



CITY COUNCIL REGULAR MEETING AGENDA

Wednesday, December 11, 2024 at 6:00 PM

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

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

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

1. OPENING CEREMONIES

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

2. PRESENTATIONS/CEREMONIAL MATTERS

- A. Certificate from Assemblywoman Esmeralda Soria's Office

3. 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.

4. DEPARTMENT REPORTS

- A. **SUBJECT:** Declaring the Results of the 2024 General Election, and Recognize Outgoing Councilmembers (JC)

RECOMMENDATION: Council review the Fresno County Elections Office canvass for Mayor and City Council positions and take the following action:

1. By motion adopt resolution declaring the results of the 2024 General Election as certified by the Fresno County Elections Office; and
2. Council to recognize outgoing Council Members for their years of service; and
3. Authorize the swearing in and administration of the Oaths of Office and present the Mayor and Council Members with Certificates of Election.

RECESS FOR NEW COUNCIL RECEPTION

5. **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.

6. **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 - November 13, 2024

RECOMMENDATION: Council approve minutes as presented.

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

10/13/24 to 10/26/24: \$242,189.30; Retro Pay & Other: \$849.80; Overtime: \$7,820.48;
Standby: \$1,913.08; Comp Time Earned: 84.26

10/27/24 to 11/09/24: \$244,266.39; Retro Pay & Other: \$1,013.60; Overtime: \$12,639.83;
Standby: \$1,940.27; Comp Time Earned: 19.38

RECOMMENDATION: Council approve payroll as presented.

C. **SUBJECT:** Monthly Investment Report

RECOMMENDATION: Council accept monthly investment report as presented.

D. **SUBJECT:** Resolution Approving Amendment Number One to 2024 Memorandum of Understanding with Kerman Peace Officers Association (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving amendment number one to 2024 Memorandum of Understanding with Kerman Peace Officers Association clarifying night shift premium pay.

7. **DEPARTMENT REPORTS**

A. **SUBJECT:** Annual Reorganization Nominations for Mayor Pro-Tem (JC)

RECOMMENDATION: Council to accept nominations for Mayor Pro-Tem and make appointment by motion.

8. **PUBLIC HEARINGS - None**

9. **CITY MANAGER/STAFF COMMUNICATIONS**

10. **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.)

11. **CLOSED SESSION - None**

12. **ADJOURNMENT**

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

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

AGENDA POSTING CERTIFICATION

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

Date: December 6, 2024 /s/ Josie Camacho, City Clerk



STAFF REPORT

MEETING DATE: December 11, 2024

PRESENTER: Josie Camacho, City Clerk

SUBJECT: Declaring the Results of the 2024 General Election (JC)

RECOMMENDATION: Council review the Fresno County Elections Office canvass for Mayor and City Council positions and take the following action:

1. By motion adopt resolution declaring the results of the 2024 General Election as certified by the Fresno County Elections Office; and
2. Council to recognize outgoing Council Members for their years of service; and
3. Authorize the swearing in and administration of the Oaths of Office and present the Mayor and Council Members with Certificates of Election.

EXECUTIVE SUMMARY

The 2024 General Election was held on Tuesday, November 5, 2024. Pursuant to California Elections Code Section 10263 the Council shall declare the results and install the newly elected officers no later than the fourth Friday after the election or no later than the next regularly scheduled city council meeting following presentation of the 28-day canvass of the returns or at a special meeting called for this purpose to declare the results and to install the newly elected officers.

The final vote tallies of the 2024 General Election are included for the City Council's review in the form of the Elections Official Certificate of Canvass which is attached to the resolution declaring the results of the election. By adopting the resolution, the Council declares the results as specified in the Official Certificate of Canvas electing Maria Pacheco as Mayor for a two-year term, electing Council Members Berdie Hall, District 2 and Raj Dhaliwal, District 4 each for a four-year term.

FISCAL IMPACT

There is no fiscal impact for declaring the results of the 2024 General election other than staff time. The cost of holding the election, which has already occurred, is estimated to be approximately \$3,500.00

ATTACHMENTS:

- A. Resolution w/Exhibit
- B. Election Results

RESOLUTION NO. 24-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN DECLARING
THE RESULTS OF THE NOVEMBER 5, 2024 ELECTION AS CERTIFIED BY THE FRESNO COUNTY
ELECTIONS OFFICE AND AS REQUIRED BY LAW

WHEREAS, a consolidated General Municipal Election was duly called and held in the City on November 5, 2024; and

WHEREAS, under Section 10263 of the Elections Code, upon the completion of the canvass, and prior to the installation of officers, the City Council is required to adopt a resolution reciting the fact that the election was held and declaring the results of the election; and

WHEREAS, as required by Section 10263 of the Elections Code, the City desires to declare the results of the November 5, 2024, Municipal Election.

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

SECTION 1. A General Municipal Election was duly called and regularly held on November 5, 2024, and was conducted in accordance with all applicable laws. Notice of the election was given in time, form, and manner provided by law, that voting precincts were properly established; election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns mad and said declared in time, form, and matter as required by the provisions of the Elections Code of the State of California, for the holding of elections in general law cities.

SECTION 2. The Fresno County Clerk/Registrar of Voters canvassed the returns of the November 5, 2024, election and the Elections Official has certified the results to the City Council. A copy of the certified results is attached as **Exhibit 'A'** and incorporated herein by reference as if fully set forth.

SECTION 3. The whole number of votes (ballots) cast in the precincts except by mail voter ballots and provisional ballots was 1,022; the whole number of Vote by Mail voter ballots cast in the City was 3547; and making a total of 4569 ballots cast in the City.

SECTION 4. The following persons appeared on the ballot for the full-term Mayor and received the respective votes noted:

Maria Pacheco	2,170 Votes
Katie Hernandez	1,269 Votes
Kevin Nehring	869 Votes

SECTION 5. The following person appeared on the ballot for full term member of the City Council District 2 and received the respective votes noted:

Berdie Hall

828 Votes

SECTION 6 The following person appeared on the ballot for full term member of the City Council District 4 and received the respective votes noted:

Raj Dhaliwal

967 Votes

SECTION 10. The City Council does declare and determine that:

- A. Maria Pacheco was elected as Mayor of the City for the full term of two (2) years.
- B. Berdie Hall was elected as a member of the City Council District 2 for the full term of four (4) years.
- C. Raj Dhaliwal was elected as a member of the City Council District 4 for the full term of four (4) years.

SECTION 11. The City Clerk shall enter on the records of the City Council of the City, a copy of this resolution and **Exhibit 'A'** showing: (1) the whole number of votes cast in the City; (2) the names of the persons voted for; (3) for what office each person was voted for; (4) the number of votes given at each precinct to each person and for and against each measure; and (5) the total number of votes given to each person, in accordance with the provisions of Elections Code Section 10264.

SECTION 12. The City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; shall cause to be administered to each person elected the Oath of Office prescribed in the Constitution of the State of California, and shall have them subscribe to it and file it in the office of the City Clerk. Each and all of the persons so elected shall then be inducted to the respective office to which he or she has been elected.

SECTION 13. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

The foregoing resolution was introduced by the City Council to the City of Kerman at a regular meeting of said Council held on the 11th day of December 2024, and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Section 4, Item A.

Mayor
Maria Pacheco

ATTEST:

Josie Camacho
City Clerk



STAFF REPORT

MEETING DATE: December 11, 2024

PRESENTER: Josie Camacho, City Clerk

SUBJECT: Annual Reorganization Nominations for Mayor Pro Tem (JC)

RECOMMENDATION: Council accept nominations for Mayor Pro Tem and make appointment by motion.

EXECUTIVE SUMMARY:

The 2024 General Election was held on Tuesday, November 5, 2024. Pursuant to California Elections Code Section 10263 the Council shall declare the results and install the newly elected with the final vote tallies of the 2024 General Election for the City Council's Mayor and Council positions are as follows; Maria Pacheco as Mayor for a two-year term, electing Council Members Berdie Hall, District 2 and Raj Dhaliwal, District 4 each for a four-year term. In addition to the City's current District 1 Councilmember Yep and District 3 Councilmember Herrera.

Staff asks Council to accept any and all nominations for the position of Mayor Pro-Tem and make appointment by motion. The term of the appointment is for _____ years.

FISCAL IMPACT:

None.

ATTACHMENTS:

None.



CITY COUNCIL REGULAR MEETING MINUTES

Wednesday, November 13, 2024 at 6:00 PM

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

1. OPENING CEREMONIES

- A. Call to Order - **6:02 p.m.**
- B. Roll Call - **All members present**
- C. Invocation - **Performed by Armando**
- D. Flag Salute - **Performed**

2. AGENDA APPROVAL/ADDITIONS/DELETIONS

Motion to approve agenda with the stipulation of moving Item 7.A after Item 4. Public Forum by Mayor Pro Tem Nijjer, Seconded by Councilmember Coleman.

Ayes: Nijjer, Coleman, Herrera, Yep, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

3. PRESENTATIONS/CEREMONIAL MATTERS

- A. Proclamation - Native American Heritage Month - **Presented to Bob Sandoval, Keeper of the Spirit**
- B. Certificate Presentation: Kerman Christian School - **Presented to Principal Rey and staff**
- C. Introduction of New Police Officers (SW) - **Introduced Officer Huston Walker and Reserve Officer Connor Henry**
- D. Honoring Jessica Silva - Years of Service (TJ) - **Presented**
- E. Proclamation - Small Business Saturday - **Presented**

Recess at 6:44 p.m.

Reconvene 6:55 p.m.

4. PUBLIC FORUM *(for matters not on agenda)* - **Gilbert Felix, Assemblywoman Soria's Office**

Moved to Item 7A. – Information Presented

5. CONSENT CALENDAR

A. **SUBJECT:** Minutes - October 23, 2024

RECOMMENDATION: Council approve minutes as presented.

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

9/29/24 to 10/12/24: \$239,417.76; Retro Pay & Other: \$3,138.36; Overtime: \$9,559.38; Standby: \$1,781.86; Comp Time Earned: 33.60

RECOMMENDATION: Council approve payroll as presented.

C. **SUBJECT:** License Agreements with Property Owners for Mural Locations (TJ)

RECOMMENDATION: Council by motion to adopt;

1. A resolution approving the license agreement with Eloy Coronado, property owner of 602 South Madera Avenue Kerman, CA 93630, APN: 023-241-015S, to install a mural and authorize the City Manager to sign the agreement; and – **Res. 24-95**

2. A resolution approving the license agreement with Russel D. Lindquist and Rebecca B. Linquist, property owners of 681 South Madera Avenue Kerman, CA 93630, APN: 023-148-07S, to install a mural and authorize the City Manager to sign the agreement. – **Res. 24-96**

D. **SUBJECT:** Community Organization Grant Program Supplemental Award – S.B.F. Kerman Portuguese Hall (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving waiver of \$467.01 in cost for facilitating S.B.F. Kerman Portuguese Hall - 2024 Portuguese Parade. – **Res. 24-97**

Motion to approve made by Mayor Pacheco, Seconded by Councilmember Coleman.

Ayes: Pacheco, Coleman, Herrera, Nijjer, Yep

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

E. **SUBJECT:** Update of Safety Policies and Procedures and Adoption of Injury and Illness Prevention Program – Administration (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving new Injury and Illness Prevention Program. – **Res. 24-98**

Motion to pull Item 5.D and approve the rest of the consent calendar as is by Mayor Pro Tem Nijjer, Seconded by Councilmember Yep.

Ayes: Nijjer, Yep, Coleman, Herrera, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

6. PUBLIC HEARINGS

Opened at 8:10 p.m.

- A. SUBJECT:** Public Hearing and Authorization of Submission of Application for CDBG Funds for Fiscal Year 2025-2026 (JG)

RECOMMENDATION: Council conduct a public hearing and adopt the resolution authorizing the submission of an application for Community Development Block Grant (CDBG) funds for Fiscal Year 2025-2026 for the Kerckhoff Park Improvements. – **Res. 24-99**

Motion to approve made by Councilmember Yep, Seconded by Councilmember Coleman.

Ayes: Yep, Coleman, Herrera, Nijjer, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

Closed at 8:14 p.m.

7. DEPARTMENT REPORTS

- A. SUBJECT:** Discussion-Study Session on West Fresno County Solar Projects (JAJ)

RECOMMENDATION: That Council hear a brief presentation regarding solar development in West Fresno County, including that of Westlands Water District, to become informed about current development proposals and any impacts to Kerman, with possible direction to staff.

Presentation conducted by Elizabeth Jonasson and Jose Gutierrez from Westlands Water District. Martha and Feleena Sutton from Fresno Regional Workforce Development Board, and Gilbert Felix from Assemblywoman Soria's Office present to answer question as well.

- B. SUBJECT:** Award of Contract for the Hart Ranch Community Park Project to Avison Construction, Inc. (JG)

RECOMMENDATION: Council by motion adopt the resolution:

1. Awarding the Hart Ranch Community Park Project contract to Avison Construction, Inc. in the amount of \$12,453,125.00; and
2. Authorizing a 5% construction contingency in the amount of \$622,700.00; and
3. Authorizing the City Manager to sign the construction contract on behalf of the City; and
4. Authorizing the City Manager to sign change orders, up to the additional contingency amount, on behalf of the City. – **Res. 24-100**

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

Ayes: Herrera, Nijjer, Coleman, Yep, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

- C. **SUBJECT:** Third Amendment to Employment Agreement with City Manager (HCM)

RECOMMENDATION: Council is asked to consider and determine whether to adopt a resolution approving a third amendment to Employment Agreement with City Manager. – **Res. 24-101**

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

Ayes: Nijjer, Yep, Coleman, Herrera, 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

10. CLOSED SESSION - 8:33 p.m.

Councilmember Coleman recuses herself from Item 10.A

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

Reconvene 8:44 p.m. with no reportable action.

11. ADJOURNMENT - 8:44 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: November 14, 2024 /s/ Josie Camacho, City Clerk

CITY OF KERMAN
PAYROLL REPORT

Section 5, Item B.

PAY PERIOD: October 13, 2024 - October 26, 2024

	Salary	RETRO PAY & OTHER	<u>OVERTIME</u> Hours	<u>OVERTIME</u> Amount	<u>HOLIDAY at 1/2</u> Hours	<u>HOLIDAY at 1/2</u> Amount	<u>STANDBY</u> Hours	<u>STANDBY</u> Amount	GROSS SALARY	COMP TIME EARNED
Grand Total	\$ 242,189.30	\$ 849.80	166.70	\$7,820.48	2.00	\$ -	83.00	\$ 1,913.08	\$252,772.67	84.26

CITY OF KERMAN
PAYROLL REPORT

Section 5, Item B.

PAY PERIOD: October 27, 2024 - November 09, 2024

	Salary	RETRO PAY & OTHER	<u>OVERTIME</u> Hours	Amount	<u>HOLIDAY at 1/2</u> Hours	Amount	<u>STANDBY</u> Hours	Amount	GROSS SALARY	COMP TIME EARNED
Grand Total	\$ 244,266.39	\$ 1,013.60	253.76	\$12,639.83	2.00	\$ 1.00	64.00	\$ 1,940.27	\$259,861.10	19.38

CITY OF KERMAN
CD/Securities Portfolio
As of October 31, 2024

Section 5, Item C.

Institution	Account Number	Interest Rate/ Trans. Date	Opening Date	Maturity Date	6/30/2023 Book Balance	Additions/ (Deletions)	Cashed In	6/30/2024 Book Balance	Fair Value	Interest Paid
CD's:										
American Express National Bank	615-030525-245	3.30%	6/29/22	7/1/24	245,000.00	(245,000.00)		-	-	4,097.88
Capital One National Mclean	615-030525-245	3.30%	6/29/22	7/1/24	245,000.00	(245,000.00)		-	-	4,097.88
Customers Bank Phoenixville PA	615-030525-245	4.70%	2/16/23	8/16/24	250,000.00	(250,000.00)		-	-	5,858.90
Charles Schwab Bank	615-030525-245	5.20%	3/7/23	9/16/24	250,000.00	(250,000.00)		-	-	6,767.12
Wells Fargo Bank in Sioux Falls	615-030525-245	4.35%	10/14/22	10/15/24	249,000.00	(249,000.00)		-	-	3,650.08
Morgan Stanley Private National Bank	615-030525-245	4.80%	4/20/23	10/21/24	244,000.00	(244,000.00)		-	-	5,904.13
Western Alliance Bank	615-030525-245	4.85%	4/13/23	10/21/24	244,000.00	(244,000.00)		-	-	5,933.21
Brookline Bank Mass	615-030525-245	5.30%	8/30/23	10/30/24	248,000.00	(248,000.00)		-	-	5,509.68
Morgan Stanley Bank	615-030525-245	5.20%	8/30/23	3/3/25	243,000.00			243,000.00	243,561.33	6,335.31
Bank of Wisonsin	615-030525-245	5.40%	9/27/23	4/2/25	248,000.00			248,000.00	248,954.80	4,476.22
Merrick Bank	615-030525-245	5.40%	9/27/23	4/4/25	248,000.00			248,000.00	248,969.68	4,476.22
Synchrony Bank	615-030525-245	5.50%	11/3/23	5/5/25	243,000.00			243,000.00	244,239.30	-
Bank of America	615-030525-245	5.50%	11/8/24	5/8/25	243,000.00			243,000.00	244,227.15	-
State Bank of India	615-030525-245	1.10%	5/28/20	5/28/25	248,000.00			248,000.00	243,392.16	-
Capital One National National	615-030525-245	3.35%	6/29/22	6/30/25	245,000.00			245,000.00	243,402.60	4,114.99
Pacific Member Bank Irvine	615-030525-245	5.00%	3/15/24	9/15/25	243,000.00			243,000.00	244,506.60	6,124.93
Discover Bank Greenwood	615-030525-245	3.55%	9/20/22	9/22/25	245,000.00			245,000.00	243,591.25	4,384.49
BMW Bank North Amer Salt Lake	615-030525-245	0.50%	9/25/20	9/25/25	249,000.00			249,000.00	240,835.29	627.62
Bank of Hapoalim B M New York	615-030525-245	5.05%	4/24/24	10/29/25	200,000.00			200,000.00	201,588.00	5,063.84
Flagstar Bank National Association	615-030525-245	5.20%	6/11/24	1/13/26	243,000.00			243,000.00	245,864.97	-
US Government Bonds										
Federal Home Loan Bank	615-030525-245	4.75%	8/21/24	8/13/27		250,000.00		250,000.00	250,535.00	-
Federal Home Loan Bank	615-030525-245	5.05%	1/30/23	1/28/25	500,000.00	(500,000.00)		-	499,720.00	18,937.50
Federal Home Loan Bank	615-030525-245	5.10%	1/30/23	1/28/26	500,000.00	(500,000.00)		-	499,300.00	19,125.00
Federal Home Loan Bank	615-030525-245	5.30%	7/15/24	7/15/27		500,000.00		500,000.00	499,895.00	-
Federal Home Loan Bank	615-030525-245	4.00%	9/23/22	9/23/24	500,000.00	(500,000.00)		-	-	10,000.00
United Security Bank CD										
United Security Bank	1317802	4.75%	2/2/24	2/2/26		250,000.00		250,000.00	250,000.00	-
United Security Bank	1317802	4.75%	6/27/24	6/27/26		250,000.00		250,000.00	250,000.00	-
Average Rate		4.39%								
Total CD's					6,373,000.00	(2,225,000.00)	-	4,148,000.00	5,142,583.13	125,679.68

Institution	Account Number	Interest Rate/ Trans. Date	Opening Date	Maturity Date	6/30/2023 Book Balance	Additions/ (Deletions)	Cashed In	6/30/2024 Book Balance	Fair Value	Interest Paid
Securities America Sweep Program										
	Beginning Balance				-			-		
	Transfers In/(Out)		7/2-7/30/24			0.00		0.00		
			8/5-8/31/24			(0.00)		(0.00)		
			9/3-9/30/24			627.62		627.62		
			10/1-10/30/24			(627.62)		(627.62)		
					-	0.00	-	0.00	0.00	-
Local Agency Investment Fund										
	Beginning Balance	98-10-400			17,636,545.69			17,636,545.69		-
	Interest		4.55%	7/15/24		199,072.39		199,072.39		199,072.39
			4.71%	10/15/24		211,511.36		211,511.36		211,511.36
								-		-
	Transfers In/(Out)							-		-
								-		-
								-		-
	Total - LAIF		4.63%		17,636,545.69	410,583.75	-	18,047,129.44	18,047,129.44	410,583.75
Central Valley Money Market Acct										
	Beginning Balance	015030960			3,646,347.63			3,646,347.63		
	Interest			7/31/23		263.74		263.74		263.74
				8/30/24		239.78		239.78		239.78
				9/30/24		247.79		247.79		
				10/31/24		247.80		247.80		247.80
	Transfers In/(Out)							-		-
								-		-
								-		-
			0.08%					-		-
					3,646,347.63	999.11	-	3,647,346.74	3,647,346.74	751.32
Subtotal All City Investments										
			3.03%		27,655,893.32	(1,813,417.14)	-	25,842,476.18	26,837,059.31	537,014.75
				Total Investments	27,655,893.32	(1,813,417.14)	-	25,842,476.18	26,837,059.31	537,014.75
								Market Value Adjustment	994,583.13	
								(1,813,417.14)		
								(1,813,417.14)		
								(0.00)		



STAFF REPORT

MEETING DATE: December 11, 2024

PRESENTER: John Jansons, City Manager

SUBJECT: Resolution Approving Amendment Number One to 2024 Memorandum of Understanding with Kerman Peace Officers Association (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving amendment number one to 2024 Memorandum of Understanding with Kerman Peace Officers Association clarifying night shift premium pay.

DISCUSSION:

In September of 2024, the City Council approved a revised and updated Memorandum of Understanding (MOU) with the Kerman Peace Officers Association (KPOA) to conclude its collective bargaining for the period of July 1, 2024 through June 30, 2027.

Article IX.H included a new benefit of additional salary compensation, “premium pay” of \$1.00 (one dollar) per hour for officers working the “Night Shift” which is duty from 1800 hours (6 PM) to 0600 hours (6 AM).

Since that time, questions of applicability and implementation by both KPOA and Management have occurred which require amendment of Article IX.H to provide clarity and specificity to assist with departmental scheduling and in payroll processing.

The City Attorney, KPOA leadership and Management have collaborated to provide for a more detailed description of Night Shift Differential Premium Pay as follows:

Article IX.H - Night Shift Differential

A sworn officer or CSO who is assigned to work “Night Shift” (i.e. 1800 hours to 0600 hours) will receive shift differential premium pay in the amount of \$1 per hour for all hours worked during the night shift. In addition, sworn officers or CSOs assigned to the Night Shift, whose shift continues beyond the designated Night Shift (i.e., held over beyond 0600 hours) will continue to receive the additional \$1 per hour premium. Likewise, if a sworn officer or CSO assigned to the night shift is required to report early (i.e., before 1800 hours) as part of their duty assignment, they will receive the \$1 per hour premium for that “early start”.

Sworn officers and CSOs assigned to “Day Shift” that are called in to work an entire “Night Shift” shall receive the premium. However, “Day Shift” employees do not receive any additional compensation for working parts of the “Night Shift.”

This shift differential will also be applicable in cases of a special duty assignment, i.e., a nighttime DUI Checkpoint or Saturation Patrol that occurs primarily during the hours of “Night Shift.”

For example, if the majority of a Special Assignment or Special Duty occurs during the Night Shift, premium pay differential will also apply to hours worked before 1800 hours (IE: 1600 start time through 2200 hours) .

Shift differential is not payable where a “day shift” employee works beyond the end of their regularly scheduled shift or is called in early for shift coverage.

The premium is only paid for hours actually worked and is not paid for leave hours (sick, vacation, comp time, etc.). The premium shall be paid in 15-minute increments of working time.

Adoption of the attached resolution (**Attachment ‘A’**) will authorize staff to amend Article IX.H of the MOU and effectuate the new, specific language defining “Night Shift Differential Premium Pay”.

FISCAL IMPACT:

Adoption of the resolution and clarifying Article IX.H of the MOU will result in payroll and administrative savings.

ATTACHMENTS:

A. Resolution w/Exhibit

Attachment 'A'

RESOLUTION NO. 24-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING AMENDMENT
NUMBER ONE TO 2024 MEMORANDUM OF UNDERSTANDING WITH KERMAN PEACE
OFFICERS ASSOCIATION CLARIFYING NIGHT SHIFT PREMIUM PAY.**

WHEREAS, on September 25, 2024, the City Council of the City of Kerman approved a Successor Memorandum of Understanding with Kerman Peace Officers Association for the period July 1, 2024 through June 30, 2027; and

WHEREAS, Article IX.H provides for Night Shift Premium Pay; and

WHEREAS, both KPOA and Management recognize both a lack of specificity in the definition of that benefit as originally intended and a need for clarity in its application is necessary; and

WHEREAS, an Amendment Number 1 to the MOU (**Exhibit 'A'**) clarifies and specifies implementation of the Night Shift Premium Pay benefit to the mutual satisfaction of both Management and KPOA.

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 Amendment Number One to the 2024 KPOA MOU as attached hereto as **Exhibit 'A'**.
- Section 3. The Memorandum of Understanding by and between the City of Kerman and the Kerman Peace Officers Association Effective July 1, 2024 through June 30, 2027 (Consolidated Version) is hereby amended.
- Section 4. 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 11th day of December 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

EXHIBIT 'A'**"NIGHT SHIFT PREMIUM PAY"**

The Successor Memorandum of Understanding by and between the City of Kerman and the Kerman Peace Officers Association for the period July 1, 2024 through June 30, 2027 ("Successor MOU") is amended to address night shift premium pay as follows:

AS ADOPTED - September 25, 2024

ARTICLE IX – SALARIES

H. Additional Pay for 1800-0600: Effective July 1, 2024, employees scheduled the shift of 1800-0600 shall receive an additional one dollar (\$1) differential in salary. This additional pay also applies to employees scheduled to work an overtime shift of 1800-0600.

AS REVISED AND AMENDED (Effective December 22, 2024)

ARTICLE IX – SALARIES

H. A sworn officer or CSO who is assigned to work "Night Shift" (i.e. 1800 hours to 0600 hours) will receive shift differential premium pay in the amount of \$1 per hour for all hours worked during the night shift. In addition, sworn officers or CSOs assigned to the Night Shift, whose shift continues beyond the designated Night Shift (i.e., held over beyond 0600 hours) will continue to receive the additional \$1 per hour premium. Likewise, if a sworn officer or CSO assigned to the night shift is required to report early (i.e., before 1800 hours) as part of their duty assignment, they will receive the \$1 per hour premium for that "early start".

Sworn officers and CSOs assigned to "Day Shift" that are called in to work an entire "Night Shift" shall receive the premium. However, "Day Shift" employees do not receive any additional compensation for working parts of the "Night Shift."

This shift differential will also be applicable in cases of a special duty assignment, i.e., a nighttime DUI Checkpoint or Saturation Patrol that occurs primarily during the hours of "Night Shift."

For example, if the majority of a Special Assignment or Special Duty occurs during the Night Shift, premium pay differential will also apply to hours worked before 1800 hours (i.e. 1600 start time through 2200 hours) .

Shift differential is not payable where a "day shift" employee works beyond the end of their regularly scheduled shift or is called in early for shift coverage.

The premium is only paid for hours actually worked and is not paid for leave hours (sick, vacation, comp time, etc.). The premium shall be paid in 15-minute increments of working time.

END