



CITY COUNCIL REGULAR MEETING AGENDA

Wednesday, February 12, 2025 at 6:00 PM

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

LEVINE ACT DISCLOSURE. Pursuant to the Levine Act (Govt Code Section 84308), any party to a permit, license, contract, or other entitlement before the City Council is required to disclose on the record any campaign contribution, including aggregated contributions, of more than \$500 made by the party or the party's agents within the preceding 12 months to any City official. Participants and agents are requested to make this disclosure as well. The disclosure should be made when the agenda item is called and must include the name of the party, participant, or agent, and any other person making the contribution, the name of the recipient, the amount of the contribution, and the date the contribution was made. Council Members are also required to make such disclosures and recuse themselves.

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

1. OPENING CEREMONIES

- A. Call to Order
- B. Roll Call
- C. Invocation
- D. Flag Salute

2. AGENDA APPROVAL/ADDITIONS/DELETIONS

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

3. PRESENTATIONS/CEREMONIAL MATTERS

- A. Presentation - Fresno County Property Owners Protection Alert (FCPOPA)

4. PUBLIC FORUM (for matters not on agenda)

This portion of the meeting is reserved for members of the public to address the Council on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Council. Speakers shall be limited to three minutes. It is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Council on items on the Agenda should notify the Mayor when that Agenda item is called, and the Mayor will recognize your discussion at that time. It should be noted that the Council is prohibited by law from taking any action on matters discussed that are not on the Agenda. Speakers are asked to please use the microphone, 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 - January 22, 2025 & February 1, 2025

RECOMMENDATION: Council to approve minutes as presented.

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

1. Nos.31025-31241 \$1,219,955.43 ACH \$272,321.87.

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

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

12/22/2024 - 01/04/2025: \$255,976.29; Retro Pay & Other: \$0.00; Overtime: \$7,0179.11;
Holiday: \$5,541.41; Standby: \$2,252.02; Comp Time Earned: 15.75
01/05/2025 - 01/18/2025: \$236,014.30; Retro Pay & Other: \$86.40; Overtime: \$3,210.09;
Standby: \$1,925.04; Comp Time Earned: 33.60

RECOMMENDATION: Council approve payroll as presented.

- D. **SUBJECT:** Resolution Approving Annual Renewal Agreement with Civic Plus for Recreation Management program Civic Rec for \$5,061.31 (TJ)

RECOMMENDATION: Council by motion adopt a resolution approving the annual renewal agreement with Civic Plus and authorizing the City Manager to execute the agreement.

- E. **SUBJECT:** Consideration of Resolution to Ratify Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad Company for \$15,000 for the Goldenrod Avenue Crossing (JAJ)

RECOMMENDATION: Council by motion adopt resolution ratifying Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad Company for \$15,000 for the Goldenrod Avenue Crossing.

- F. **SUBJECT:** Amendment of Memorandum of Understanding with the Kerman Police Officers Association revising Overtime and the use of Compensation Time and Vacation counting as hours worked (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving Side Letter Agreement with the Kerman Police Officers Association revising Overtime and the use of Compensation Time and Vacation counting as hours worked.

6. **PUBLIC HEARINGS**

None.

7. **DEPARTMENT REPORTS**

- A. **SUBJECT:** Consideration of Resolution Regarding City's Assurances to Residents Regarding Services and Safety Regardless of Immigrant Status In Compliance with State Law (HCM)

RECOMMENDATION: Council by motion adopt resolution Declaring The City of Kerman's Assurances To All Residents Regarding Services and Safety Regardless of Immigrant Status and Compliance With State Law.

8. **CITY MANAGER/STAFF COMMUNICATIONS**

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

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

10. **CLOSED SESSION**

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) 550-1414. 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) 550-1414 or email at publicmeeting@cityofkerman.org so such aids or services can be arranged. Accommodations should be requested as early as possible as additional time may be required in order to provide the requested accommodation. The meeting room is accessible to persons with physical disabilities.

AGENDA POSTING CERTIFICATION

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

Date: February 7, 2025 /s/ Josie Camacho, City Clerk



CITY COUNCIL REGULAR MEETING MINUTES

Wednesday, January 22, 2025 at 6:00 PM

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

1. OPENING CEREMONIES

- A. Call to Order - **6:01 p.m.**
- B. Roll Call - **All members present**
- C. Invocation - **Performed by Mayor Pacheco**
- D. Flag Salute – **Performed**

2. AGENDA APPROVAL/ADDITIONS/DELETIONS

Motion made by Mayor Pro Tem Yep, Seconded by Councilmember Dhaliwal

Ayes: Yep, Dhaliwal, Hall, Herrera, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

3. PRESENTATIONS/CEREMONIAL MATTERS

- A. Proclamation - African American History Month - **Presented, Councilmember Hall shared a few words.**
- B. Proclamation - KHS Football - **Presented to Coach Jenkins and present KHS football players.**

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

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 - January 8, 2025

RECOMMENDATION: Council to approve minutes as presented.

B. SUBJECT: Payroll (JA)

12/08/2024 to 12/21/2024: \$252,406.25; Retro Pay & Other: \$3,787.87; Overtime: \$9,655.74; Standby: \$2,012.91; Comp Time Earned: 22.50

RECOMMENDATION: Council approve payroll as presented.

C. SUBJECT: Monthly Investment Report

RECOMMENDATION: Council accept monthly investment report as presented.

D. SUBJECT: Municipal Financial Advisor and Selection of Consultant (JA)

RECOMMENDATION: Staff recommends that Council adopt resolution approving Municipal Financial Advisor contract with Fieldman, Rolapp & Associates Inc. in the amount not to exceed \$38,500 for conducting the financial advisor services for proposed lease revenue bond public offering to finance new capital improvement projects (new Police Station and Resiliency Center) and authorize the City Manager to sign the Consultant Agreement. – **Res. 25-03**

Motion made by Councilmember Hall, Seconded by Councilmember Herrera

Ayes: Hall, Herrera, Dhaliwal, Yep, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

6. PUBLIC HEARINGS - Opened 6:21 p.m.

A. SUBJECT: Public hearing regarding General Plan Amendment (GPA 2023-03), Rezone (REZ 2023-04), Tentative Subdivision Map (TSM 2023-04), Annexation (ANX 2023-04), and an Environmental Impact Report (SCH No. 2024031008) (ENV 2023-08) pertaining to three (3) parcels located on the north side of Whitesbridge Road (State Route 180) between North Siskiyou and North Madera Avenues (APNs 020-120-29S, 020-120-30S and 020-120-28ST).

RECOMMENDATION: The Kerman City Council conduct a public hearing, deliberate, and by motion:

1. Adopt a resolution of the City Council of the City of Kerman (1) adopting the findings required by the California Environmental Quality Act (CEQA) Guidelines, Section 15091; (2) certifying the Environmental Impact Report (SCH No. 2024031008); (3) adopting the proposed Mitigation Monitoring and Reporting Program; (4) adopting a Statement of Overriding Considerations, pursuant to the CEQA (ENV 2023-08); and (5) approving General Plan Amendment 2023-03 to amend the 2040 Kerman General Plan planned land use designations for Assessor's Parcel Numbers (APNs) 020-120-29S (24.24 acres) and 020-120-30S (24.14 acres), to MDR – Medium Density Residential and HDR – High Density Residential, with a corresponding reduction in land designated GC – General Commercial

(northwest corner of North Del Norte Avenue and West Whitesbridge Road (State Route 180); and – **Res. 25-04, Res. 25-05, Res. 25-06**

2. Waive full reading and introduce by title only an ordinance of the City Council of the City of Kerman approving Rezone 2023-04 to amend the official zoning map of the City of Kerman for three (3) parcels identified as Assessor’s Parcel Numbers (APNs) 020-120-29S (24.24 acres), 020-120-30S (24.14 acres), and 020-120-28ST (23.91 acres), pre-zoning the parcels consistent with the proposed land use designations, resulting in approximately 38 acres within the Smart Development Combining District – Residential – minimum 5,000 square feet (SD-R-5.0), 10.96 acres within the Two-Family Residential (R-2), four (4) acres within the Multi-Unit Residential (R-3), and 18.95 acres within the General Commercial (CG) zoning districts, totaling approximately 72.29 acres located on the north side of Whitesbridge Road (State Route 180) between North Siskiyou Avenue and North Madera Avenue (Rezone 2023-04). - **Ord. 25-01**

Public Comment from Michael Cheney and Cory Molloy

Closed 7:10 p.m.

Motion made by Councilmember Herrera, Seconded by Mayor Pro Tem Yep

Ayes: Herrera, Yep, Dhaliwal, Hall, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

7. DEPARTMENT REPORTS

- A. **SUBJECT:** Presentation by Reclaim our Power (JAJ)

RECOMMENDATION: Council hear a presentation by Reclaim our Power about their Utility Justice Campaign, and their next steps in seeking legislation in support of their proposal, with possible direction to staff.

Presentation by Colin Cook-Miller and Inoyoko Young. Public comment from Ray Cody with Stop PG&E.com and Jose Verduzco.

Council would like to wait to do more research before making any decisions.

- B. **SUBJECT:** Local Law Enforcement Interaction with Undocumented Immigrants (SW)

RECOMMENDATION: City Council receive a presentation addressing Local Law Enforcement’s Interaction with Undocumented Immigrants.

Information presented by Chief Wilkins. Public comment received by Yazmine Enriquez.

- C. **SUBJECT:** Request by Mayor Pacheco to discuss “Sanctuary Cities” with the City Council, with possible direction to staff. (JAJ)

RECOMMENDATION: City Council discuss the subject of “Sanctuary Cities”, with possible direction to staff.

Information provided by City Manager. Public comment received by Jasmine Ibal.

Motion by Councilmember Herrera, Seconded by Mayor Pro Tem Yep for Staff to create and bring back a draft resolution of support to distribute to the community via several outlets.

Ayes: Herrera, Yep, Dhaliwal, Hall, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

- D. **SUBJECT:** Public Street Right-of-Way for the Vineland Avenue Widening Project from Whitesbridge Road to 660’ to the South (JG)

RECOMMENDATION: Council by motion adopt a resolution:

1. Approving an agreement with The J. S. and S. K. Sidhu Family 2009 Revocable Trust in the amount of \$53,600 for the purchase of public street right-of-way for the Vineland Avenue Widening Project from Whitesbridge Road to 660’ to the South and;
2. Approving the Certificate of Acceptance and authorizing the City Manager to execute the same on behalf of the City. - **Res. 25-07**

Motion made by Mayor Pro Tem Yep, Seconded by Councilmember Herrera

Ayes: Yep, Herrera, Dhaliwal, Hall, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

- E. **SUBJECT:** Appointment of Members to the Parks, Recreation and Community Services Commission and to the Planning Commission (TJ & JJ)

RECOMMENDATION: Council by motion:

1. Adopt resolution approving appointments by Mayor Pacheco of two applicants to the Parks, Recreation and Community Services Commission; and – **Res. 25-08**
2. Adopt resolution approving appointment by Mayor Pacheco of one applicant to the Planning Commission. - **Res. 25-09**

Motion made by Councilmember Hall, Seconded by Mayor Pro Tem Yep

Ayes: Hall, Yep, Dhaliwal, Herrera, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

F. **SUBJECT:** City Council Appointments to Committees, Commissions and Boards (JAJ)

RECOMMENDATION: Council by minute order approve;

1. The appointment of a City Councilmember to serve as the primary representative to the Upper Kings Basin Water Authority, and appoint one City Councilmember to serve as the alternate City Council representative to the Upper Kings Basin Water Authority and;
2. The appointment of Mayor Pro Tem to serve as Kerman City Council alternate representative to the Fresno County Council of Governments (FCOG).

Mayor Pro Tem Yep nominated to serve as representative for the Upper Kings Basin Authority, with City Engineer Jesus Gonzalez as alternate.

Mayor Pro Tem Yep nominated as alternate for FCOG.

All nominations accepted.

Motion made by Councilmember Dhaliwal, Seconded by Councilmember Herrera

Ayes: Dhaliwal, Herrera, Hall, Yep, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

8. CITY MANAGER/STAFF COMMUNICATIONS

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

Mayor Pro Tem Yep asks Staff to look into providing a stipend for Rec Commissioners at a future agenda.

Staff given the directive to bring the KHS girls' Cross Country and Soccer teams to a future meeting to be recognized for their achievements.

Mayor Pacheco requests the discussion of hosting a Town Hall/Community Forum regarding the topic of sanctuary cities and KPD's interaction with the undocumented community at a future meeting.

10. CLOSED SESSION - None

11. ADJOURNMENT - 9:07 p.m.

MINUTES CERTIFICATION

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

Date: January 23, 2025 /s/ Josie Camacho, City Clerk



CITY COUNCIL

SPECIAL CALLED MEETING MINUTES

Saturday, February 1, 2025 at 8:30 AM

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

NOTICE IS HEREBY GIVEN that a Special Called Meeting of the City Council of the City of Kerman is hereby called.

1. AGENDA

The sole business to be conducted is as follows:

- A. Call to Order – **8:33 a.m.**
- B. Roll Call – **All present**
- C. City Council Workshop 2025 Goal Setting, Prioritization, Work Plans, Key Issues and Team Building. – **Presented**

Mayor Pacheco left the meeting at 12:03 p.m.

Councilmember Dhaliwal left the meeting at 12:35 p.m.

- D. Adjournment – **1:21 p.m.**

Members of the public shall have the opportunity to be heard on this matter.

MINUTS CERTIFICATION

I, Josie Camacho, City Clerk for the City of Kerman, do hereby declare under penalty of perjury that the above minutes are a true depiction of all actions taken at the City Council meeting held on the first date above written at City of Kerman Council Chambers at 850 S. Madera Ave., Kerman, CA 93630.

Date: February 3, 2025

/s/ Josie Camacho, City Clerk

Accounts Payable

Checks by Date - Summary by Check Date

User: VSandoval
Printed: 2/3/2025 8:25 AM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
ACH	10644	US BANK EQUIPMENT FINANCE	01/02/2025	710.78
ACH	10147	EMPLOYMENT DEVELOPMENT DEPA	01/02/2025	9,401.54
ACH	10517	FEDERAL TAXES PAYROLL	01/02/2025	76,235.53
Total for 1/2/2025:				86,347.85
31025	UB*01885	LORENA BARRERA	01/06/2025	46.48
31026	UB*01880	DANIEL CAMPOS	01/06/2025	139.36
31027	UB*01874	HOMERO & YOANA DIAZ	01/06/2025	224.30
Total for 1/6/2025:				410.14
31029	11493	24 / 7 PET VETS	01/09/2025	413.90
31030	11387	LUISA AGUIRRE	01/09/2025	368.00
31031	10021	ALERT O LITE	01/09/2025	2,644.24
31032	12537	AMERITAS GROUP INSURANCE CORP	01/09/2025	1,266.00
31033	12538	AMERITAS GROUP INSURANCE CORP	01/09/2025	461.50
31034	12530	APOLLO HEALTH INC	01/09/2025	425.00
31035	10978	LIZBETH BAUTISTA	01/09/2025	150.00
31036	12348	BRADY INDUSTRIES	01/09/2025	409.64
31037	10061	BSK ASSOCIATES	01/09/2025	111.25
31038	12727	BURKE, WILLIAMS & SORENSEN, LLF	01/09/2025	522.00
31039	10617	C A REDING CO INC	01/09/2025	129.48
31040	10064	CAL VALLEY PRINTING	01/09/2025	210.01
31041	10067	CALIFORNIA BUILDING STANDARDS	01/09/2025	474.30
31042	12725	CALIFORNIA LANDSCAPE SUPPLY	01/09/2025	565.31
31043	10074	CALIFORNIA PARK/RECREATION SOC	01/09/2025	170.00
31044	12431	AKAYLA CHEEMA	01/09/2025	45.00
31045	10106	CON EDISON CLEAN ENERGY	01/09/2025	17,411.50
31046	10826	CROWN SERVICES CORPORATION	01/09/2025	312.69
31047	10126	DEPARTMENT OF CONSERVATION	01/09/2025	1,757.28
31048	10128	DEPARTMENT OF JUSTICE	01/09/2025	70.00
31049	10900	E & M INC	01/09/2025	520.00
31050	12312	EXTREME CONNECTIONS	01/09/2025	489.52
31051	11398	FASTSIGNS	01/09/2025	287.43
31052	10157	FERGUSON ENTERPRISES INC	01/09/2025	500.49
31053	10162	FRESNO COUNTY TREASURER	01/09/2025	25,711.44
31054	10842	FRESNO ECONOMIC OPPORTUNITIES	01/09/2025	174.26
31055	10169	FRESNO PET CEMETERY	01/09/2025	321.10
31056	10185	GRAINGER	01/09/2025	6.46
31057	11358	GREAT AMERICA FINANCIAL SERVICE	01/09/2025	196.23
31058	12716	JASVIR HEER	01/09/2025	450.00
31059	10514	ICAD INC	01/09/2025	2,947.50
31060	10250	LIEBERT CASSIDY WHITMORE	01/09/2025	9,497.01
31061	10251	LIGHTHOUSE ELECTRIC INC	01/09/2025	1,187.50
31062	12728	HENRY MARTINEZ	01/09/2025	600.00
31063	UB*01886	ADELINE MENDOZA	01/09/2025	84.32

				Section 5, Item B.
Check No	Vendor No	Vendor Name	Check Date	
31064	12356	NOTORIOUS GRAFIX	01/09/2025	606.76
31065	10282	OFFICE DEPOT	01/09/2025	534.25
31066	10289	P.G.& E.	01/09/2025	39,351.85
31067	11891	PACE SUPPLY	01/09/2025	265.89
31068	10315	QUINN COMPANY	01/09/2025	975.00
31069	12053	R & L MUSIC ENT	01/09/2025	225.00
31070	10596	RED WING BUSINESS ADVANTAGE AC	01/09/2025	460.47
31071	10319	RENO'S HARDWARE	01/09/2025	257.77
31072	11714	ROD CARSEY	01/09/2025	4,951.60
31073	10332	SEBASTIAN	01/09/2025	3,125.58
31074	10862	SIGNMAX	01/09/2025	1,672.37
31075	10337	SLUMBERGER LUMBER	01/09/2025	480.53
31076	11907	SPRINGBROOK HOLDING COMPANY I	01/09/2025	1,757.00
31077	10346	STATE WATER RESOURCE CNTRL BRI	01/09/2025	14,972.92
31078	10348	STATE WATER RESOURCES CNTL BOA	01/09/2025	284.00
31079	12729	CYNTHIA TEPOSANO	01/09/2025	150.00
31080	10754	THE HOME DEPOT PRO-SUPPLY WOR	01/09/2025	811.50
31081	10168	UNITY IT	01/09/2025	7,398.36
31082	10387	USA BLUE BOOK	01/09/2025	565.63
31083	10392	VALLEY FOOD CENTER	01/09/2025	5,535.66
31084	12290	VERIZON	01/09/2025	890.65
31085	12726	WHOOSTER, INC	01/09/2025	1,000.00
31086	11960	WIRELESS TELEMATICS LLC	01/09/2025	720.00
31087	12267	IRENE ZAMORA	01/09/2025	150.00
Total for 1/9/2025:				158,033.15
ACH	10147	EMPLOYMENT DEVELOPMENT DEPA	01/10/2025	10,973.79
ACH	10517	FEDERAL TAXES PAYROLL	01/10/2025	63,745.43
ACH	10518	KERMAN POLICE OFFICERS ASSN	01/10/2025	848.25
ACH	10519	KERMAN MUNICIPAL EMPLOYEES AS	01/10/2025	255.00
ACH	10520	ICMA-RC	01/10/2025	2,450.92
Total for 1/10/2025:				78,273.39
ACH	10522	CALPERS	01/14/2025	41,149.32
Total for 1/14/2025:				41,149.32
31088	10021	ALERT O LITE	01/15/2025	74.66
31089	12683	ARSENAL WELL DRILLING INC	01/15/2025	11,600.00
31090	10040	AT&T MOBILITY	01/15/2025	4,252.73
31091	10545	WILBERT BARCOMA	01/15/2025	133.00
31092	10617	C A REDING CO INC	01/15/2025	322.42
31093	10078	CALIFORNIA STATE DISBURSEMENT	01/15/2025	161.53
31094	10452	CITY OF FRESNO WMD	01/15/2025	263.00
31095	10108	COOKS COMMUNICATIONS CORP	01/15/2025	27,537.12
31096	10109	AUDITOR CONTROLLER/TREASURER	01/15/2025	22.00
31097	10136	DIVISION OF THE STATE ARCHITECT	01/15/2025	200.00
31098	10524	DUNN EDWARDS	01/15/2025	575.27
31099	10144	ELBERT DISTRIBUTING INC	01/15/2025	735.49
31100	11550	FRESNO COUNTY SHERIFFS OFFICE -	01/15/2025	137.00
31101	10800	FRESNO OXYGEN #5	01/15/2025	32.40
31102	11188	FUTURE FORD	01/15/2025	185.00
31103	11642	HUMBERTO GASTELUM	01/15/2025	25.87
31104	12541	GIRL SCOUTS TROOP 3255	01/15/2025	700.00

				Section 5, Item B.
Check No	Vendor No	Vendor Name	Check Date	
31105	12731	BERDIE HALL	01/15/2025	554.60
31106	11761	JOHN JANSONS	01/15/2025	192.00
31107	10239	KERWEST INC	01/15/2025	900.00
31108	12574	KRC SAFETY CO INC	01/15/2025	793.03
31109	10678	MAC'S EQUIPMENT INC	01/15/2025	516.19
31110	10261	MID VALLEY DISPOSAL INC	01/15/2025	151,452.84
31111	10289	P.G.& E.	01/15/2025	3,350.11
31112	10596	RED WING BUSINESS ADVANTAGE AC	01/15/2025	170.38
31113	10319	RENO'S HARDWARE	01/15/2025	278.13
31114	10324	RIVERSIDE NURSERY & LANDSCAPE	01/15/2025	663.72
31115	10862	SIGNMAX	01/15/2025	1,338.18
31116	10337	SLUMBERGER LUMBER	01/15/2025	178.08
31117	12054	SPARKLETTS	01/15/2025	90.39
31118	12368	SPECIALTY HOSE EXPRESS LLC	01/15/2025	267.00
31119	10346	STATE WATER RESOURCE CNTRL BRI	01/15/2025	1,375.00
31120	11460	SUPERIOR POOL PRODUCTS LLC	01/15/2025	633.43
31121	10360	TERRY JOHNSON TRUCKING	01/15/2025	4,075.66
31122	12178	VALLEY ANIMAL CENTER SPAY & NE	01/15/2025	247.50
31123	12290	VERIZON	01/15/2025	663.25
31124	10406	WEST HILLS OIL INC	01/15/2025	2,700.79
31125	UB*01870	BENJAMIN YAHUACA M	01/15/2025	189.92
31126	BP-JOSE1	JOSEPH CROWN CONSTRUCTION	01/15/2025	104.18
31127	12732	AMBER LENNEAR	01/15/2025	139.36
31128	12733	STEPHANIE RAYMUNDO	01/15/2025	74.17
31129	12734	KAY SCHLOTTHAUER	01/15/2025	6.58
Total for 1/15/2025:				217,911.98
31130	12740	MARCO ACOSTA	01/23/2025	3.35
31131	12739	MELANY ACOSTA	01/23/2025	237.12
31132	12537	AMERITAS GROUP INSURANCE CORP	01/23/2025	1,596.14
31133	12257	AMERITAS LIFE INSURANCE CORP- V	01/23/2025	838.53
31134	11917	BLAIS & ASSOCIATES LLC	01/23/2025	2,559.00
31135	10055	BMI	01/23/2025	446.00
31136	10617	C A REDING CO INC	01/23/2025	129.92
31137	10064	CAL VALLEY PRINTING	01/23/2025	1,461.38
31138	12060	ODALIS CAMACHO-VARGAS	01/23/2025	64.57
31139	12560	CITY OF FRESNO POLICE REGIONAL	01/23/2025	2,965.00
31140	10104	COMCAST	01/23/2025	498.48
31141	11498	COMCAST CABLE COMMUNICATIONS	01/23/2025	741.25
31142	12735	CPRS ADMINISTRATOR'S SECTION	01/23/2025	30.00
31143	12742	PAUL CRIADO	01/23/2025	53.51
31144	10949	CXT INC	01/23/2025	326.46
31145	12114	D & S PLUMBING HEATING & AIR	01/23/2025	558.00
31146	10715	DC HEATING AND COOLING	01/23/2025	375.00
31147	10128	DEPARTMENT OF JUSTICE	01/23/2025	606.00
31148	10147	EMPLOYMENT DEVELOPMENT DEPA	01/23/2025	4.35
31149	10161	FRESNO COUNTY TREASURER	01/23/2025	377.00
31150	10162	FRESNO COUNTY TREASURER	01/23/2025	180.60
31151	12379	GILL CHEVROLET	01/23/2025	78.97
31152	12100	GLOBAL INDUSTRIAL	01/23/2025	1,671.45
31153	10185	GRAINGER	01/23/2025	536.84
31154	11358	GREAT AMERICA FINANCIAL SERVICE	01/23/2025	723.03
31155	12655	JESUS GUIZAR	01/23/2025	6.92
31156	12741	LUIS GUTIERREZ	01/23/2025	720.27
31157	12187	HAMNER JEWELL & ASSOCIATES	01/23/2025	2,868.00
31158	11272	HAVEN TECHNOLOGY CORP	01/23/2025	1,557.15

				Section 5, Item B.
Check No	Vendor No	Vendor Name	Check Date	
31159	12736	KERMAN FFA	01/23/2025	500.00
31160	12737	KERMAN MARTIAL ARTS, LLC	01/23/2025	500.00
31161	10249	LEAGUE OF CALIFORNIA CITIES	01/23/2025	8,196.93
31162	11096	LOZANO SMITH LLP	01/23/2025	40.00
31163	10282	OFFICE DEPOT	01/23/2025	449.73
31164	10286	O'REILLY AUTOMOTIVE INC	01/23/2025	306.97
31166	11833	ORKIN	01/23/2025	139.00
31167	10289	P.G.& E.	01/23/2025	11,489.01
31168	12590	DALIA SANTANA ZAMUDIO	01/23/2025	409.00
31169	12738	SIERRA LOG & TIMBER	01/23/2025	709.30
31170	10337	SLUMBERGER LUMBER	01/23/2025	1,466.35
31171	10015	THE ADVANCE GROUP INC	01/23/2025	589.45
31172	10754	THE HOME DEPOT PRO-SUPPLY WOR	01/23/2025	93.83
31173	10366	THE VERDIN COMPANY	01/23/2025	1,111.53
31174	10168	UNITY IT	01/23/2025	18,093.28
31175	12516	MARIA VARGAS	01/23/2025	150.00
31176	10406	WEST HILLS OIL INC	01/23/2025	1,248.73
Total for 1/23/2025:				67,707.40
ACH	10147	EMPLOYMENT DEVELOPMENT DEPA	01/24/2025	8,281.44
ACH	10517	FEDERAL TAXES PAYROLL	01/24/2025	52,705.58
ACH	10518	KERMAN POLICE OFFICERS ASSN	01/24/2025	848.25
ACH	10519	KERMAN MUNICIPAL EMPLOYEES AS	01/24/2025	255.00
ACH	10520	ICMA-RC	01/24/2025	4,356.04
ACH	10341	STATE BOARD OF EQUALIZATION	01/24/2025	105.00
Total for 1/24/2025:				66,551.31
31177	11493	24 / 7 PET VETS	01/30/2025	374.40
31178	10021	ALERT O LITE	01/30/2025	380.63
31179	10035	AQUA NATURAL SOLUTIONS	01/30/2025	997.47
31180	10504	AUTOZONE	01/30/2025	127.68
31181	10054	BLUE SHIELD OF CALIFORNIA	01/30/2025	61,394.54
31182	12348	BRADY INDUSTRIES	01/30/2025	265.04
31183	10061	BSK ASSOCIATES	01/30/2025	100.00
31184	12727	BURKE, WILLIAMS & SORENSEN, LLF	01/30/2025	2,407.00
31185	10617	C A REDING CO INC	01/30/2025	232.42
31186	12358	CAL VALLEY CONSTRUCTION INC	01/30/2025	321,554.19
31187	10064	CAL VALLEY PRINTING	01/30/2025	150.47
31188	12725	CALIFORNIA LANDSCAPE SUPPLY	01/30/2025	247.61
31189	10078	CALIFORNIA STATE DISBURSEMENT	01/30/2025	161.53
31190	10092	CENTRAL VALLEY TOXICOLOGY INC	01/30/2025	95.00
31191	10452	CITY OF FRESNO WMD	01/30/2025	281.00
31192	10102	CODE PUBLISHING COMPANY	01/30/2025	830.00
31193	10103	COLONIAL LIFE	01/30/2025	781.31
31194	12717	COUNTY OF FRESNO TREASURER	01/30/2025	140.01
31195	10114	CROWN SHORT LOAD CONCRETE	01/30/2025	695.26
31196	11874	CSG CONSULTANTS INC	01/30/2025	8,355.50
31197	11382	DATA TICKET INC	01/30/2025	13.73
31198	10144	ELBERT DISTRIBUTING INC	01/30/2025	531.14
31199	10153	FACTORY MOTOR PARTS CO	01/30/2025	376.72
31200	11550	FRESNO COUNTY SHERIFFS OFFICE -	01/30/2025	137.00
31201	10842	FRESNO ECONOMIC OPPORTUNITIES	01/30/2025	163.37
31202	10169	FRESNO PET CEMETERY	01/30/2025	286.10
31203	11188	FUTURE FORD	01/30/2025	1,597.50
31204	12379	GILL CHEVROLET	01/30/2025	321.38

				Section 5, Item B.
Check No	Vendor No	Vendor Name	Check Date	
31205	10185	GRAINGER	01/30/2025	548.91
31206	11358	GREAT AMERICA FINANCIAL SERVICE	01/30/2025	561.88
31207	12151	H O GENERAL AUTO REPAIR AND TIR	01/30/2025	89.00
31208	10514	ICAD INC	01/30/2025	1,100.00
31209	10222	JERRY'S AUTOMOTIVE	01/30/2025	899.03
31210	10485	JP AIR CONDITIONING & HEATING	01/30/2025	799.90
31211	10230	KENT M KAWAGOE PHD	01/30/2025	325.00
31212	10252	LITHIA FORD OF FRESNO	01/30/2025	362.43
31213	11291	METROPOLITAN TRANSPORTATION C	01/30/2025	2,250.00
31214	12745	JAYDEN MONTOYA	01/30/2025	150.00
31215	12684	MOTOROLA SOLUTIONS	01/30/2025	4,771.46
31216	10272	MUTUAL OF OMAHA	01/30/2025	3,307.87
31217	10282	OFFICE DEPOT	01/30/2025	180.45
31218	10289	P.G.& E.	01/30/2025	9,350.23
31219	11891	PACE SUPPLY	01/30/2025	1,666.51
31220	10301	PETTY CASH	01/30/2025	179.34
31221	12026	PRECISION CIVIL ENGINEERING INC	01/30/2025	6,705.70
31222	11549	R J BERRY JR INC	01/30/2025	301,760.85
31223	12524	R&S ERECTION TRI-COUNTY INC	01/30/2025	3,150.25
31224	10596	RED WING BUSINESS ADVANTAGE AC	01/30/2025	267.07
31225	12747	JAYDEN RIBERA	01/30/2025	150.00
31226	10324	RIVERSIDE NURSERY & LANDSCAPE	01/30/2025	475.85
31227	12746	FABIOLA RUIZ	01/30/2025	450.00
31228	12475	SAN JOAQUIN PEST CONTROL	01/30/2025	105.00
31229	11506	SCA OF CA LLC	01/30/2025	27,658.23
31230	10862	SIGNMAX	01/30/2025	793.79
31231	12368	SPECIALTY HOSE EXPRESS LLC	01/30/2025	282.17
31232	11460	SUPERIOR POOL PRODUCTS LLC	01/30/2025	1,660.84
31233	10863	SWRCB	01/30/2025	110.00
31234	10754	THE HOME DEPOT PRO-SUPPLY WOR	01/30/2025	202.30
31235	11502	TIREHUB LLC	01/30/2025	1,184.66
31236	10371	TJ LAW & ASSOCIATES INVESTIGAT	01/30/2025	800.00
31237	12637	TRAFFIC SAFETY STORE	01/30/2025	406.74
31238	10391	VALLEY FARM SUPPLY STORES	01/30/2025	4.24
31239	12290	VERIZON	01/30/2025	82.06
31240	10401	WALLYS TIRE AND WHEEL	01/30/2025	23.00
Total for 1/30/2025:				775,812.76
31241	12748	MONDRAGON LOCK-SMITH	01/31/2025	80.00
Total for 1/31/2025:				80.00
Report Total (230 checks):				1,492,277.30

CITY OF KERMAN
PAYROLL REPORT

Section 5, Item C.

PAY PERIOD: December 22, 2024 - January 04, 2025

	Salary	RETRO PAY & OTHER	OVERTIME		HOLIDAY at 1/2 TIME		STANDBY		GROSS SALARY	COMP TIME EARNED
			Hours	Amount	Hours	Amount	Hours	Amount		
Grand Total	\$ 255,976.29	\$ -	142.16	\$ 7,079.11	321.00	\$ 5,541.41	70.00	\$ 2,252.02	\$ 270,848.83	15.75

CITY OF KERMAN
PAYROLL REPORT

Section 5, Item C.

PAY PERIOD: January 05, 2025 - January 18, 2025

	Salary	RETRO PAY & OTHER	OVERTIME		HOLIDAY at 1/2 TIME		STANDBY		GROSS SALARY	COMP TIME EARNED
			Hours	Amount	Hours	Amount	Hours	Amount		
Grand Total	\$ 236,014.30	\$ 86.40	64.82	\$ 3,210.09	0.00	\$ -	64.00	\$ 1,925.04	\$ 241,235.83	33.60



STAFF REPORT

MEETING DATE: February 12, 2025

PRESENTER: Theresa Johnson, Community Services Director

SUBJECT: Resolution Approving Annual Renewal Agreement with Civic Plus for Recreation Management program Civic Rec for \$5,061.31 (TJ)

RECOMMENDATION: Council by motion adopt a resolution approving the annual renewal agreement with Civic Plus and authorizing the City Manager to execute the agreement.

EXECUTIVE SUMMARY:

In 2014, the Parks, Recreation, and Community Services Department transitioned from the server-based reservation program EventPro to the Cloud-based Rec1. In 2016, Rec1 was acquired by Civic Plus, and in 2020, it was rebranded as Civic Rec and shifted from a monthly billing cycle to an annual licensing subscription fee. In 2020, the annual fee was \$3,802, with a 5% increase beginning in year three of the service agreement.

On January 10, 2025, we received an email from Civic Plus notifying the City of an upcoming change in pricing that would impact the City as part of our forthcoming agreement renewal. To address cost increases brought on by inflation, Civic Plus will be increasing the pricing of Civic Rec, effective with our annual renewal date of March 1, 2025. The increased 2025 renewal fee quote is \$5,061.31, subject to a 5% yearly increase each annual renewal term.

FISCAL IMPACT:

The adopted Fiscal Year 24-25 City budget included the anticipated renewal fee of \$4,401.74. The overall fiscal impact is \$660.17 to the general fund due to the 5% increase.

ATTACHMENTS:

A. Resolution w/Exhibit

Attachment 'A'

RESOLUTION NO. 25-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
APPROVING RENEWAL AGREEMENT WITH CIVIC PLUS FOR RECREATION MANAGEMENT
PROGRAM CIVIC REC**

WHEREAS, the City of Kerman began using the Recreation Management program Rec1 in 2014; and

WHEREAS, the Recreation Management program is a valuable tool for providing online registration of programs and events and streamlined facility reservation processes; and

WHEREAS, renewing the agreement with Civic Plus for the Recreation Management program Civic Rec will maintain the standard established in 2014; and

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

Section 1. The forgoing recitals are true and correct.

Section 2. The City Council approves the renewal agreement (**Exhibit 'A'**) with Civic Plus for the Recreation Management program Civic Rec in the amount of \$5,061.31 with a 5% annual increase and authorizes the City Manager to execute the agreement and all necessary supporting documents.

Section 3. This resolution is effective upon adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 12th of February 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

**CivicPlus**

302 South 4th St. Suite 500
Manhattan, KS 66502
US

Quote #:**Date:****Customer:**

Q-90522-1

1/7/2025 10:13 AM

KERMAN CITY,
CALIFORNIA

QTY	Product Name	DESCRIPTION
1.00	CivicRec Annual Renewal	CivicRec Annual Renewal
Annual Recurring Services - Initial Term		USD 5,061.31
Annual Recurring Services - (Subject to Uplift)		USD 5,061.31

1. This renewal Statement of Work ("SOW") is between City of Kerman, CA ("Customer") and CivicPlus, LLC and shall be subject to the terms and conditions of the Master Services Agreement ("MSA") and the applicable Solutions and Products terms found at: www.civicplus.help/hc/p/legal-stuff (collectively, the "Terms and Conditions"). By signing this SOW, Customer expressly agrees to the Terms and Conditions throughout the Term of this SOW. The Terms and Conditions form the entire agreement between Customer and CivicPlus (collectively, referred to as the "Agreement"). The Parties agree the Agreement shall supersede and replace all prior agreements between the Parties with respect to the services provided by CivicPlus herein (the "Services").

2. This SOW shall remain in effect for an initial term starting at the Customer's next renewal date of 3/1/2025 and running for twelve months ("Initial Term"). In the event that neither party gives 60 days' notice to terminate prior to the end of the Initial Term, or any subsequent Renewal Term, this SOW will automatically renew for additional 1-year renewal terms ("Renewal Term"). The Initial Term and all Renewal Terms are collectively referred to as the "Term".

3. Unless terminated, Customer shall be invoiced for the Annual Recurring Services on each Renewal Date of each calendar year subject to an annual increase of 5% each Renewal Term.

Acceptance

Section 5, Item D.

By signing below, the parties are agreeing to be bound by the covenants and obligations specified in this SOW. For CivicPlus Billing Information, please visit <https://www.civicplus.com/verify/>.

IN WITNESS WHEREOF, the parties have caused this SOW to be executed by their duly authorized representatives as of the dates below.

Client

CivicPlus

By:

By:



Printed Name:

Printed Name:

Amy Vikander

Title:

Title:

Senior Vice President of Customer Success

Date:

Date:

1/9/2025

Organization Legal Name:

Billing Contact:

Title:

Billing Phone Number:

Billing Email:

Billing Address:

Mailing Address: (If different from above)

PO Number: (Info needed on Invoice (PO or Job#) if required)



STAFF REPORT

MEETING DATE: February 12, 2025

PRESENTER: John Jansons, City Manager

SUBJECT: Consideration of Resolution to Ratify Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad Company for \$15,000 for the Goldenrod Avenue Crossing (JAJ)

RECOMMENDATION: Council by motion adopt resolution ratifying Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad Company for \$15,000 for the Goldenrod Avenue Crossing.

EXECUTIVE SUMMARY:

As a condition of development of the Hart Ranch Park project and acquisition of real property located at 13840 W. California Avenue near the intersection of Goldenrod Avenue, Union Pacific Railroad Company is requiring preliminary engineering analysis of the crossing as it is in close proximity to the approved park development and associated land acquisition relate to park development.

The Reimbursement Agreement is estimated at \$15,000 which is within the City Manager's spending authority, so it was approved because time of the essence in advancing the Hart Ranch Park project. Ratification of that Agreement is now recommended by the attached resolution (**Attachment 'A'**). If additional spending authority is required for these engineering services, or if the analysis results in a recommendation to build improvements at the subject crossing, staff will return to City Council for additional authorization(s) in the future.

FISCAL IMPACT:

The cost of the Preliminary Engineering Services is estimated at \$15,000 and will be included in the Hart Ranch Park construction budget.

ATTACHMENTS:

A. Resolution w/Exhibit

Attachment ‘A’

RESOLUTION NO. 25-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN RATIFYING APPROVAL OF REIMBURSEMENT AGREEMENT FOR PRELIMINARY ENGINEERING SERVICES WITH UNION PACIFIC RAILROAD COMPANY FOR \$15,000 FOR THE GOLDENROD AVENUE CROSSING

WHEREAS, The City of Kerman is beginning construction of the Hart Ranch Park project located at, 13840 W. California Avenue near the intersection of Goldenrod Avenue; and

WHEREAS, development of the project and potential property acquisition associated with the project park is in close proximity to the Goldenrod Avenue crossing of Union Pacific (UP) rail lines; and

WHEREAS, to analyze and assess potential impacts or improvements necessary at that crossing as a result of the project development an engineering study is required by UP; and

WHEREAS, the Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad Company in the amount of \$15,000 is within the City Manager’s spending authority it was executed so as to not delay the start of the work; and

WHEREAS, City Council now approves that Reimbursement Agreement for Preliminary Engineering Services; and

WHEREAS, should additional study or improvements be recommended as necessary, Staff will return to City Council for additional spending authorization(s); and

WHEREAS, as a priority project of the City Council, time is of the essence in approving this Resolution and ratifying the Reimbursement Agreement for Preliminary Engineering Services.

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

- Section 1. The forgoing recitals are true, correct, and incorporated by reference.
- Section 2. Ratification of the Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad Company in the amount of \$15,000 is essential to advancing the Hart Ranch Park project.
- Section 3. The City Council ratifies the Preliminary Engineering Services with Union Pacific Railroad Company in the amount of \$15,000 (**Exhibit ‘A’**).
- Section 4. The City Council resolves that additional study or improvements deemed necessary are subject to future City Council approvals and authorizations.
- Section 5. This resolution is effective upon adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regularly scheduled meeting held on the 12th of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

UPRR REMS
Project 736675

**REIMBURSEMENT AGREEMENT
PRELIMINARY ENGINEERING SERVICES**

Effective Date:

Estimate: \$15,000.00

THIS REIMBURSEMENT AGREEMENT (**Agreement**) is made and entered into as of the **Effective Date**, by and between UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (**Railroad**), and CITY OF KERMAN, CALIFORNIA (**Agency**).

RECITALS

A. Agency desires to initiate the project more particularly described on Exhibit A attached hereto (**Project**).

B. The Project will affect Railroad's track and right of way at or near the Project area more particularly described on Exhibit A.

C. Railroad agrees to collaborate with Agency on the conceptualization and development of the Project in accordance with the terms and conditions of this Agreement.

AGREEMENT

NOW THEREFORE, the parties hereto agree as follows:

1. Railroad, and/or its representatives, at Agency's sole cost and expense, agrees to perform (or shall cause a third-party consultant to perform on Railroad's behalf) the preliminary engineering services work described on Exhibit B attached hereto (**PE Work**). Agency acknowledges and agrees that: (a) Railroad's review of any Project designs, plans and/or specifications, as part of the PE Work, is limited exclusively to potential impacts on existing and future Railroad facilities and operations; (b) Railroad makes no representations or warranties as to the validity, accuracy, legal compliance, or completeness of the PE Work; and (c) Agency's reliance on the PE Work is at Agency's own risk.

2. Notwithstanding the Estimate (**Estimate**), Agency agrees to reimburse Railroad and/or Railroad's third-party consultant, as applicable, for one hundred percent (100%) of all actual costs and expenses incurred for the PE Work. During the performance of the PE Work, Railroad will provide (and/or will cause its third-party consultant to provide) progressive billing to Agency based on actual costs in connection with the PE Work. Within sixty (60) days after completion of the PE Work, Railroad will submit (and/or will cause its third-party consultant to submit) a final billing to Agency for any balance owed for the PE Work. Agency shall pay Railroad (and/or its third-party consultant, as applicable) within thirty (30) days after Agency's receipt of any progressive and final bills submitted for the PE Work. Bills will be submitted to the Agency using the contact information provided on Exhibit C. Agency's obligation hereunder to reimburse Railroad (and/or its third-party consultant, as applicable) for the PE Work shall apply regardless whether Agency declines to proceed with the Project or Railroad elects not to approve the Project.

3. Agency acknowledges and agrees that Railroad may withhold its approval for the Project for any reason in its sole discretion, including without limitation, impacts to Railroad's safety, facilities, or operations. If Railroad approves the Project, Railroad will continue to work with Agency to develop final plans and specifications, and prepare material and force cost estimates for any Project related work performed by Railroad.

4. If the Project is approved by Railroad, Railroad shall prepare and forward to Agency a Construction and Maintenance Agreement (**C&M Agreement**) which shall provide the terms and conditions for the construction and ongoing maintenance of the Project. Unless otherwise expressly set forth in the C&M Agreement, the construction and maintenance of the Project shall be at no cost to Railroad. No construction work on the Project affecting Railroad's property or operations shall commence until the C&M Agreement is finalized and executed by Agency and Railroad.

5. Neither party shall assign this Agreement without the prior written consent of the other party, which consent shall not be unreasonably withheld, conditioned, or delayed.

6. No amendment or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties.

7. This Agreement sets forth the entire agreement between the parties regarding the Project and PE Work. To the extent that any terms or provisions of this Agreement regarding the PE Work are inconsistent with the terms or provisions set forth in any existing agreement related to the Project, such terms and provisions shall be deemed superseded by this Agreement to the extent of such inconsistency.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the Effective Date.

CITY OF KERMAN, CALIFORNIA

UNION PACIFIC RAILROAD COMPANY,
a Delaware Corporation



Signature

Signature

JOHN TANJANS

Printed Name

Amber Stoffels

Printed Name

City Manager

Title

Manager I, Industry & Public Projects

Title

Exhibit A

Project Description and Location

Project Description

City of Kerman, CA proposes to purchase a Railroad owned parcel at the NE corner of the Goldenrod and California Avenues, requiring diagnostic review of any potential impacts to the adjacent at-grade crossing location referred to below.

Location

West Side Line Subdivision

DOT	Crossing Type	Milepost	Street Name
752967Y	Public	193.706	South Goldenrod Avenue

Exhibit B

Scope of Project Services

Scope of work includes, but is not limited to the following

- Field diagnostic(s) and inspections
- Plan, specification, and construction review
- Project design
- Preparation of Project estimate for force account or other work performed by the Railroad
- Meetings and travel

Exhibit C

Billing Contact Information

Name	John Jansons
Title	City Manager
Address	850 South Madera Avenue, Kerman, CA 93630
Work Phone	(559) 550-1414
Cell Phone	
Email	jjansons@cityofkerman.org
Agency Project No.	



STAFF REPORT

MEETING DATE: February 12, 2025

PRESENTER: John Jansons, City Manager

SUBJECT: Amendment of Memorandum of Understanding with the Kerman Police Officers Association revising Overtime and the use of Compensation Time and Vacation counting as hours worked (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving Side Letter Agreement with the Kerman Police Officers Association revising Overtime and the use of Compensation Time and Vacation counting as hours worked.

BACKGROUND:

On September 27, 2024, a new Memorandum of Understanding (MOU) between the City and KPOA was approved for the period July 1, 2024 through June 30, 2027. The MOU contains a Reopener in Article XV which provides that during the negotiations for the MOU, KPOA had requested that Employees using compensatory time off during a pay period may count that time as “hours worked” for purposes of computing overtime entitlement during that pay period. The parties were unable to reach agreement. However, the parties agreed to reopen negotiations within ninety (90) days from the City Council’s approval of the MOU.

Following the 2024 holidays, discussion on this matter resumed to address the request of the KPOA that Comp Time be granted and administered in the same fashion as in the MOU by and between the City of Kerman (City) and the Kerman Municipal Employees Association (KMEA).

DISCUSSION:

The proposed changes mirror the parameters for earning, use of and payment of comp time as provided for members of the Kerman Municipal Employees association. In order to unify procedures and in recognition of fairness and equity, the proposed resolution approves a Side Letter approving an amendment to Section VII of the adopted 2024 MOU addressing Compensatory Time.

FISCAL IMPACT:

The fiscal impact is minimal as “comp time” is only earned occasionally and is often used outside of a current pay period thereby avoiding overtime pay rates.

ATTACHMENTS:

A. Resolution w/Exhibit

Attachment ‘A’

RESOLUTION NO. 25-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING A SIDE LETTER AGREEMENT WITH THE KERMAN POLICE OFFICERS ASSOCIATION REVISING OVERTIME AND THE USE OF COMPENSATION TIME AND VACATION COUNTING AS HOURS WORKED

WHEREAS, a Memorandum of Understanding (MOU), by and between the City of Kerman and the Kerman Police Officers Association (the Parties), dated July 1, 2024 was approved by the parties; and

WHEREAS, the MOU contains a Reopener in Article XV regarding an unresolved issue concerning the use of compensatory time off during a pay period and whether it that time should count as “hours worked” for purposes of computing overtime entitlement during that pay period; and

WHEREAS, the Parties met in January and mutually agreed to modification of the MOU to address earning, use of and payment for, “Comp Time” for KPOA members; and

WHEREAS, the proposed changes mirror the parameters for earning, use of and payment of comp time as provided for members of the Kerman Municipal Employees association; and

WHEREAS, in order to unify procedures and in recognition of fairness and equity, the proposed amendment to Section VII of the adopted 2024 MOU addressing Compensatory Time is recommended.

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

- Section 1. The forgoing recitals are true, correct, and incorporated by reference.
- Section 2. The Council approves Side Letter Attached hereto as **Exhibit ‘A’** and incorporated by reference.
- Section 4. This resolution is effective upon adoption.

(Certification on next page)

The foregoing resolution was adopted by the City Council of the City of Kerman at a regularly scheduled meeting held on the 12th of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

Exhibit ‘A’

**SIDE LETTER AGREEMENT TO MEMORANDUM OF UNDERSTANDING
BETWEEN CITY OF KERMAN AND KERMAN POLICE OFFICERS
ASSOCIATION RELATING TO OVERTIME AND THE USE OF
COMPENSATION TIME AND VACATION**

WHEREAS, a Memorandum of Understanding (MOU), by and between the City of Kerman and the Kerman Police Officers Association (the Parties), dated July 1, 2024 was approved by the parties; and

WHEREAS, the Article XV of the MOU provides that the matter of use of and payment for Compensatory Time (“Comp Time”) earned would be subject to a Reopener; and

WHEREAS, the Parties met in January and mutually agreed to modification of the MOU to address earning, use of and payment for, “Comp Time” for KPOA members; and

WHEREAS, the Parties have agreed on changes that mirror the parameters for earning, use of and payment of comp time as provided for members of the Kerman Municipal Employees association.

NOW THEREFORE, by executing this Side Letter Agreement, the City and KPOA agree as follows:

Section 1. Section VII of the adopted 2024 MOU addressing Compensatory Time is amended to read as follows:

C. Overtime:

1. Overtime Rate (FLSA) For Sworn Personnel: Commencing July 1, 2017, Sworn employees working 12 hour days shall be paid for overtime or receive compensatory time at the rate of time and one-half (1½) their regular rate of pay as defined in the Fair Labor Standards Act (FLSA). The City shall pay overtime in excess of 12 hours worked in a day or 84 hours worked in a 14 day work period.

Commencing July 1, 2017, sworn employees working non 12 hours days shall have hours adjusted to reflect an 84 hour work period and shall be paid for overtime or receive compensatory time at the rate of time and one-half (1½) their regular rate of pay as defined in the Fair Labor Standards Act (FLSA). The hours will be adjusted at the discretion of City Management. The City shall pay overtime in excess of 12 hours worked in a day or 84 hours worked in a 14 day work period.

All overtime shall be recorded and paid on the basis of 15 minute increments, such that for each full 15 minute period worked, the employee shall be compensated for one quarter hour of overtime.

Hours worked will include regularly scheduled vacation time, compensatory time and holidays. However, sick leave will not be calculated as hours worked for the purpose of overtime eligibility.

2. Overtime For Non-sworn Personnel:
Non-sworn employees shall be paid overtime or receive compensatory time for hours worked in excess of forty hours per week.

Hours worked will include regularly scheduled vacation time, compensatory time and holidays. However, sick leave will not be calculated as hours worked for the purpose of overtime eligibility.

Section 2. Effective Date: The new parameters for accrual and use of comp time by KPOA members is effective February 16, 2025, in alignment with a new payroll period.

Except as expressly modified in this Side Letter Agreement, the terms and conditions of the MOU and the rights, duties, and obligations of the parties thereunder are unchanged and remain in full force and effect.

City of Kerman

Kerman Public Safety Officers Association

John Jansons, City Manager

Brenden Barra, President

Date: _____

Date: _____



STAFF REPORT

MEETING DATE: February 12, 2025

PRESENTER: Hilda Cantu Montoy, City Attorney

SUBJECT: Consideration of Resolution Regarding City's Assurances to Residents Regarding Services and Safety Regardless of Immigrant Status In Compliance with State Law (HCM)

RECOMMENDATION: Council by motion adopt resolution Declaring The City of Kerman's Assurances To All Residents Regarding Services and Safety Regardless of Immigrant Status and Compliance With State Law.

DISCUSSION:

On January 22, the City Council discussed an item concerning the Kerman Police Department's enforcement of laws when immigrants involved and an item discussing sanctuary cities. Council adopted a motion directing staff to prepare a resolution focusing on fact that the KPD complies with AB 54 and does not enforce immigration laws and promotes safety for all residents.

SB 54 limits the use of state and local resources for immigration enforcement. It prohibits local law enforcement from enforcing or participating in the enforcement of Federal immigration laws. There are limited exceptions for people convicted of serious or violent felonies, and a number of misdemeanors. SB 54, also known as the California Values Act ("Act") strikes a balance between protecting the public and providing reassurance to those persons with undocumented status. The Kerman Police Department currently does not conduct or participate in immigration law enforcement.

The proposed resolution (**Attachment 'A'**) is intended to provide assurances to all residents regarding services and safety regardless of Immigrant Status in Compliance with State Law. At the meeting on this matter, it was agreed that Council would decide how it wants to disseminate the resolution after it adopts the resolution. Options include posting it on the City's website and/or enclosing the resolution or excerpts thereof in utility bills. It is noted that if the postage exceeds that for standard utility bills, the general fund will need to make up that difference.

FISCAL IMPACT:

There is no fiscal impact associated with adoption of the resolution. There may be limited costs in dissemination.

ATTACHMENTS:

A. Resolution

Attachment 'A'

RESOLUTION NO. 25-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
DECLARING THE CITY'S ASSURANCES TO ALL RESIDENTS REGARDING SERVICES AND SAFETY
REGARDLESS OF IMMIGRANT STATUS AND COMPLIANCE WITH STATE LAW**

WHEREAS, the City of Kerman recognizes its long and rich history of immigrants who have contributed to our local economy and have become leaders in agriculture, the military, education, business, healthcare, and other professions; and

WHEREAS, the City of Kerman is a diverse City with many foreign-born residents; and

WHEREAS, residents of the City of Kerman include undocumented immigrants; and

WHEREAS, undocumented residents face challenges with access to services and safety due to their status; and

WHEREAS, it is critical that all City residents, businesses, and visitors feel safe in the City of Kerman; and

WHEREAS, many City of Kerman residents have concerns about the potential policies and actions by federal officials regarding immigration enforcement; and

WHEREAS, it is important for the City Council to make a statement that the City is a place of trust and dignity for immigrants who live and work in our community; and

WHEREAS, the state legislature has adopted SB 54 also known as the California Values Act ("Act"); and

WHEREAS, this Act strikes a balance between protecting the public and providing reassurance to those persons with undocumented status; and

WHEREAS, SB 54 prohibits local law enforcement from enforcing or participating in the enforcement of Federal immigration laws with exceptions for people convicted of serious or violent felonies, and a number of misdemeanors; and

WHEREAS, the Kerman Police Department does not conduct or participate in immigration law enforcement; and

WHEREAS, the City of Kerman is concerned for the safety of all its residents.

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

1. The foregoing recitals are true and correct and incorporated by reference.
2. The Council declares and affirms that the City of Kerman declares itself a place of respect, trust, and dignity for all residents.
3. City officials and staff will treat all City residents with respect regardless of immigration status.
4. The Kerman Police Department, which provides law enforcement in the City of Kerman, follows SB 54 and does not and will not enforce or participate in the enforcement of Federal immigration laws. There are limited exceptions for people convicted of serious or violent felonies, and a number of misdemeanors such as child abuse, elder abuse, battery theft, forgery, embezzlement, and driving under the influence.
5. The Kerman Police Department in contacting community members, victims of crime, or criminal suspects will not ask those persons for their immigration status. All persons in the City of Kerman can feel free to contact law enforcement without the fear of reprisal.
6. This resolution is effective upon adoption.

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Kerman held on the 12th day of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk