacted, enforced, issued, or implemented by a local government.

(g) ~~(c)~~ "Special district" means an agency of the State, formed pursuant to general law or a special act, for the local performance of governmental or proprietary functions with limited geographic boundaries including, but not limited to, school districts and redevelopment agencies.

(h) ~~(d)~~ "Special tax" means any tax imposed for specific purposes, including a tax imposed for specific purposes, which is placed into a general fund.

(i) ~~(e)~~ As used in this article, *and in Section 9 of Article II*, "tax" means *every* ~~any~~ levy, charge, or exaction of any kind, imposed by a local ~~government~~ *law that is not an exempt charge.*~~, except the following:~~

(j) As used in this section, "exempt charge" means only the following:

~~(1) A charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.~~

(1) ~~(2)~~ A *reasonable* charge ~~imposed~~ for a specific *local* government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the ~~reasonable~~ *actual* costs to the local government of providing the service or product.

(2) ~~(3)~~ A charge ~~imposed~~ for the reasonable regulatory costs to a local government for issuing licenses and permits, performing investigations, inspections, and audits, enforcing agricultural marketing orders, and the administrative enforcement and adjudication thereof.

(3) ~~(4)~~ A *reasonable* charge ~~imposed~~ for entrance to or use of local government property, or the purchase, rental, or lease of local government property.

(4) ~~(5)~~ A fine~~,~~ *or* penalty, ~~or other monetary charge~~ *including any applicable interest for nonpayment thereof,* imposed by the judicial branch of government or a local government *administrative enforcement agency pursuant to adjudicatory due process*, ~~as a result of~~ *to punish* a violation of law.

(5) ~~(6)~~ A charge imposed as a condition of property development. *No levy, charge, or exaction regulating or related to vehicle miles traveled may be imposed as a condition of property development or occupancy.*

(6) ~~(7)~~ *An* ~~Assessments and property related fees~~ *assessment, fee, or charge* ~~imposed in accordance with the provisions of~~ *subject to* Article XIII D*, or an assessment imposed upon a business in a tourism marketing district, a parking and business improvement area, or a property and business improvement district.*

(7) A charge imposed for a specific health care service provided directly to the payor and that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the health care service. As used in this paragraph, a "health care service" means a service licensed or exempt from licensure by the state pursuant to Chapters 1, 1.3, or 2 of Division 2 of the Health and Safety Code.

~~The local government bears the burden of proving by a preponderance of the evidence that a levy, charge, or other exaction is not a tax, that the amount is no more than necessary to cover the reasonable costs of the governmental activity and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burdens on, or benefits received from, the governmental activity.~~

Section 6. Section 2 of Article XIII C of the California Constitution is amended to read:

Sec. 2. Local Government Tax Limitation. Notwithstanding any other provision of this Constitution:

(a) *Every levy, charge, or exaction of any kind imposed by local law is either a tax or an exempt charge.* All taxes imposed by any local government shall be deemed to be either general taxes or special taxes. Special purpose districts or agencies, including school districts, shall have no power to levy general taxes.

(b) No local *law* ~~government~~, *whether proposed by the governing body or by an elector,* may impose, extend, or increase any general tax unless and until that tax is submitted to the electorate and approved by a majority vote. A general tax shall not be deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved. The election required by this subdivision shall be consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body.

(c) ~~Any general tax imposed, extended, or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b). (d)~~ No local *law* ~~government~~, *whether proposed by the governing body or by an elector,* may impose~~, extend, or increase~~ any special tax unless and until that tax is submitted to the electorate and approved by a two-thirds vote. A special tax shall not be deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved.

(d) The title and summary and ballot label or question required for a measure pursuant to the Elections Code shall, for each measure providing for the imposition of a tax, include:

(1) The type and amount or rate of the tax;

(2) the duration of the tax; and

(3) The use of the revenue derived from the tax. If the proposed tax is a general tax, the phrase "for general government use" shall be required, and no advisory measure may appear on the same ballot that would indicate that the revenue from the general tax will, could, or should be used for a specific purpose.

(e) Only the governing body of a local government, other than an elector pursuant to Article II or the initiative power provided by a charter or statute, shall have the authority to impose any exempt charge. The governing body shall impose an exempt charge by an ordinance specifying the type of exempt charge

as provided in Section 1(j) and the amount or rate of the exempt charge to be imposed, and passed by the governing body. This subdivision shall not apply to charges specified in paragraph (7) of subdivision (j) of Section 1.

(f) No amendment to a Charter which provides for the imposition, extension, or increase of a tax or exempt charge shall be submitted to or approved by the electors, nor shall any such amendment to a Charter hereafter submitted to or approved by the electors become effective for any purpose.

(g) Any tax or exempt charge adopted after January 1, 2022, but prior to the effective date of this act, that was not adopted in compliance with the requirements of this section is void 12 months after the effective date of this act unless the tax or exempt charge is reenacted in compliance with the requirements of this section.

(h)(1) The local government bears the burden of proving by clear and convincing evidence that a levy, charge or exaction is an exempt charge and not a tax. The local government bears the burden of proving by clear and convincing evidence that the amount of the exempt charge is reasonable and that the amount charged does not exceed the actual cost of providing the service or product to the payor.

(2) The retention of revenue by, or the payment to, a non-governmental entity of a levy, charge, or exaction of any kind imposed by a local law, shall not be a factor in determining whether the levy, charge, or exaction is a tax or exempt charge.

(3) The characterization of a levy, charge, or exaction of any kind imposed by a local law as being paid in exchange for a benefit, privilege, allowance, authorization, or asset, shall not be factors in determining whether the levy, charge, or exaction is a tax or an exempt charge.

(4) The use of revenue derived from the levy, charge or exaction shall be a factor in determining whether the levy, charge, or exaction is a tax or exempt charge.

Section 7. Section 3 of Article XIII D of the California Constitution is amended, to read:

Sec. 3. Property Taxes, Assessments, Fees and Charges Limited

(a) No tax, assessment, fee, ~~or~~ charge*, or surcharge, including a surcharge based on the value of property,* shall be assessed ~~by any agency~~ upon any parcel of property or upon any person as an incident of property ownership except:

(1) The ad valorem property tax ~~imposed pursuant to~~ *described in Section 1(a) of* Article XIII and *Section 1(a) of Article XIII A, and described and enacted pursuant to the voter approval requirement in Section 1(b) of* Article XIII A.

(2) Any special *non-ad valorem* tax receiving a two-thirds vote *of qualified electors* pursuant to Section 4 of Article XIII A*, or after receiving a two-thirds vote of those authorized to vote in a community facilities district by the Legislature pursuant to statute as it existed on December 31, 2021*.

(3) Assessments as provided by this article.

(4) Fees or charges for property related services as provided by this article.

(b) For purposes of this article, fees for the provision of electrical or gas service shall not be deemed charges or fees imposed as an incident of property ownership.

Section 8. Sections 1 and 14 of Article XIII are amended to read:

Sec. 1 Unless otherwise provided by this Constitution or the laws of the United States:

(a) All property is taxable and shall be assessed at the same percentage of fair market value. When a value standard other than fair market value is prescribed by this Constitution or by statute authorized by this Constitution, the same percentage shall be applied to determine the assessed value. The value to which the percentage is applied, whether it be the fair market value or not, shall be known for property tax purposes as the full value.

(b) All property so assessed shall be taxed in proportion to its full value.

(c) All proceeds from the taxation of property shall be apportioned according to law to the districts within the counties.

Sec. 14. All property taxed by *state or* local government shall be assessed in the county, city, and district in which it is situated. *Notwithstanding any other provision of law, such state or local property taxes shall be apportioned according to law to the districts within the counties.*

Section 9. General Provisions

A. This Act shall be liberally construed in order to effectuate its purposes.

B. (1) In the event that this initiative measure and another initiative measure or measures relating to state or local requirements for the imposition, adoption, creation, or establishment of taxes, charges, and other revenue measures shall appear on the same statewide election ballot, the other initiative measure or measures shall be deemed to be in conflict with this measure. In the event that this initiative measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other initiative measure or measures shall be null and void.

(2) In furtherance of this provision, the voters hereby declare that this measure conflicts with the provisions of the "Housing Affordability and Tax Cut Act of 2022" and "The Tax Cut and Housing Affordability Act," both of which would impose a new state property tax (called a "surcharge") on certain real property, and where the revenue derived from the tax is provided to the State, rather than retained in the county in which the property is situated and for the use of the county and cities and districts within the county, in direct violation of the provisions of this initiative.

(3) If this initiative measure is approved by the voters, but superseded in whole or in part by any other conflicting initiative measure approved by the voters at the same election, and such conflicting initiative is later held invalid, this measure shall be self-executing and given full force and effect.

C. The provisions of this Act are severable. If any portion, section, subdivision, paragraph, clause, sentence, phrase, word, or application of this Act is for any reason held to be invalid by a decision of any court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this Act. The People of the State of California hereby declare that they would have adopted this Act and each and every portion, section, subdivision, paragraph, clause, sentence, phrase, word, and application not

declared invalid or unconstitutional without regard to whether any portion of this Act or application thereof would be subsequently declared invalid.

D. If this Act is approved by the voters of the State of California and thereafter subjected to a legal challenge alleging a violation of state or federal law, and both the Governor and Attorney General refuse to defend this Act, then the following actions shall be taken:

(1) Notwithstanding anything to the contrary contained in Chapter 6 of Part 2 of Division 3 of Title 2 of the Government Code or any other law, the Attorney General shall appoint independent counsel to faithfully and vigorously defend this Act on behalf of the State of California.

(2) Before appointing or thereafter substituting independent counsel, the Attorney General shall exercise due diligence in determining the qualifications of independent counsel and shall obtain written affirmation from independent counsel that independent counsel will faithfully and vigorously defend this Act. The written affirmation shall be made publicly available upon request.

(3) A continuous appropriation is hereby made from the General Fund to the Controller, without regard to fiscal years, in an amount necessary to cover the costs of retaining independent counsel to faithfully and vigorously defend this Act on behalf of the State of California.

(4) Nothing in this section shall prohibit the proponents of this Act, or a bona fide taxpayers association, from intervening to defend this Act.

LEAGUE OF CALIFORNIA CITIES

The Taxpayer Protection and Government Accountability Act
Initiative No. 21-0042A1[1]
Feb. 1, 2023

Effective date: Any new or increased tax or fee adopted by the Legislature, a city council, or the local voters after **January 1, 2022**, must comply with the Act's new rules.

Voters

- Local advisory measures are prohibited. No measure may appear on the ballot asking for approval of a general tax that would allow the voters to express a preference for how the revenue from the general tax will, could, or should be used.
- Overturns *Upland* decision which upheld a special tax that had been placed on the ballot by the voters to be approved by a majority vote. Taxes proposed by initiative will be subject to the same rules as taxes placed on the ballot by a city council.
- Voters may not amend a city charter to impose, extend, or increase a tax or fee.

Local taxes

- Requires voter approval in order to apply an existing tax:
  - to territory that is annexed.
  - to a new service or product, for example when a utility user tax is applied to a new service.
- All new or increased taxes adopted after Jan. 1, 2022, must include a sunset date.

State taxes

- All new or increased state taxes require statewide voter approval.
- Prohibits a property tax "surcharge" (increase). Prohibits any allocation of property tax to the state.

[1] This is a summary of some of the more significant provisions of the Act. Please review the Act for a complete understanding of the changes it makes to the Constitution.

Fees and charges

- Fees and charges for services and permits may not exceed the "actual cost" of providing the product or service for which the fee is charged. "Actual cost" is the "minimum amount necessary." Examples include planning services, excavation and encroachment permits, preparation of candidate statement, and permit parking.
- State and cities have the burden of proving by "clear and convincing evidence" that a fee/charge is not a tax, that the amount is reasonable, and that it does not exceed "actual cost."
- Franchise fees — historically considered fees, not taxes — will more likely be considered taxes due to the elimination of an existing category of "fee" and the requirement that charges to entrance, purchase, rental, or lease of government property be "reasonable." The state and cities issue franchises to oil companies, utilities, gas companies, railroads, garbage companies, cable companies, and other corporations.
- No fee or charge or exaction regulating vehicle miles traveled can be imposed as a condition of property development or occupancy.

Fines and penalties (administrative enforcement of state law and municipal codes)

- May require voter approval of fines and penalties for corporations and property owners that violate state and local laws unless a new, undefined adjudicatory process is used to impose the fines and penalties. Examples include nuisance abatement, organic waste reduction requirements, and failure to maintain a vacant property.

CaliforniaCityFinance.Com

Fiscal and Program Effects of Initiative 21-0042A1 on Local Governments

If Initiative 21-0042A1 is placed on the ballot and passed by voters, it will result in:

- Over $20 billion of local government fee and charge revenues over 10 years placed at heightened ***legal peril***. Related public service reductions across virtually every aspect of city, county, special district, and school services especially for drinking water, sewer sanitation, and public health and safety.
- About $2 billion of revenues each year from fees and charges adopted after January 1, 2021 ***subject to legal peril***.[1]
- Over $2 billion dollars of annual revenues from dozens of tax measures approved by voters between January 1, 2022 and the effective date of the act[2] subject to additional voter approval if not in compliance with the initiative.
- Indeterminable legal and administrative burdens and costs on local government from new and more empowered legal challenges, and bureaucratic cost tracking requirements.
- The delay and deterrence of municipal annexations.
- Substantially higher legal and administrative cost of public infrastructure financing which will delay and deter new residential and commercial development.
- Service and infrastructure declines including in fire and emergency response, law enforcement, public health, drinking water, sewer sanitation, parks, libraries, public schools, affordable housing, homelessness prevention and mental health services.

1. Local Government Taxes and Services Threatened

With regard to taxes, Initiative 21-0042A1:

- Prohibits advisory, non-binding measures as to use of tax proceeds on the same ballot.
  - Voters may be less informed and more likely to vote against measures.
- Eliminates the ability of special tax measures proposed by citizen initiative to be enacted by majority voter approval (*Upland*).[3]
  - Because the case law regarding citizen initiative special taxes approved by majority vote (Upland) is so recent, it is unknown how common these sorts of measures might be in the future. This initiative would prohibit such measures after the effective date of the initiative. Any such measures adopted after January 1, 2022 through the effective date of the Act should it pass would be void a year after the effective date of the initiative.
- Requires that tax measures include a specific duration of time that the tax will be imposed. This seems to require that all tax increases or extensions contain a sunset (end date).
  - This would require additional tax measures to extend previously approved taxes.
- A city charter may not be amended to impose, extend, or increase a tax might interfere with the ability of cities that do not already have such authority in their charters to adopt Property Transfer Taxes.
  - There are no more than a few of these every few years, but it is a valuable tax for those that adopt it.

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[1] Assumes fee increases since January 1, 2022 would be subject to possible legal challenge if not adopted in compliance with the Initiative.

[2] The effective date of the initiative would be sometime in December 2024, the date the California Secretary of State certifies the election results of the November 5, 2024 election.

[3] Unlike the initiative 17-0050, this initiative **does not** eliminate that ability of cities and counties to adopt general taxes by majority voter approval.

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- Requires that a tax measure adopted after January 1, 2022 and before the effective date of the initiative that was not adopted in accordance with the measure be readopted in compliance with the measure or will be void twelve months after the effective date of the initiative.
    - If past election patterns and elections in 2022 are an indication, over 200 tax measures approving more than $2 billion annual revenues to support local public services would not be in compliance and would be subject to reenactment. Most will be taxes without a specific end date and special taxes (including parcel taxes). Because there is no regularly scheduled election within the 12 months following the effective date of the initiative, the measures would each require declaration of emergency and unanimous vote of the governing board to be placed on a special election ballot within a year for approval or the tax will be void after that date. I would expect most to succeed, but some will not, in particular citizen initiative majority vote special taxes which would have to meet a higher voter approval threshold to continue.
- Requires voter approval to expand an existing tax to new territory (annexations). This would require additional tax measures and would deter annexations and land development in cities.
    - If a tax is "extended" to an annexed area without a vote after January 1, 2022, it will be void 12 months later until brought into compliance. Because there is no regularly scheduled election within the 12 months following the effective date of the initiative, such extensions would each require unanimous vote of the agency board to be placed on a special election ballot or would be void a year later.

1.a. Number of Measures and Value of Local Taxes at Risk[4]

Over a hundred local measures were approved in 2022 that likely do not comply with the provisions of Initiative 21-0042A1. Nearly $2 billion of annual revenues from these voter approved measures will cease a year after the effective date of the measure, reducing the local public services funded by these measures. We can expect a similar volume of measures in 2024 and a similar volume of non-compliance. So the combined total of annual local funding directly affected by Initiative 21-0042A1 due to its retroactivity provision is about $4 billion.

Citizen Initiative Special Taxes in 2022.

Special taxes placed on the ballot by citizen initiative and approved after January 1, 2022 by a majority but less than two-thirds of the voters are out of compliance with Initiative 21-0042A1.

On June 7, 2022, there were three local special tax measures placed on the ballot by citizen initiative. Two failed to get majority voter approval. A one percent transactions and use tax (sales tax) for the John C. Fremont Healthcare District in Mariposa County received 69.6 percent approval, over the two thirds needed for any special tax under California Constitution Article XIIIC. So this measure was passed in compliance with Initiative 21-0042A1.

June 2022 Initiative Special Taxes - majority voter approval

Agency Name	County		Tax/Fee	Rate	Estimated Annual Revenue	Use	Sunset	YES%	
John C. Fremont Healthcare District	Mariposa	Measure N	Transactions & Use Tax	1 cent	$ 150,000	hospital	40yrs	**69.6%**	PASS
County of Kings	Kings	Measure F	Transactions & Use Tax	1/2 cent	$ 11,700,000	fire	none	**37.6%**	FAIL
Manhattan Beach USD	Los Angeles	Measure A	School Parcel Tax	$1095/yr	$ 12,000,000	schools	12yrs	**31.2%**	FAIL

On November 8, 2022, there were 14 local special taxes placed on the ballot by citizen initiative. Seven of these

[4] Source: Compilation and summary of data from County elections offices.

measures failed with less than majority voter approval. The other seven measures received majority, but less than two-thirds, voter approval. These measures passed under current law but are out of compliance with Initiative 21-0042A1. Taken together these seven taxes will provide estimated annual revenues of **from $900,000 to $1.4 billion** in support of parks and recreation, zoo, library, affordable housing, transportation, homelessness prevention, and schools in these communities.

November 2022 Initiative Special Taxes - majority voter approval

Agency Name	County		Tax/Fee	Rate	Estimated Annual Revenue	Use	Sunset	YES%	
Crockett Community Services District	Contra Costa	Measure L	Parcel Tax	$50/parcel	$ 60,000	parks/recr	none	**62.8%**	PASS
Oakland	Alameda	Measure Y	Parcel Tax	$68/parcel	$ 12,000,000	zoo	20yrs	**62.5%**	PASS
County of Mendocino		Measure O	Transactions & Use Tax	1/8 cent then 1/4 cent in 2027	$ 4,000,000	library	none	**60.8%**	PASS
Los Angeles	Los Angeles	Measure ULA	Property Transfer Tax	4% if >$5m, 5.5% if >$10m	$600 m to $1.1 b	affordable housing	none	**57.3%**	PASS
County of Sacramento		Measure A	Transactions & Use Tax	same 1/2 cent	$ 212,512,500	transportati	40yrs	**55.3%**	PASS
San Francisco		Proposition M	Business Operations Tax	$2500-$5000/ vacant resid unit	$ 20,000,000	housing	30yrs	**54.5%**	PASS
Santa Monica	Los Angeles	Measure GS	Property Transfer Tax	$56/$1000 if >$8m	$ 50,000,000	schools, homelessness, afford. housing	none	**53.3%**	PASS
					Total $900,000 to $1.4 billion				

Agency Name	County		Tax/Fee	Rate	Estimated Annual Revenue	Use	Sunset	YES%	
County of Calaveras		Measure A	Transactions & Use Tax	1 cent	$ 5,000,000	fire	none	49.4%	FAIL
South San Francisco (for Schools)	San Mateo	Measure DD	School Parcel Tax	$2.50/sf	$ 55,900,000	schools	none	47.2%	FAIL
County of Fresno	(for CSU)	Measure E	Transactions & Use Tax	1/5 ct, 1/40 ct (Reedley)	$ 36,000,000	Calif State Univ	20yrs	46.9%	FAIL
Santa Cruz	Santa Cruz	Measure N	Parcel Tax	$6k/vacant SFU	xxx	vacant property	xxx	44.2%	FAIL
County of Monterey		Measure Q	Parcel Tax	$49/parcel	$ 5,500,000	childcare	10yrs	41.1%	FAIL
San Francisco City College	San Francisco	Measure O	School Parcel Tax	$150/sfu	$ 37,000,000	schools	10yrs	36.7%	FAIL
Morro Bay	San Luis Obispo	Measure B	Parcel Tax	$120+/parcel	$ 680,000	harbor	none	36.0%	FAIL
Inverness Public Utility District	Marin	Measure O	Parcel Tax	$0.20/sf, $150/vacant	$ 276,000	fire	none	27.0%	FAIL

Non-Specific Tax Durations in 2022

Voters approved 106 measures in June 2022 (10) and November 2022 (96) that do not provide a specific duration of time that the tax will be imposed (end date). Typically, the ballot titles for these measures state that the tax would be imposed “until ended by voters.” Four of these measures also did not include any estimate of the annual revenues that the tax would generate, another violation of initiative 21-0042A1. Taken together, these approved local measures generate **$561 million per year** that will expire a year after the effective date of the initiative if Initiative 21-0042A1 passes.

Measures in 2022 with Non-Specific Durations

Agency Name	County		Tax/Fee	Rate	Annual Revenue	Use	Sunset	YES%	
Oakland	Alameda	Measure T	Business Tax General	various	$ 20,900,000		none	**71.4%**	PASS
Culver City	Los Angeles	Measure BL	Business Tax General	various	$ 10,000,000		none	**60.5%**	PASS
El Segundo	Los Angeles	Measure BT	Business Tax General	various	$ 3,000,000		none	**51.2%**	PASS
Pico Rivera	Los Angeles	Measure AB	Business Tax General	various	$ 5,800,000		none	**75.5%**	PASS
Santa Ana	Orange	Measure W	Business Tax General	various	neutral		none	**64.8%**	PASS
Tracy	San Joaquin	Measure B	Business Tax General	various	$ 3,200,000		none	**72.6%**	PASS
Burlingame	San Mateo	Measure X	Business Tax General	various	$ 2,500,000		none	**75.1%**	PASS
Los Gatos	Santa Clara	Measure J	Business Tax General	various	$ 1,100,000		none	**53.4%**	PASS
Santa Clara	Santa Clara	Measure H	Business Tax General	$45/employee, $15/rental unit	$ 6,000,000		none	**59.5%**	PASS
Brisbane	San Mateo	Measure O	Business Tax lodging busn	$2.50/rm/day	$ 250,000		none	**69.2%**	PASS
East Palo Alto	San Mateo	Measure L	Business Tax resid. rentals	2.5% grossRcpts	$ 1,480,000		none	**69.9%**	PASS
County of Santa Cruz	Unincorporated	Measure C	Busn Tax - disp cups	12.5cents/cup	$ 700,000		none	**68.2%**	PASS
South Lake Tahoe	El Dorado	Measure G	Busn Tax Cannabis	6% retail, manufacturing	$ 950,000		none	**62.9%**	PASS
McFarland	Kern	Measure O	Busn Tax Cannabis	8% of gross receipts retail,	$ 1,800,000		none	**63.5%**	PASS
Avenal	Kings	Measure C	Busn Tax Cannabis	$25+/sf or 15% gr rcpts	$ 600,000		none	**61.8%**	PASS
Baldwin Park	Los Angeles	Measure CB	Busn Tax Cannabis	4% grossRcpts	$ 300,000		none	**51.3%**	PASS
Claremont	Los Angeles	Measure CT	Busn Tax Cannabis	4%-7% gr rcpts, $1-	$ 500,000		none	**61.1%**	PASS
County of Los Angeles	Unincorporated	Measure C	Busn Tax Cannabis	4% gross receipts retail,	$ 15,170,000		none	**60.1%**	PASS
Cudahy	Los Angeles	Measure BA	Busn Tax Cannabis	15% grossRcpts	$ 3,600,000		none	**54.0%**	PASS
El Segundo	Los Angeles	Measure Y	Busn Tax Cannabis	10% GrossRcpt,	$ 1,500,000		none	**72.8%**	PASS
Hermosa Beach	Los Angeles	Measure T	Busn Tax Cannabis	10% GrossRcpt,	$ 1,500,000		none	**67.6%**	PASS
Lynwood	Los Angeles	Measure TR	Busn Tax Cannabis	5%to10%	$ 3,000,000		none	**66.4%**	PASS
Santa Monica	Los Angeles	Measure HM	Busn Tax Cannabis	10% gross Rcpts	$ 5,000,000		none	**66.4%**	PASS
South El Monte	Los Angeles	Measure CM	Busn Tax Cannabis	6% special excise tax on	$ 126,000		none	**53.7%**	PASS
Monterey	Monterey	Measure J	Busn Tax Cannabis	6% grossRcpt	$ 1,300,000		none	**65.2%**	PASS
Pacific Grove	Monterey	Measure N	Busn Tax Cannabis	6% grossRcpt	$ 300,000		none	**70.8%**	PASS
Huntington Beach	Orange	Measure O	Busn Tax Cannabis	6% retail, 1% other	$ 600,000		none	**54.7%**	PASS

Measures in 2022 with Non-Specific Durations

Agency Name	County		Tax/Fee	Rate	Annual Revenue	Use	Sunset	YES%	
Laguna Woods	Orange	Measure T	Busn Tax Cannabis	4%-10% of gross receipts	$ 750,000		none	**61.1%**	PASS
Corona	Riverside	Measure G	Busn Tax Cannabis	9% of gross receipts for	$ 5,000,000		none	**61.6%**	PASS
Montclair	San Bernardino	Measure R	Busn Tax Cannabis	7% grossRcpts	$ 3,500,000		none	**70.3%**	PASS
County of San Diego	Unincorporated	Measure A	Busn Tax Cannabis	6% retail, 3% distribution,	$ 5,600,000		none	**57.4%**	PASS
Encinitas	San Diego	Measure L	Busn Tax Cannabis	4% to 7% of gross receipts	$ 1,400,000		none	**65.1%**	PASS
Healdsburg	Sonoma	Measure M	Busn Tax Cannabis	8% grossRcpt	$ 500,000		none	**72.7%**	PASS
Exeter	Tulare	Measure B	Busn Tax Cannabis	10% retail and other, $10/sf	?		none	**66.5%**	PASS
Tulare	Tulare	Measure Y	Busn Tax Cannabis	10% retail and other, $10/sf	?		none	**65.2%**	PASS
Woodland	Yolo	Measure K	Busn Tax Cannabis	10% grossRcpts	?		none	**66.2%**	PASS
Redlands	San Bernardino	Measure J	Busn Tax Distrib centers	from $0.047/sf to $0.105/sf	$ 530,000		none	**53.5%**	PASS
Arcadia	Los Angeles	Measure SW	Busn Tax Sports Betting	5% grossRcpts	n/a*		none	**63.9%**	PASS
Albany	Alameda	Measure K	ParcelTax	$0.074+/sf	$ 1,950,000	fire/EMS	none	**76.0%**	PASS
Cameron Park Airport District	El Dorado	Measure J	ParcelTax	by $600 to $900/parcel	$ 117,900	airport/ streets	none	**78.2%**	PASS
Highlands Village Lighting Benefit Zone	El Dorado	Measure L	ParcelTax	$140+/parcel	$ 10,920	streets	none	**86.3%**	PASS
Knolls Property Owners CSD	El Dorado	Measure P	ParcelTax	by $300+ to $600+/parcel	$ 8,400	streets	none	**75.5%**	PASS
Sundance Trail Zone of Benefit	El Dorado	Measure C	ParcelTax	$600+/yr	$ 24,000	roads	none	**73.2%**	PASS
South Pasadena	Los Angeles	Measure LL	ParcelTax	xxx	?	library	none	**86.2%**	PASS
River Delta Fire District	Sacramento	Measure H	ParcelTax	$90/yr	$ 130,000	fire	none	**72.1%**	PASS
Emeryville	Alameda	Measure O	PropTransfTax	$15/$1000 if $1m-$2m,	$ 5,000,000		none	**71.6%**	PASS
San Mateo	San Mateo	Measure CC	PropTransfTax	by 1% to 1.5% if >$10m	$ 4,800,000		none	**71.8%**	PASS
Alameda	Alameda	Measure F	TOT	by 4% to 14%	$ 910,000		none	**59.2%**	PASS
Clovis	Fresno	Measure B	TOT	by 2% to 12%	$ 500,000		none	**69.7%**	PASS
Kerman	Fresno	Measure G	TOT	10%	$ 40,000		none	**62.3%**	PASS
Trinidad	Humboldt	Measure P	TOT	by 4% to 12%	$ 65,000		none	**77.6%**	PASS
Imperial	Imperial	Measure G	TOT	by 4% to 12%	$ 600,000		none	**56.2%**	PASS
Arcadia	Los Angeles	Measure HT	TOT	by 2% to 12%	$ 730,000		none	**54.1%**	PASS
Santa Monica	Los Angeles	Measure CS	TOT	by 1%, 3% home shares	$ 4,100,000		none	**73.7%**	PASS

Notes

?= Ballot measure title did not include an estimate of annual revenues, also not in compliance with Initiative 21-0042A1.

n/a*= Arcadia Measure SW passed but sports betting remains illegal after the failure of Propositions 26 and 27 on the November statewide ballot.

Measures in 2022 with Non-Specific Durations

Agency Name	County		Tax/Fee	Rate	Annual Revenue	Use	Sunset	YES%	
Anaheim	Orange	Measure J	TOT	online travel companies	$ 3,000,000		none	59.2%	PASS
La Palma	Orange	Measure P	TOT	by 4% to 12%	$ 200,000		none	71.1%	PASS
Colfax	Placer	Measure B	TOT	by 2% to10%	$ 29,000		none	73.5%	PASS
Rocklin	Placer	Measure F	TOT	by 2% to 10%	$ 300,000		none	59.8%	PASS
Roseville	Placer	Measure C	TOT	by 4% to 10%	$ 3,000,000		none	73.0%	PASS
Big Bear Lake	San Bernardino	Measure P	TOT	by 2% to 10%	$ 1,300,000		none	54.4%	PASS
Grand Terrace	San Bernardino	Measure M	TOT	new 10%	$ 250,000		none	51.9%	PASS
Yucca Valley	San Bernardino	Measure K	TOT	by 5% to 12%	$ 1,300,000		none	71.9%	PASS
Imperial Beach	San Diego	Measure R	TOT	by 4% to 14%	$ 400,000		none	67.4%	PASS
El Paso de Robles	San Luis Obispo	Measure F	TOT	by 1% to 11%	$ 750,000		none	61.2%	PASS
Belmont	San Mateo	Measure K	TOT	by 2% to 14%	$ 600,000		none	79.3%	PASS
Millbrae	San Mateo	Measure N	TOT	by 2% to 14%	$ 1,500,000		none	75.8%	PASS
County of Humboldt Unincorporated		Measure J	TOT	by 2% to 12%	$ 3,080,000		none	63.3%	PASS
County of Placer - North Tahoe TOT Area		Measure A	TOT	by 2% to 10%	$ 4,000,000		none	90.0%	PASS
County of Santa Cruz Unincorporated		Measure B	TOT	by 1% to 12%	$ 2,300,000		none	69.2%	PASS
County of El Dorado - East Slope Tahoe		Measure S	TOT 2/3	by 4% to 14%	$ 2,500,000		none	81.8%	PASS
Chico	Butte	Measure H	TrUT	1 cent	$ 24,000,000		none	52.4%	PASS
Mendota	Fresno	Measure H	TrUT	1.25 cent	$ 493,498		none	57.2%	PASS
Blue Lake	Humboldt	Measure R	TrUT	1 cent	$ 30,000		none	55.4%	PASS
Rio Dell	Humboldt	Measure O	TrUT	3/4cent	$ 400,000		none	53.3%	PASS
County of Kern unincorporated areas		Measure K	TrUT	1 cent	$ 54,000,000		none	50.8%	PASS
McFarland	Kern	Measure M	TrUT	1 cent	$ 579,662		none	62.2%	PASS
Tehachapi	Kern	Measure S	TrUT	1 cent	$ 4,000,000		none	57.2%	PASS
Avenal	Kings	Measure A	TrUT	1 cent	$ 500,000		none	72.5%	PASS
Susanville	Lassen	Measure P	TrUT	1 cent	$ 1,750,000		none	54.7%	PASS
Baldwin Park	Los Angeles	Measure BP	TrUT	3/4 cent	$ 6,000,000		none	58.1%	PASS
Malibu	Los Angeles	Measure MC	TrUT	1/2 cent	$ 3,000,000		none	52.6%	PASS
Monterey Park	Los Angeles	Measure MP	TrUT	3/4 cent	$ 6,000,000		none	58.5%	PASS
Torrance	Los Angeles	Measure SST	TrUT	1/2 cent	$ 18,000,000		none	55.0%	PASS
Larkspur	Marin	Measure G	TrUT	1/4 cent	$ 700,000		none	59.4%	PASS
Sand City	Monterey	Measure L	TrUT	by 1/2cent to 1.5cents	$ 1,400,000		none	68.7%	PASS
Hemet	Riverside	Measure H	TrUT	same 1 cent	$ 15,000,000		none	58.0%	PASS
Elk Grove	Sacramento	Measure E	TrUT	1 cent	$ 21,000,000		none	54.1%	PASS
Galt	Sacramento	Measure Q	TrUT	1 cent	$ 3,600,000		none	52.4%	PASS
Colton	San Bernardino	Measure S	TrUT	1 cent	$ 9,500,000		none	66.8%	PASS
Ontario	San Bernardino	Measure Q	TrUT	1 cent	$ 95,000,000		none	53.2%	PASS
Solana Beach	San Diego	Measure S	TrUT	1 cent	$ 3,000,000		none	66.7%	PASS
Brisbane	San Mateo	Measure U	TrUT	1/2 cent	$ 2,000,000		none	63.9%	PASS
Goleta	Santa Barbara	Measure B	TrUT	1 cent	$ 10,600,000		none	64.7%	PASS
Solvang	Santa Barbara	Measure U	TrUT	1 cent	$ 1,600,000		none	63.1%	PASS

Measures in 2022 with Non-Specific Durations

Agency Name	County		Tax/Fee	Rate	Annual Revenue	Use	Sunset	YES%	
Watsonville	Santa Cruz	Measure R	TrUT	1/2 cent	$ 5,000,000		none	64.4%	PASS
Vallejo	Solano	Measure P	TrUT	7/8 cent	$ 18,000,000		none	54.7%	PASS
Modesto	Stanislaus	Measure H	TrUT	1 cent	$ 39,000,000		none	62.8%	PASS
County of Colusa		Measure A	TrUT 2/3	1/2 cent	$ 2,400,000	EMS	none	69.4%	PASS
Atwater	Merced	Measure B	TrUT 2/3	same 1 cent	$ 4,000,000	police/fire	none	73.7%	PASS
Truckee	Nevada	Measure U	TrUT 2/3	by 1/4 cent to 1/2 cent	$ 3,000,000	open space / trails	none	76.4%	PASS
Palo Alto	Santa Clara	Measure L	UtilityTransfer	18% gas	$ 7,000,000		none	77.7%	PASS
Santa Clara	Santa Clara	Measure G	UtilityTransfer	5 %	$ 30,000,000		none	84.2%	PASS
Hercules	Contra Costa	Measure N	UUT	8%	$ 3,600,000		none	69.3%	PASS
Carson	Los Angeles	Measure UU	UUT	2% electr, gas	$ 8,000,000		none	78.4%	PASS
Sebastopol	Sonoma	Measure N	UUT	3.75% (same)	$ 700,000		none	83.5%	PASS

Co-temporal Advisory Measures in 2022

At the November 2022 election, there was just one local general tax measure that was accompanied by an advisory measure as to the use of funds. The City of Santa Monica's Measure DT property transfer tax failed with just 34 percent approval as voters instead chose the citizen initiative Measure GS.

There was also just one such tax use advisory measure on the June 2022 election. Susanville's voters passed Measure P, a 1 percent transactions and use (sales) tax that generates $1.75 million per year[5] for general city services. The measure was accompanied by advisory Measure Q, accompanied the city's It asked, "If Measure P passes, should the revenues be used to balance the budget to maintain and enhance existing public safety services (police and fire), and provide funding to support street infrastructure improvements and provide funding to support economic development efforts designed to increase businesses, jobs and visitors to Susanville?" Both measures passed. Under Initiative 21-0042A1, the tax will expire a year after the effective date of the initiative (i.e., in December 2025).

1.b. Additional Costs and Public Service Effects of the Tax Provisions

Assuming a similar volume of local measures through 2024 as we saw in 2022, there will be over 200 local measures that will need to be redrafted to comply with the Initiative and placed back on the ballot for the taxes to continue after December 2025. The costs of re-drafting, re-placing and re-voting on these measures, previously legally approved by voters, will be in the tens of millions in total statewide.

2. "Exempt Charges" (fees and charges that are not taxes) and Services Threatened

With regard to fees and charges adopted after January 1, 2022, Initiative 21-0042A1:

- Subjects new fees and charges for a product or service to a new "actual and reasonable test."
- Subjects fees and charges for entrance to local government property; and rental and sale of local government property to a new, undefined, "reasonable" test.
- Allows legal challenge to any tax adopted before the effective date of the initiative and after January 1,

[5] The Susanville measure also did not include a specific end date and so is included in the list and totals of those measures.

2022. Such a lawsuit could enjoin (stop) the enactment of the tax pending the outcome of the legal challenge.

- Subjects a challenged fee to new, higher burdens of proof if legally challenged.

2.a. Value on New Local Government Fees and Charges at Risk[6]

Virtually every city, county, and special district must regularly (e.g., annually) adopt increases to fee rates and charges and revise rate schedules to accommodate new users and activities. Most of these would be subject to new standards and limitations under threat of legal challenge. Based on the current volume of fees and charges imposed by local agencies and increases in those fees simply to accommodate inflation, the amount of local government fee and charge revenue placed at risk is about **$2 billion per year including those adopted since January 1, 2022. Of $2 billion, about $900 million (45 percent) is for special districts, $800 million (40 percent) is cities, and $300 million (15 percent) is counties.**[7]

Major examples of affected fees and charges are:

1. Certain water, sanitary sewer, wastewater, garbage, electric, gas service fees.
2. Nuisance abatement charges - such as for weed, rubbish and general nuisance abatement to fund community safety, code enforcement, and neighborhood cleanup programs.
3. Emergency response fees - such as in connection with DUI.
4. Advanced Life Support (ALS) transport charges.
5. Business improvement district charges.
6. Fees for processing of land use and development applications such as plan check fees, use permits, design review, environmental assessment, plan amendment, subdivision map changes.
7. Document processing and duplication fees.
8. Facility use charges, parking fees, tolls.
9. Fines, penalties.
10. Fees for parks and recreation services.

2.b. Additional Costs and Public Service Effects of the Fee/Charge Provisions

In addition to service delays and disruptions due to fee and charge revenues placed at greater legal risk, there would be substantial additional costs for legal defense. The risk to fees and charges will make infrastructure financing more difficult and will deter new residential and commercial development.

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[6] Source: California State Controller Annual Reports of Financial Transactions concerning cities, counties and special districts, summarized with an assumed growth due to fee rate increases (not population) of 2 percent annually.

[7] School fees are also affected but the amount is negligible by comparison.

STAFF REPORT

MEETING DATE: April 26, 2023

PRESENTER: John Jansons, City Manager

SUBJECT: Consideration of City's position and possible Resolution regarding Assembly Bill 558 which proposes to change the governance structure of the Fresno County Transportation Agency and enact other project conditions (JAJ)

RECOMMENDATION: Staff recommends City Council:

1. Consider Assembly Bill 558 which proposes to change the governance structure of the Fresno County Transportation Agency and impose wage and environmental review conditions on funded projects; and
2. Determine whether to adopt a position in support or opposition to the proposed bill; and
3. Adopt resolution accordingly that communicates the Council's position to the bill's author Assembly Arambula, the Assembly Committee on Local Government, Cal Cities and Fresno County Transportation Authority.

EXECUTIVE SUMMARY: Assembly Bill 558, sponsored by Assembly Member Joaquin Arambula, District 31 Fresno, seeks to amend and expand the governance structure of the Fresno County Transportation Agency (FCTA) by adding four unelected representatives from labor, education, youth, and a disadvantaged unincorporated area resident. AB 558 also proposed to add wage and environmental review conditions placed upon FCTA funded projects.

Currently, The FCTA Board consists of nine members (9) with two members from the City of Fresno, two members from the Fresno County Board of Supervisors, one member from the City of Clovis, one member from a rural east side city, one member from a rural west side city, an urban Member-At-Large and a rural Member-At-Large.

AB 558 is currently under consideration by the Assembly Committee on Local Government.

DISCUSSION: FCTA was established in 1986 as a part of Fresno County's first county-wide locally funded transportation sales tax measure (Measure C).

At that time, the FCTA Board consisted of two members from the City of Fresno, two members of the Fresno County Board of Supervisors, an Eastside and Westside City representative, and a City of Clovis representative.

In 2006, two additional members were added to the FCTA Board; an urban and a rural Member-At-Large with the rural member appointed by the Board of Supervisors and the urban member

appointed jointly by the Cities of Fresno and Clovis. The two additional members were requested locally and were added just prior to the 2006 reauthorization.

The new Board membership was then approved by the voters of Fresno County. This was not a top-down change but rather a local request. These at-large positions have been filled with individuals of various backgrounds. The two current at-large members come from the disabled community and the goods movement industry.

AB 558 proposes to add four additional non-elected members to the FCTA Board from various backgrounds, including labor, education, youth, and an additional disadvantaged unincorporated area resident. AB 558 would also extend prevailing wage requirements to projects that are not in their entirety a public works project, and would require Measure C projects to adhere to the California Environmental Quality Act (CEQA).

These proposed changes rest on the assumption that these additional members are necessary because the constitution of the existing Board does not adequately represent people in underserved communities and the current FCTA Board is not inclusive.

FCTA strongly disagrees with this premise. FCTA is in fact proud that the existing Board is extremely diverse and represents all of Fresno County, including the 15 incorporated cities, the unincorporated communities, as well as the rural unincorporated areas and does not need to be changed.

FCTA believes that the changes proposed by AB 558 are unwarranted and will reduce the influence and effectiveness of the elected representatives on the FCTA Board. Further, FCTA claims AB 558 is an example of Sacramento imposing a State requirement on a local transportation funding measure.

While it may be difficult for any Board or Commission to represent every citizen of Fresno County on an equal basis, FCTA believes the current Board membership achieves a good balance between urban cities, small rural cities, and rural unincorporated areas. FCTA contends that adding four new unelected Board members who are not accountable to the voters of Fresno County would not provide better representation than the current Board membership.

FISCAL IMPACT: It is unknown at this time what fiscal impact there may be directly to Kerman with the proposed changes to FCTA governance and other aspects to the AB 558. Although it can be safely assumed that all member agencies will see smaller project awards due to the increased costs of wage and environmental review conditions set forth in AB 558 which are expected to have significant costs associated with them.

AB 558 would increase costs for projects County-wide, thereby resulting in smaller or fewer projects being completed in Fresno County with the projected resources available.

ATTACHMENTS:

A. Draft Resolution in Support of AB 558
B. Draft Resolution in Opposition to AB 558
C. AB 558 Bill Text
D. Opposition to AB 558 from Fresno County Transportation Agency

Attachment 'A'

RESOLUTION NO. 23-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN IN SUPPORT AB 558, REGARDING CHANGES TO THE GOVERNANCE AND PROJECT REQUIREMENTS OF THE FRESNO COUNTY TRANSPORTATION AGENCY (FCTA)

WHEREAS, the Fresno County Transportation Agency (FCTA), has operated since 2005 pursuant to state law; and

WHEREAS, Assembly Member Arambula has submitted to the California Legislature Assembly Bill 558 which proposes to change the governance structure of the FCTA Board and requires additional wage and environmental condition for FCTA projects; and

WHEREAS, Kerman is a member beneficiary of FCTA funded projects, transportation planning, and eligible for FCTA Board membership; and

WHEREAS, the City Council believes the changes proposed by AB 558 (Arambula) are beneficial to Kerman and Fresno County.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Kerman supports AB 558.

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

Section 2. The City Clerk is hereby directed to email a copy of this adopted Resolution to the following:

1. California State Assembly Committee of Local Governance,
2. Office of Assembly Member Joaquin Arambula,
3. Fresno County Transportation Agency,
4. The League of California Cities; and
5. Other interested parties in support of the passage of AB 558.

Section 3. This Resolution is effective immediately.

The foregoing resolution was considered by the City Council to the City of Kerman at a regular meeting of said Council held on 26th day of April 2023, adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

_____
Marci Reyes
City Clerk

Attachment 'B'

RESOLUTION NO. 23-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN OPPOSING AB 558, REGARDING CHANGES TO THE GOVERNANCE AND PROJECT REQUIREMENTS OF THE FRESNO COUNTY TRANSPORTATION AGENCY (FCTA)

WHEREAS, the Fresno County Transportation Agency (FCTA), has operated since 2005

WHEREAS, Assembly Member Arambula has submitted to the California Legislature Assembly Bill 558 which proposes to change the governance structure of the FCTA Board and requires additional wage and environmental condition for FCTA projects; and

WHEREAS, Kerman is a member beneficiary of FCTA funded projects, transportation planning, and eligible for FCTA Board membership; and

WHEREAS, the City Council believes the changes proposed by AB 558 are unnecessary and detrimental to Kerman and Fresno County.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Kerman opposes AB 558;

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

Section 2. The City Clerk is hereby directed to email a copy of this adopted Resolution to the following:

1. California State Assembly Committee of Local Governance,
2. Office of Assembly Member Joaquin Arambula,
3. Fresno County Transportation Agency,
4. The League of California Cities,
5. Other interested parties in opposing AB 558.

Section 3. This Resolution is effective immediately.

The foregoing resolution was considered by the City Council to the City of Kerman at a regular meeting of said Council held on 26th day of April 2023, adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

_____
Marci Reyes
City Clerk

AMENDED IN ASSEMBLY MARCH 23, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL No. 558

Introduced by Assembly Member Arambula

February 8, 2023

An act to amend ~~Section 142108 of~~ *Sections 142051 and 142052 of, and to add Sections 142156 and 142157 to,* the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 558, as amended, Arambula. Fresno County Transportation Authority.

The Fresno County Transportation Improvement Act provides for the ~~establishment~~ *creation* of the Fresno County Transportation Authority with ~~a specified membership. Existing law requires the authority to provide notice of the time and place of a public hearing on the adoption on an annual budget and to make the proposed annual budget available for public inspection for at least 15 days before the hearing.~~ *9 members, as specified. Existing law authorizes the authority to raise revenue, as specified, and to fund regional and local transportation improvements.*

Existing law imposes various requirements on public works projects, including a requirement that, at minimum, all workers employed on a public works project be paid the general prevailing rate of per diem wages for work of a similar character in the locality in which a public work is performed, as specified.

This bill would ~~make a nonsubstantive change to the latter provision.~~ *increase the membership of the authority to 13 members by adding to the authority a member of the public at large who represents a labor organization, a youth member, a local community member who is from*

a disadvantaged, unincorporated area of the county, and an educational member representing the county, as specified. The bill would require the authority, for a project that it funds, to ensure that certain prevailing wage requirements are satisfied if the project is not in its entirety a public work project and, for a construction or development project it funds, to enforce and promote environmental protections and regulations adopted pursuant to the California Environmental Quality Act, as specified. By imposing new requirements on the authority, the bill would create 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ *yes*. State-mandated local program: ~~no~~ *yes*.

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

SECTION 1. The Legislature finds and declares all of the following:

(a) The lived experiences of underserved communities in the County of Fresno are often times overlooked and it is imperative that community input, diverse backgrounds, and diverse ideas are reflected on the board of the Fresno County Transportation Authority.

(b) Diesel trucks, factories, and weakening sustainable farming practices spew fatal toxins, and warehouses and distribution centers release harmful emissions, that migrate throughout the central valley and cause chronic health conditions, including respiratory diseases, infections, heart disease, cancer, developmental disorders, and reproductive ailments.

(c) The surrounding region is severely impacted by climate change and the state must take action to protect human health.

(d) Diversifying leadership on the board of the Fresno County Transportation Authority will result in more inclusive agendas and transform restorative environmental justice and climate policy.

(e) In the San Joaquin Valley, neighborhoods that are predominately Black or Hispanic are more likely to be burdened by air pollution and environmental hazards and to lack the resources to reduce chronic health conditions.

(f) Local projects will fuel local public employment that should include skilled workforce training, higher wages, and labor protections.

(g) The Fresno County Transportation Authority must prioritize publically funded projects that uphold environmental protection standards under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) and that do not harm protected indigenous lands or underserved populations.

SEC. 2. Section 142051 of the Public Utilities Code is amended to read:

142051. The authority shall consist of ~~nine~~ *13* members selected as follows:

(a) Two members of the board of supervisors appointed by the ~~board,~~ *board of supervisors,* consisting of one member from rural district 1, 4, or 5 and one member from urban district 2 or 3.

(b) Two members representing the City of Fresno, consisting of the mayor thereof and a member of the city council of that city appointed by the city council.

(c) One member representing the City of Clovis appointed by the city council of that city.

(d) Two members representing the other cities within the county, consisting of one westside member appointed by a committee ~~comprised of~~ *comprising* the mayors of each of those cities west of State Highway Route 99, and one eastside member appointed by a committee ~~comprised of~~ *comprising* the mayors of each of those cities east of State Highway Route 99.

(e) Two members of the public at large, consisting of one member appointed by the board of supervisors with the appointee residing outside of the incorporated areas of *the Cities of* Fresno and Clovis, and one member appointed jointly by the city councils of *the Cities of* Fresno and Clovis with the appointee residing within the incorporated area of *the City of* Fresno or Clovis.

(f) One member of the public at large who represents a labor organization and demonstrates an understanding of diversity, equity, labor advocacy, wage benefit protections, project labor

agreements, and skilled workforce training, appointed by the city council of the City of Fresno.

(g) (1) One youth member, who lives in the County of Fresno, appointed by the Governor, who may appoint an individual from a nominee list submitted pursuant to paragraph (2).

(2) (A) Youth-serving nonprofit organizations in the county may collaboratively develop a nominee list of two or more individuals who advocate for higher education needs, mental health wellness, or social justice within the county, are residents of the county, are between 18 and 26 years of age, inclusive, and are not elected officials. The nominee list shall be submitted to the board of supervisors.

(B) Not more than one year before the expiration of the youth member's term or a vacancy of that position, the board of supervisors shall consider any nominee list submitted pursuant to subparagraph (A) and may submit a nominee list to the Governor to assist in the appointment of the youth member.

(h) (1) One local community member who is from a disadvantaged, unincorporated area of the county and is involved in community and civic advocacy, appointed by the board of supervisors and selected from a nominee list submitted pursuant to paragraph (2).

(2) Not more than one year before the expiration of the local community member's term or a vacancy of that position, nonprofit organizations that have a presence in the county and support civic involvement may collaboratively develop a nominee list of two or more individuals and submit the nominee list to the board of supervisors.

(i) One educational member representing the county and who is a parent, teacher, principal, superintendent, or school employee, appointed by the Fresno County Board of Education.

SEC. 3. Section 142052 of the Public Utilities Code is amended to read:

142052. (a) Except for the Mayor of the City of Fresno, the members of the authority shall serve for ~~a term~~ *terms* of two years.

(b) If any member other than the ~~public member~~ *members of the public at large, youth member, local community member, or educational member* ceases to be an elected official, that member shall cease to be a member of the authority, and another member

shall be appointed for the remainder of the term pursuant to Section 142051.

SEC. 4. Section 142156 is added to the Public Utilities Code, to read:

142156. For any project funded by the authority that is not in its entirety a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code, the authority shall ensure that all of the following requirements are satisfied:

(a) All construction workers employed in the execution of the project shall be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, including apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.

(b) The project proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work for those portions of the project that are not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(c) All contractors and subcontractors for those portions of the project that are not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code shall comply with both of the following:

(1) Pay to all construction workers employed in the execution of the project at least the general prevailing rate of per diem wages, in addition apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.

(2) Maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in that section. This paragraph does not apply if all contractors and subcontractors performing work on the project are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the project and provides for enforcement of that obligation through an arbitration procedure. For purposes of this paragraph, "project labor agreement" has

the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

SEC. 5. Section 142157 is added to the Public Utilities Code, to read:

142157. For any construction or development project funded by the authority, the authority shall enforce and promote environmental protections and regulations adopted pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

SEC. 6. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

~~SECTION 1. Section 142108 of the Public Utilities Code is amended to read:~~

~~142108. (a) Notice of the time and place of a public hearing on the adoption of the annual budget shall be published pursuant to Section 6061 of the Government Code not later than the 15th day prior to the day of the hearing.~~

~~(b) The proposed annual budget shall be available for public inspection at least 15 days before the hearing.~~

O

FRESNO COUNTY TRANSPORTATION AUTHORITY

Mike Leonardo
Executive Director

April 6, 2023

The Honorable Joaquin Arambula
Assemblymember, 31st District
1021 O Street, Suite 8130
Sacramento, CA 95814

Re: AB 558 (Arambula) Fresno County Transportation Authority Membership - OPPOSE

Dear Assemblymember Arambula:

On behalf of the Fresno County Transportation Authority (FCTA), I write to you in **OPPOSITION** to AB 558, your measure that proposes to alter the composition of the FCTA Board of Directors in response to unfounded concerns over the process that our agency followed to develop the most recent transportation sales tax measure in Fresno County that sought local voter approval on the November 2022 ballot for a 30-year extension of our current Measure C (half-cent sales tax). This measure ultimately fell short of the necessary votes for extension.

FCTA was established in 1986 as a part of Fresno County's first county-wide locally funded transportation sales tax measure (Measure C). At that time, the FCTA Board consisted of two members from the City of Fresno, two members of the Fresno County Board of Supervisors, an Eastside and Westside City representative, and a City of Clovis representative. In 2006, Measure C was extended for an additional 20 years and remains in place until 2027 unless extended. In 2006, two additional members were added to the FCTA Board; an urban and a rural Member-At-Large with the rural member appointed by the Board of Supervisors and the urban member appointed jointly by the Cities of Fresno and Clovis. The two additional members were requested locally and were added just prior to the 2006 reauthorization. The new Board membership was then included in the 2006 ballot materials approved by the voters of Fresno County. This was not a top-down change but rather a local request. These at-large positions have been filled with individuals of various backgrounds. The two current at-large members come from the disabled community and the goods movement industry.

AB 558 proposes to add four additional non-elected members to the FCTA Board from various backgrounds, would purportedly extend prevailing wage requirements to projects that are not in their entirety a public works project, and would require Measure C projects to adhere to the California Environmental Quality Act (CEQA). These proposed changes rest on the assumption that these additional members are necessary because the constitution of the existing Board does not adequately represent people in underserved communities and current FCTA Board agendas are not inclusive. We strongly disagree with this perspective. Please note that the existing Board represents all of Fresno County, including the 15 incorporated cities, the unincorporated communities, as well as the rural unincorporated areas.

Approximately 65% of the Fresno County population is within the Fresno-Clovis metropolitan area. The other incorporated cities make up 18% while the unincorporated areas and communities make up the remaining 17%. The Fresno-Clovis metro area has four members on the Board. The smaller unincorporated cities have two (or three depending on how the Rural-At-Large member is considered), while the unincorporated areas have two (or three, again depending on how the Rural-At-Large is considered). While not an exact match, this Board composition does well at ensuring adequate representation for all of Fresno County.

During recent efforts to renew Measure C for an additional 30 years, certain groups opposed to the renewal effort claimed that FCTA staff, consultants and the Board did not authentically engage with the public, especially in regard to disadvantaged areas of Fresno County. This could not be further from the truth. FCTA, in partnership with the Fresno County Council of Governments (Fresno COG), engaged in extensive public outreach and engagement. This effort was unprecedented in Fresno County, especially considering it occurred during the height of the COVID-19 pandemic. In summary:

- The renewal effort was guided by two diverse committees consisting of a total of approximately 85 members. These two committees consisted of representatives from local government, health, business, agriculture, goods movement, education, disabled, youth, labor, chambers of commerce, public safety, ADA & Seniors, non-motorized modal advocates, transit advocates, air quality advocates and eight different community-based organizations representing a broad cross section of disadvantaged and underserved communities and groups. (Complete membership of these committees is included as an attachment to this letter).
- During 2021 and 2022, FCTA conducted two public opinion polls of close to 6000[1] residents. Each area of the County, including rural unincorporated areas were represented by a statistically valid number of people contacted. Oversampling was done in rural areas in order to ensure each area was statistically valid.
- Approximately 2800 informal surveys were collected, some online due to COVID but many done face to face in the rural disadvantaged areas. These face-to-face surveys were conducted in English or Spanish depending on the stated desires of the residents.
- Seven in-person workshops throughout the country plus one virtual workshop were held. These meetings typically included transportation, food, and child care to ensure disadvantaged community members had the opportunity to fully participate.
- Attendance and presentations at various community events throughout the County, including disadvantaged communities
- Multiple presentations at the FCTA Board, the Board of Supervisors meetings, Fresno Council of Governments, and at every incorporated City within the County.

As you can see, FCTA takes their public engagement responsibilities very seriously and additional Board members are not required in order to ensure that disadvantaged communities are represented in the process. As noted above, the makeup of the existing FCTA Board ensures that everyone in the County is represented. Almost all of rural Fresno County is considered disadvantaged as well as much of the urban area. Supervisors, Councilmembers, and Mayors are elected to represent all of their constituents within Fresno County. With rare exception, each of these elected officials represent disadvantaged areas and people. Further, these elected Board members are accountable to the people who elect them. That accountability does not exist with non-elected appointed Board members. As you are aware, local sales

[1] This polling sample size is unprecedented in Fresno County and larger than almost all other local transportation measure polls conducted throughout California.

tax measures are a careful balancing act that must consider the needs of the entire county in order to achieve the necessary two-thirds voter threshold. Because certain communities feel as though not enough investment was promised to them is not a reason to overhaul the FCTA Board, but rather an opportunity to engage through the public engagement process during the next attempt to extend Measure C. A full description of the Measure C Renewal public engagement effort is also attached to this letter.

In response to AB 558's requirement to apply prevailing wage requirements, it is important to understand what Measure C does, how the money is allocated, and what is covered by existing prevailing wage requirements. Measure C's major programs along with the current prevailing wage requirements are outlined in the following table:

PROGRAM	Percentage of Measure	Prevailing Wage Requirements
Regional Transportation Improvement Program	30.5%	Public Works projects, 100% prevailing wage.
Local Transportation Program, Street Maintenance	15%	Mostly public works projects which are subject to prevailing wage. Some pavement repairs done with in-house city/county maintenance crews. Most/all are union employees subject to prevailing wage
Local Transportation Program, Flexible and Bike/Ped/ADA	19.5%	Traffic signals, ped and bike facilities, safety improvements, etc. Nearly all public works projects (100% prevailing wage) with some minor work performed by in-house (union) staff.
Grade Separation Program	6%	Public Works Projects 100% prevailing wage.
Public Transit Program	24%	Transit projects are public works projects and subject to prevailing wage. Vast majority of funding covers transit operations. Most transit employees are union and subject to prevailing wage
Environmental Enhancement Program	3.5%	School Bus Replacements subject to public purchasing requirements. TOD incentive projects are typically public works projects and subject to prevailing wage.
Administration	1.5%	No prevailing wage requirements

As you can see, the addition of the prevailing wage language is unnecessary as there is little in Measure C that isn't covered and all public works projects, state and local, are already covered by Section 1720 of the California Labor Code.

Finally, every project or program funded by Measure C is subject to a CEQA analysis. Some programs do not have CEQA implications and are legally exempt. All major projects do undergo a CEQA (and in most cases National Environmental Policy Act NEPA) analysis. Again, AB 558 unnecessarily re-states existing law.

In closing, we would like to reiterate that AB 588 is looking for a problem that simply does not exist. Within the framework of our existing measure, the FCTA Board has very little discretion in how funds are allocated, and which projects are funded, as the funding allocations and projects were set by voters in

the 2006 Expenditure Plan, and local projects are exclusively at the discretion of the County's various local agencies. FCTA has no role in which local projects are selected because those decisions are made by the cities themselves or the Board of Supervisors. Almost 60% of Measure C revenues are local agency pass through funds with no FCTA oversite except to ensure, through audits, that the expenditures were consistent with the program requirements. Another 30% are project specific funds included in the 2006 Expenditure Plan. There are two small grant programs totaling about 3% of the entire Measure C program that the FCTA Board makes funding decisions based on technical evaluation performed by local agency staff.

Our local governance structure was affirmed by local voters, should remain a local issue for the current Measure and any future measures. If you have any questions, please contact me at mike@thefcta.com. Thank you for your consideration.

Sincerely,

Mike Leonardo
Executive Director
Fresno County Transportation Authority

cc: The Honorable Cecilia Aguiar-Curry, Chair, Assembly Committee on Local Government
The Honorable Jim Patterson, Assemblymember, 8th District
The Honorable Devon Mathis, Assemblymember, 33rd District
The Honorable Esmerelda Soria, Assemblymember, 27th District
The Honorable Shannon Grove, Senator, 12th District
The Honorable Anna Caballero, Senator, 14th District
The Honorable Melissa Hurtado, Senator, 16th District

STAFF REPORT

MEETING DATE: April 26, 2023

PRESENTER: John Jansons, City Manager

SUBJECT: Presentation and discussion with possible direction of staff of Fiscal Year 23-24 City Council Priorities, Goals and Staff Work Plan Alignment (JAJ)

RECOMMENDATION: City Council receive presentation by staff to identify and discuss proposed priorities, projects, goals and alignment of Departmental work plans pursuant to the approval and direction of the City Council for Fiscal Year 23-24.

DISCUSSION: Annually, and throughout the year, the organization benefits from identifying goals and priorities of the City Council alongside the necessities of daily work by the Departments to ensure organizational alignment.

Staff's presentation will review the current, ongoing projects that City is working toward completing, and present new responsibilities that are projected for the coming year for City Council's consideration, comment and direction.

Staff also seeks City Council comment on proposed activities and identification of any additional priority projects or initiatives that Council believes should be considered for Fiscal Year 23-24 as resources may allow.

FISCAL IMPACT:

None.

ATTACHMENTS:

None.