CITY COUNCIL REGULAR MEETING AGENDA

Wednesday, October 22, 2025 at 6:00 PM

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

LEVINE ACT CONTRIBUTION PROHIBITIONS AND MANDATORY DISCLOSURE. The Political Reform Act in Govt Code Section 84308 restricts campaign contributions over $500 to a decision-making public official from a party or participant or their agent in a proceeding involving a contract, license, permit or entitlement for use. The Act requires disclosure of the contribution and recusal where a decision-maker has received $500 or more from a party or participant to a proceeding in the prior 12 months. Participants and agents are required to make this disclosure as well.

A Council Member's 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.

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

1. **OPENING CEREMONIES**

   A. Call to Order

   B. Roll Call

   C. Invocation

   D. Flag Salute

2. **AGENDA APPROVAL/ADDITIONS/DELETIONS**
   To accommodate members of the public or convenience in the order of presentation, items on the agenda may not be presented or acted upon in the order listed.

3. **PRESENTATIONS/CEREMONIAL MATTERS**

   A. Proclamation - Domestic Violence Awareness Month

   B. Proclamation - Breast Cancer Awareness Month

   C. Proclamation - Code Enforcement Officer Appreciation Month

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 - September 24, 2024

RECOMMENDATION: Council approve minutes as presented.

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

1. Nos. 32941-33152 $2,017,554.82 ACH $217,435.03.

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

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

8/31/25 to 9/13/25: $272,448.25; Retro Pay & Other: $570.50; Overtime: $29,959.64; Holiday: $1,497.33; Standby: $1,846.68; Comp Time Earned: 105.75

9/14/25 to 9/27/25: $269,663.49; Retro Pay & Other: $0.00; Overtime: $15,079.22; Holiday: $0.00; Standby: $2,480.75; Comp Time Earned: 49.10

RECOMMENDATION: Council approve payroll as presented.

D. **SUBJECT**: Monthly Investment Report Ending August 31, 2025

RECOMMENDATION: Council accept monthly investment report as presented.

E. **SUBJECT:** Contract Agreement with Civic Plus for City Website and Support Services (JA)

RECOMMENDATION: Council by motion adoption resolution approving new agreement with Civic Plus for City website and support services and authorizing the City Manager to sign the agreement.

F. **SUBJECT:** Resolution Accepting the Downtown Corridor Revitalization Project - Phase 1, Federal Project No. CCL-5291(032) and Authorizing Filing of the Notice of Completion (JG)

RECOMMENDATION: Council by motion adopt the resolution accepting the Downtown Corridor Revitalization Project - Phase 1, Federal Project No. CCL-5291(032) and authorizing the City Engineer to record the Notice of Completion.

G. **SUBJECT:** Modification of Job Descriptions for Account Clerk I and Account Clerk II in Finance Department (JA)

RECOMMENDATION: Council by motion adopt resolution amending the job descriptions for the Account Clerk I and Account Clerk II positions in the Finance Department.

H. **SUBJECT:** Consideration of Resolution Approving Updated Emergency Operations Plan (JAJ)

RECOMMENDATION: Council by motion adopt a resolution approving updated Emergency Operations Plan.

6. **PUBLIC HEARINGS**

These hearings are scheduled at the time stated and will be heard by the Council as close to the time stated as possible.

A. **SUBJECT:** Public Hearing and Authorization of Submission of Application for Community Development Block Grant Funds for Program Year 2026-2027 (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 Program Year 2026-2027 for Solar Streetlight Improvements.

B. **SUBJECT:** Public Hearing Regarding General Plan Amendment (GPA 2023-02), Rezone (REZ 2023-03), Tentative Parcel Map (TPM 2024-01), Tentative Subdivision Map (TSM 2023-03), Annexation (ANX 2023-03), and Mitigated Negative Declaration (SCH No. 2025060904) Pertaining To Two (2) Parcels Located On The South Side Of West Nielsen Avenue Between North Madera Avenue and North Del Norte Avenue (APNs 020-120-06 and 020-120-03S) (JJ)

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

1. A resolution of the City Council of the City of Kerman (1) adopting the findings required by California Environmental Quality Act (CEQA) Guidelines, Section 15091; (2) certifying the Mitigated Negative Declaration (SCH No. 2025060904); (3) adopting the proposed Mitigation Monitoring and Reporting Program; and (4) approving General Plan Amendment 2023-02 to amend the 2040 Kerman General Plan planned land use designations for Assessor's Parcel Numbers (APN) 020-120-06 (9.64 acres) to MU – Mixed Use and MDR – Medium Density Residential (southwest corner of West Nielen Avenue and North Madera Avenue); and

2. Introduce by title only an ordinance of the City Council of the City of Kerman approving Rezone 2023-03 to amend the official zoning map of the City of Kerman for two (2) parcels identified as Assessor's Parcel Numbers (APNs) 020-120-06 (19.82 acres) and 020-120-03S (20 acres), pre-zoning the parcels consistent with the proposed land use designations, resulting in approximately 30.39 acres within the Smart Development Combining District – Residential – minimum 3,500 square feet (SD-R-3.5), 8.74 acres within the Mixed Use District, totaling approximately 39.13 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue (Rezone 2023-03).

7. **DEPARTMENT REPORTS**

A. **SUBJECT:** Ordinance Amending Chapter 15.04 of Title 15 of the Kerman Municipal Code to Adopt the 2025 California Building Standards Code By Reference (JJ)

RECOMMENDATION: City Council introduce Ordinance Amending Chapter 15.04 of Title 15 of the Kerman Municipal Code to Adopt the 2025 California Building Standards Code by Reference, waive full reading, and set the date for the required public hearing for November 12, 2025.

B. **SUBJECT:** Consideration of Professional Services Agreement with els Architecture and Urban Design regarding the Kerman Area Multi-Generational Resiliency Center (TJ)

RECOMMENDATION: Council by motion adopt a resolution approving the Kerman Area Multi-Generational Resiliency Center Architectural Design Services Agreement with els Architecture and Urban Design regarding the Kerman Area Multi-Generational Resiliency Center located at 15100 W. Kearney Blvd. for $1,228,725.00 and authorize the City Manager to execute the agreement.

C. **SUBJECT:** Consideration of Updated Ordinance Relating to Purchasing System and Repeal of Resolutions 89-06, 97-06, 08-57, 14-64 and 15-49 Regarding Surplus Property (JA)

RECOMMENDATION: Council by motion (i) waive the full reading and introduce ordinance repealing Chapters 3.20 and adopting new Chapter 3.20 relating to the City's purchasing system and (ii) adopt resolution repealing Resolution Nos. 89-06, 97-06, 08-57, 14-64 and 15-49 regarding Surplus Property.

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 agendized and which meet other requirements for action.)

10. **CLOSED SESSION**

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

A. Conference with Labor Negotiators Pursuant to Government Code Section 54957.6
City Designated Representatives: Mayor Pacheco and Mayor Pro Tem Yep
Unrepresented Employee: City Manager

11. **ADJOURNMENT**

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

ADA Compliance and Reasonable Accommodation. The Council has adopted a Reasonable Accommodation Policy, which is available on the City website at www.cityofkerman.net or upon request by emailing the City Clerk at publicmeeting@cityofkerman.org or calling (559) 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 http://www.cityofkerman.net.

Date: October 17, 2025 /s/ Josie Camacho, City Clerk



DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, nearly 1 in 3 women and 1 in 4 men in our country have suffered physical violence by an intimate partner, and domestic violence affects people of all ages, ethnicities, nationalities, economic backgrounds, and beliefs; and

WHEREAS, victims of domestic violence are deprived of autonomy and security, face threats to their health and safety, and, in many instances, often experience significant financial instability; and

WHEREAS, crimes like domestic violence inhibit our community from reaching its fullest potential, and, although progress has been made in raising awareness and providing protections, much work remains; and

WHEREAS, the City reaffirms its dedication to providing a community where no one suffers the pain and hardship caused by domestic violence, and recognizes the advocates, victim service providers, and organizations who work tirelessly to prevent domestic violence and extend hope and healing to survivors and victims of domestic violence; and

WHEREAS, Fresno County individuals and organizations play a part in supporting people impacted by domestic violence, providing services that include therapeutic, legal, educational, housing, advocacy, and medical assistance;

NOW, THEREFORE, BE IT PROCLAIMED, the City Council of the City of Kerman, do hereby proclaim the month of October as Domestic Violence Awareness Month and urges that we rededicate ourselves to upholding the basic human right to be free from violence and abuse.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Kerman to be affixed on this 22nd day of October 2025.

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Maria Pacheco
Mayor

PROCLAMATION
Kerman City Council

BREAST CANCER AWARENESS MONTH

WHEREAS, cancer has touched the lives of nearly every American family, and we honor the immense courage and strength of the millions facing this disease, along with the many millions of survivors whose resilience inspires us all; and

WHEREAS, since the first Race for the Cure was organized in 1985, significant progress has been made in combating breast cancer through the development of new medicines, advanced therapies, and more effective early detection and prevention methods; and

WHEREAS, the pink ribbon, introduced as a symbol of breast cancer awareness in 1991, has since become a global emblem of solidarity and support for the cause; and

WHEREAS, the illumination of the White House in pink by President Clinton in 1993 symbolized a national commitment to breast cancer awareness, and in 2000, others around the world joined in by lighting up famous landmarks in pink each October to raise awareness for breast cancer, serving as a powerful reminder that we must continue to work tirelessly toward a cure; and

WHEREAS, Breast Cancer Awareness Month provides a vital opportunity to increase public awareness and encourage individuals to have a plan for early detection; and

WHEREAS, while ending cancer is an ambitious goal, it is vital that those affected by breast cancer have access to quality, affordable care, and that communities focus on vigorous support for research into all forms of cancer toward a cure.

NOW, THEREFORE, BE IT PROCLAIMED, the City Council of the City of Kerman, do hereby proclaim October 2025 as Breast Cancer Awareness Month in the City of Kerman.

I have hereunto set my hand and caused the Official Seal of the City of Kerman to be affixed on this 22nd day of October 2025.

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Maria Pacheco
Mayor

PROCLAMATION
Kerman City Council

CODE ENFORCEMENT OFFICER APPRECIATION MONTH

WHEREAS, Code Enforcement Officers provide for the safety and welfare of citizens throughout the City of Kerman by enforcing local codes and ordinances on a variety of issues, including building, zoning, housing, environmental, health and life safety; and

WHEREAS, Code Enforcement Officers serve in a challenging and demanding role and often do not receive the recognition they deserve for their efforts to improve the living and working conditions of residents and businesses in our community; and

WHEREAS, these dedicated professionals work to prevent neighborhood deterioration and to enhance and ensure safety through the knowledge and application of housing, zoning, building, and nuisance codes and ordinances; and

WHEREAS, Code Enforcement Officers are called upon to provide quality customer service and excellence to the residents and businesses of the communities they serve; and

WHEREAS, the City of Kerman recognizes and wants to bring awareness to the importance of code enforcement to the community.

NOW, THEREFORE, BE IT PROCLAIMED, the City Council of the City of Kerman, do hereby proclaim the month of October 2025 as Code Enforcement Officer Appreciation Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Kerman to be affixed on this 22nd day of October 2025.

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Maria Pacheco
Mayor

CITY COUNCIL REGULAR MEETING MINUTES

Wednesday, September 24, 2025 at 6:00 PM

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

1. OPENING CEREMONIES

A. Call to Order **- 6:04 p.m.**

B. Roll Call – **All present**

C. Invocation - **Moment of silence**

D. Flag Salute - **Performed.**

2. AGENDA APPROVAL/ADDITIONS/DELETIONS

Motion made by Councilmember Hall and Seconded by Councilmember Herrera.
Ayes: Hall, Herrera, Dhaliwal, Yep, Pacheco
Noes: None
Abstain: None
Absent: None
Motion passes 5-0-0-0

3. PRESENTATIONS/CEREMONIAL MATTERS

A. Presentation of Certificates - Eknoor Dosanjh & Nimrit Dosanjh **- Presented.**

B. Presentation of Certificates - KUSD Metal Shop Students **- Acknowledged.**

4. PUBLIC FORUM – **None.**

5. CONSENT CALENDAR

A. SUBJECT: Minutes - September 10, 2025

RECOMMENDATION: Council approve minutes as presented.

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

1. Nos. 32845-32940 $360,454.68 ACH $127,945.43.

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

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

8/17/25 to 8/30/25: $265,952.78; Retro Pay & Other: $514.90; Overtime: $16,382.21; Holiday: $0.00; Standby: $2,221.44; Comp Time Earned: 39.38

RECOMMENDATION: Council approve payroll as presented.

D. **SUBJECT:** An Ordinance of the City Council of the City of Kerman Repealing Chapter 2.52 of Title 2 of the Kerman Municipal Code and Adding a New Chapter 2.52 to Title 2 of the Kerman Municipal Code Relating to Emergency Organization and Functions (JAJ)

RECOMMENDATION: Council by motion adopt ordinance to repeal Chapter 2.52 of Title 2 of the Kerman Municipal Code and add a new Chapter 2.52 to Title 2 of the Kerman Municipal Code Relating to Emergency Organization and Functions. **- Ord. 25-02**

Motion made by Mayor Pro Tem Yep and Seconded by Councilmember Dhaliwal.
Ayes: Yep, Dhaliwal, Hall, Herrera, Pacheco
Noes: None
Abstain: None
Absent: None
Motion passes 5-0-0-0

6. PUBLIC HEARINGS - None.

7. DEPARTMENT REPORTS

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

RECOMMENDATION: Council by motion adopt resolution approving Amendment No. 3 to Agriculture Lease Agreement between the City of Kerman and Earl L. Giacolini and Janice E. Giacolini (9.3 acres). **Res. 25-73**

B. **SUBJECT:** Review of 2025 Kerman Chamber of Commerce Harvest Festival and Parade (JAJ)

RECOMMENDATION: Council hear a brief presentation from Police and Public Works on City activities associated with 2025 Kerman Chamber of Commerce Harvest Festival and Parade, with possible direction to Staff.

Motion made by Councilmember Herrera and Seconded by Mayor Pro Tem Yep.
Ayes: Herrera, Yep, Dhaliwal, Hall, 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

Cancel October 8, 2025 Council meeting (no quorum).
Add Native American Proclamation to November 12 agenda.

10. CLOSED SESSION

11. ADJOURNMENT - 7:39 p.m.

MINUTES CERTIFICATION

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

Date: September 25, 2025 /s/ Marisol Camacho, Deputy Clerk

Accounts Payable

Checks by Date - Summary by Check Date

User: VSandoval
Printed: 10/10/2025 4:22 PM

Check No	Vendor No	Vendor Name	Check Date	Check Amount
32941	12489	JOSE ARCIGA	09/15/2025	810.00
32942	10545	WILBERT BARCOMA	09/15/2025	462.00
32943	12710	EDUARDO BARRERA	09/15/2025	55.00
32944	10920	JEFF BELDING	09/15/2025	714.00
32945	10962	TOM CHAPMAN	09/15/2025	90.00
32946	12562	MUNIQUE CUBILLOS	09/15/2025	90.00
32947	11125	JOHN GOLDEN	09/15/2025	124.00
32948	12270	GLORIA GUTIERREZ	09/15/2025	260.00
32949	12627	JOSE RUIZ	09/15/2025	170.00
32950	11907	SPRINGBROOK HOLDING COMPANY I	09/15/2025	2,100.00
32951	12628	FRANCISCO VASQUEZ	09/15/2025	170.00
32952	12575	STEVE WILKINS	09/15/2025	185.00
			Total for 9/15/2025:	5,230.00
ACH	10522	CALPERS	09/16/2025	70.00
			Total for 9/16/2025:	70.00
ACH	10644	US BANK EQUIPMENT FINANCE	09/18/2025	710.78
32953	10021	ALERT O LITE	09/18/2025	2,652.62
32954	10040	AT&T MOBILITY	09/18/2025	2,023.92
32955	11917	BLAIS & ASSOCIATES LLC	09/18/2025	2,559.00
32956	10617	C A REDING CO INC	09/18/2025	135.84
32957	12868	CENTRAL STATE TRAFFIC CONTROLI	09/18/2025	300.00
32958	10452	CITY OF FRESNO WMD	09/18/2025	154.50
32959	11498	COMCAST CABLE COMMUNICATIONS	09/18/2025	735.85
32960	10114	CROWN SHORT LOAD CONCRETE	09/18/2025	940.45
32961	10115	CSJVRMA	09/18/2025	239,061.00
32962	10145	ELECTRIC MOTOR SHOP	09/18/2025	699.87
32963	BP-FREE1	FREEDOM FOREVER NORTHERN CAL	09/18/2025	2,136.20
32964	10842	FRESNO ECONOMIC OPPORTUNITIES	09/18/2025	44.08
32965	12869	GOLDEN STATE ACCOMMODATORS II	09/18/2025	490.00
32966	10185	GRAINGER	09/18/2025	45.70
32967	11358	GREAT AMERICA FINANCIAL SERVICI	09/18/2025	355.16
32968	10226	JORGENSEN & CO	09/18/2025	274.76
32969	10485	JP AIR CONDITIONING & HEATING	09/18/2025	7,089.98
32970	10230	KENT M KAWAGOE PHD	09/18/2025	425.00
32971	11459	LAWSON PRODUCTS INC	09/18/2025	743.92
32972	11965	MISSION UNIFORM SERVICE	09/18/2025	2,556.36
32973	10282	OFFICE DEPOT	09/18/2025	1,976.16
32974	10286	O'REILLY AUTOMOTIVE INC	09/18/2025	2,963.97
32975	10289	P.G.& E.	09/18/2025	3,500.02
32976	12808	QUADIENT FINANCE USA INC	09/18/2025	658.72
32977	10596	RED WING BUSINESS ADVANTAGE AC	09/18/2025	244.05
32978	12870	LILIA SANCHEZ	09/18/2025	600.00
32979	11650	SITEONE LANDSCAPE SUPPLY, LLC	09/18/2025	825.18

Check No	Vendor No	Vendor Name	Check Date	
32980	10337	SLUMBERGER LUMBER	09/18/2025	1,363.97
32981	11460	SUPERIOR POOL PRODUCTS LLC	09/18/2025	482.82
32982	10352	SWRCB ACCOUNTING OFFICE	09/18/2025	1,375.00
32983	10754	THE HOME DEPOT PRO-SUPPLY WORI	09/18/2025	539.07
32984	10387	USA BLUE BOOK	09/18/2025	536.47
32985	10391	VALLEY FARM SUPPLY STORES	09/18/2025	1,985.70
32986	10406	WEST HILLS OIL INC	09/18/2025	9,076.17
327040	BP-JC R	JC RENTALS	09/18/2025	1,689.10
			Total for 9/18/2025:	291,951.39
ACH	10147	EMPLOYMENT DEVELOPMENT DEPAI	09/19/2025	12,449.79
ACH	10517	FEDERAL TAXES PAYROLL	09/19/2025	69,525.49
ACH	10518	KERMAN POLICE OFFICERS ASSN	09/19/2025	878.25
ACH	10519	KERMAN MUNICIPAL EMPLOYEES AS	09/19/2025	255.00
ACH	10520	ICMA-RC	09/19/2025	4,918.74
32987	12521	EDIS	09/19/2025	1,621.50
			Total for 9/19/2025:	89,648.77
32988	10021	ALERT O LITE	09/24/2025	521.96
32989	11353	AMERICAN RIVER COLLEGE	09/24/2025	489.00
32990	12538	AMERITAS GROUP INSURANCE CORP	09/24/2025	890.50
32991	10035	AQUA NATURAL SOLUTIONS	09/24/2025	807.13
32992	10504	AUTOZONE	09/24/2025	69.56
32993	11324	AVISON CONSTRUCTION INC	09/24/2025	393,209.75
32994	10054	BLUE SHIELD OF CALIFORNIA	09/24/2025	66,660.66
32995	10617	C A REDING CO INC	09/24/2025	302.54
32996	10078	CALIFORNIA STATE DISBURSEMENT	09/24/2025	115.38
32997	12844	CALIFORNIA STATE DISBURSEMENT (	09/24/2025	161.53
32998	10092	CENTRAL VALLEY TOXICOLOGY INC	09/24/2025	88.00
32999	10114	CROWN SHORT LOAD CONCRETE	09/24/2025	515.45
33000	11874	CSG CONSULTANTS INC	09/24/2025	12,513.50
33001	10128	DEPARTMENT OF JUSTICE	09/24/2025	471.00
33002	10571	DITCH WITCH	09/24/2025	192.55
33003	10144	ELBERT DISTRIBUTING INC	09/24/2025	303.93
33004	10157	FERGUSON ENTERPRISES INC	09/24/2025	555.83
33005	12379	GILL CHEVROLET	09/24/2025	141.69
33006	11358	GREAT AMERICA FINANCIAL SERVICI	09/24/2025	746.54
33007	10201	HORIZON	09/24/2025	961.71
33008	10228	JS COMMUNICATIONS INC	09/24/2025	3,169.86
33009	10239	KERWEST INC	09/24/2025	365.50
33010	10241	KINGS BASIN IRWM AUTHORITY	09/24/2025	3,500.00
33011	10251	LIGHTHOUSE ELECTRIC INC	09/24/2025	240.47
33012	10282	OFFICE DEPOT	09/24/2025	660.47
33013	10289	P.G.& E.	09/24/2025	20,617.24
33014	12026	PRECISION CIVIL ENGINEERING INC	09/24/2025	1,978.75
33015	12762	QUADIENT LEASING USA INC	09/24/2025	2,204.92
33016	10316	R G EQUIPMENT OF FRESNO INC	09/24/2025	376.07
33017	12799	RENEWABLE FUELS INC	09/24/2025	4,537.07
33018	10329	SAN JOAQUIN VALLEY AIR POLL	09/24/2025	1,721.00
33019	10331	SEBASTIAN	09/24/2025	1,800.00
33020	10862	SIGNMAX	09/24/2025	13.65
33021	12368	SPECIALTY HOSE EXPRESS LLC	09/24/2025	167.58
33022	10345	STATE OF CALIFORNIA	09/24/2025	122.60
33023	11460	SUPERIOR POOL PRODUCTS LLC	09/24/2025	1,675.91
33024	10357	TAYLOR MADE IRRIGATION	09/24/2025	13.24

Check No	Vendor No	Vendor Name	Check Date	
33025	10015	THE ADVANCE GROUP INC	09/24/2025	876.66
33026	11502	TIREHUB LLC	09/24/2025	1,093.00
33027	10371	TJ LAW & ASSOCIATES INVESTIGATIC	09/24/2025	800.00
33028	10168	UNITY IT	09/24/2025	1,139.72
33029	10387	USA BLUE BOOK	09/24/2025	1,128.84
33030	10413	YAMABE & HORN ENGINEERING INC	09/24/2025	166,245.15
			Total for 9/24/2025:	694,165.91
33031	11761	JOHN JANSONS	09/25/2025	72.00
33032	10261	MID VALLEY DISPOSAL INC	09/25/2025	157,475.79
			Total for 9/25/2025:	157,547.79
33033	11493	24 / 7 PET VETS	10/01/2025	719.80
33034	10021	ALERT O LITE	10/01/2025	3,266.96
33035	12537	AMERITAS GROUP INSURANCE CORP	10/01/2025	1,678.12
33036	11247	RAQUEL ARREDONDO	10/01/2025	22.84
33037	11324	AVISON CONSTRUCTION INC	10/01/2025	291,983.68
33038	12875	ELIZABETH AYON	10/01/2025	450.00
33039	12476	RUTH BELMONTE	10/01/2025	234.00
33040	12162	BRIGHTVIEW LANDSCAPE SERVICES	10/01/2025	3,500.00
33041	12481	MANUEL CAMPOS	10/01/2025	192.00
33042	10082	CARROT-TOP INDUSTRIES INC	10/01/2025	53.91
33043	10452	CITY OF FRESNO WMD	10/01/2025	87.00
33044	12871	CLOVIS TRUCK CENTER	10/01/2025	3,534.27
33045	10103	COLONIAL LIFE	10/01/2025	781.31
33046	10104	COMCAST	10/01/2025	996.96
33047	10108	COOKS COMMUNICATIONS CORP	10/01/2025	57.50
33048	11209	DARRENS BODY SHOP	10/01/2025	18,863.79
33049	10128	DEPARTMENT OF JUSTICE	10/01/2025	140.00
33050	10458	RAUL HERRERA ECN POLYGRAPH AN	10/01/2025	500.00
33051	12692	JONAVIN FLORES	10/01/2025	253.67
33052	10163	FRESNO DISTRIBUTING CO	10/01/2025	652.63
33053	12379	GILL CHEVROLET	10/01/2025	145,323.75
33054	11468	GREEN HILLS NURSERY INC	10/01/2025	658.77
33055	11595	ISMAEL HERRERA	10/01/2025	527.80
33056	10211	INTERNAL REVENUE SERVICE	10/01/2025	176.58
33057	10219	JENSEN & PILEGARD INC	10/01/2025	292.49
33058	12752	JERRY JONES	10/01/2025	192.00
33059	10226	JORGENSEN & CO	10/01/2025	540.90
33060	10485	JP AIR CONDITIONING & HEATING	10/01/2025	1,131.98
33061	10238	KERMAN UNIFIED SCHOOL DIST	10/01/2025	720.24
33062	12676	RENEE KLEIN	10/01/2025	45.99
33063	10678	MAC'S EQUIPMENT INC	10/01/2025	65.48
33064	10261	MID VALLEY DISPOSAL INC	10/01/2025	12,992.00
33065	10272	MUTUAL OF OMAHA	10/01/2025	6,769.47
33066	10282	OFFICE DEPOT	10/01/2025	1,259.11
33067	10289	P.G.& E.	10/01/2025	9,025.62
33068	12342	MARIA PACHECO	10/01/2025	527.80
33069	10573	PILOT ROCK	10/01/2025	570.85
33070	12524	R&S ERECTION TRI-COUNTY INC	10/01/2025	4,532.50
33071	10596	RED WING BUSINESS ADVANTAGE AC	10/01/2025	280.88
33072	12849	RESTAURANT SUPPLY LLC	10/01/2025	4,550.79
33073	12877	SILVIA RODRIGUEZ	10/01/2025	150.00
33074	12475	SAN JOAQUIN PEST CONTROL	10/01/2025	105.00
33075	12873	ROSANNA SANGHA	10/01/2025	73.81

Check No	Vendor No	Vendor Name	Check Date	
33076	11650	SITEONE LANDSCAPE SUPPLY, LLC	10/01/2025	675.81
33077	10603	SOLENIS LLC	10/01/2025	5,244.27
33078	12581	TATES TSHIRT DESIGNS AND PRINTS,	10/01/2025	488.21
33079	10015	THE ADVANCE GROUP INC	10/01/2025	311.31
33080	10754	THE HOME DEPOT PRO-SUPPLY WORI	10/01/2025	252.20
33081	12609	THREE-WAY CHEVROLET-CADILLAC	10/01/2025	46,301.09
33082	11502	TIREHUB LLC	10/01/2025	866.90
33083	12872	JESSICA TOVAR	10/01/2025	22.84
33084	10168	UNITY IT	10/01/2025	7,586.84
33085	12178	VALLEY ANIMAL CENTER SPAY & NE	10/01/2025	165.00
33086	12815	JOHN VERES	10/01/2025	19.00
33087	10399	VETERINARY MEDICAL CENTER	10/01/2025	260.00
33088	12874	GUADALUPE VILLEGAS-ABUNDIZ	10/01/2025	250.46
33089	10406	WEST HILLS OIL INC	10/01/2025	3,036.25
33090	12876	MICHAEL YAMAURA	10/01/2025	38.00
33091	12267	IRENE ZAMORA	10/01/2025	150.00
33092	UB*02006	MALLORI ELLSWORTH	10/01/2025	36.04
33093	BP-JOSE1	JOSEPH CROWN CONSTRUCTION	10/01/2025	83.25
33094	UB*02005	BALJIT KAUR	10/01/2025	46.74
33095	UB*02008	KERMAN NEWS	10/01/2025	396.99
			Total for 10/1/2025:	584,713.45
ACH	10147	EMPLOYMENT DEVELOPMENT DEPA	10/03/2025	11,612.18
ACH	10517	FEDERAL TAXES PAYROLL	10/03/2025	67,300.34
ACH	10518	KERMAN POLICE OFFICERS ASSN	10/03/2025	878.25
ACH	10519	KERMAN MUNICIPAL EMPLOYEES AS	10/03/2025	255.00
ACH	10520	ICMA-RC	10/03/2025	2,613.56
ACH	10522	CALPERS	10/03/2025	45,967.65
			Total for 10/3/2025:	128,626.98
33096	11493	24 / 7 PET VETS	10/10/2025	257.40
33097	11387	LUISA AGUIRRE	10/10/2025	400.00
33098	10021	ALERT O LITE	10/10/2025	30.88
33099	12257	AMERITAS LIFE INSURANCE CORP- V	10/10/2025	1,047.32
33100	10035	AQUA NATURAL SOLUTIONS	10/10/2025	957.57
33101	11355	BADGER METER	10/10/2025	438.90
33102	10545	WILBERT BARCOMA	10/10/2025	138.00
33103	10617	C A REDING CO INC	10/10/2025	138.12
33104	12498	CALIFORNIA ASSOCIATION OF CODE	10/10/2025	100.00
33105	10067	CALIFORNIA BUILDING STANDARDS	10/10/2025	432.90
33106	12879	CALIFORNIA ENVIRONMENTAL DEW	10/10/2025	444.56
33107	10078	CALIFORNIA STATE DISBURSEMENT	10/10/2025	207.69
33108	12844	CALIFORNIA STATE DISBURSEMENT	10/10/2025	161.53
33109	12858	MARISOL CAMACHO	10/10/2025	48.64
33110	12560	CITY OF FRESNO POLICE REGIONAL	10/10/2025	1,246.00
33111	10564	CITY OF KERMAN	10/10/2025	290.00
33112	12213	PATRICK CLARK	10/10/2025	138.00
33113	10105	COMMUNITY HOSPITALS OF CENTRA	10/10/2025	525.00
33114	10106	CON EDISON CLEAN ENERGY	10/10/2025	16,810.47
33115	10109	AUDITOR CONTROLLER/TREASURER	10/10/2025	277.00
33116	10114	CROWN SHORT LOAD CONCRETE	10/10/2025	951.35
33117	11382	DATA TICKET INC	10/10/2025	126.72
33118	10126	DEPARTMENT OF CONSERVATION	10/10/2025	1,288.20
33119	11889	DISCOUNT SHRED	10/10/2025	586.00
33120	10524	DUNN EDWARDS	10/10/2025	684.20

Check No	Vendor No	Vendor Name	Check Date	
33121	10162	FRESNO COUNTY TREASURER	10/10/2025	469.56
33122	12379	GILL CHEVROLET	10/10/2025	308.71
33123	11358	GREAT AMERICA FINANCIAL SERVICI	10/10/2025	421.15
33124	12681	PHILLIP IVAN HERNANDEZ	10/10/2025	150.00
33125	11923	JOE A GONSALVES & SON	10/10/2025	1,250.00
33126	12752	JERRY JONES	10/10/2025	2,324.40
33127	10485	JP AIR CONDITIONING & HEATING	10/10/2025	6,712.00
33128	12522	HARMEEN KAUR	10/10/2025	324.00
33129	10678	MAC'S EQUIPMENT INC	10/10/2025	356.54
33130	10261	MID VALLEY DISPOSAL INC	10/10/2025	157,640.16
33131	10265	MONTOY LAW CORPORATION	10/10/2025	9,900.00
33132	10282	OFFICE DEPOT	10/10/2025	705.45
33133	10289	P.G.& E.	10/10/2025	33,834.28
33134	12523	PAMOIST PET HOSPITAL	10/10/2025	481.00
33135	10301	PETTY CASH	10/10/2025	260.42
33136	10315	QUINN COMPANY	10/10/2025	106.18
33137	10316	R G EQUIPMENT OF FRESNO INC	10/10/2025	1,950.59
33138	10323	RICHARD HERZOG CONSTRUCTION	10/10/2025	1,093.70
33139	11714	ROD CARSEY	10/10/2025	2,358.42
33140	11041	ROSENBALM ROCKERY	10/10/2025	663.37
33141	10332	SEBASTIAN	10/10/2025	2,004.95
33142	11650	SITEONE LANDSCAPE SUPPLY, LLC	10/10/2025	1,410.58
33143	11907	SPRINGBROOK HOLDING COMPANY I	10/10/2025	1,808.00
33144	10345	STATE OF CALIFORNIA	10/10/2025	122.60
33145	11460	SUPERIOR POOL PRODUCTS LLC	10/10/2025	1,687.81
33146	12115	TAPCO	10/10/2025	1,875.91
33147	10365	THE RADAR SHOP INC	10/10/2025	188.00
33148	10371	TJ LAW & ASSOCIATES INVESTIGATIC	10/10/2025	800.00
33149	10377	US POST OFFICE	10/10/2025	5,000.00
33150	12290	VERIZON	10/10/2025	1,572.85
33151	10406	WEST HILLS OIL INC	10/10/2025	8,158.41
33152	12521	EDIS	10/10/2025	9,370.07
			Total for 10/10/2025:	283,035.56
			Report Total (226 checks):	2,234,989.85

PAY PERIOD: August 31, 2025 - September 13, 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	$ 272,448.25	$ 282.49	570.50	$ 29,959.64	79.50	$ 1,497.33	70.50	$ 1,846.69	$ 306,034.41	105.75

PAY PERIOD: September 14, 2025 - September 27, 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	$ 269,663.49	$ 0.00	277.48	$ 15,079.22	0.00	$ -	112.00	$ 2,480.75	$ 287,223.46	49.10

CITY OF KERMAN
CD/Securities Portfolio
As of August 31, 2025

Institution	Account Number	Interest Rate/ Trans. Date	Opening Date	Maturity Date	6/30/2025 Book Balance	Additions/ (Deletions)	Cashed In	6/30/2026 Book Balance	Fair Value	Interest Paid
CD's:										
Pacific Member Bank Irvine	615-030525-245	5.00%	3/15/24	9/15/25	243,000.00			243,000.00	242,941.68	-
Discover Bank Greenwood	615-030525-245	3.55%	9/20/22	9/22/25	245,000.00			245,000.00	244,877.50	-
BMW Bank North Amer Salt Lake	615-030525-245	0.50%	9/25/20	9/25/25	249,000.00			249,000.00	248,287.86	-
Bank of Hapoalim B M New York	615-030525-245	5.05%	4/24/24	10/29/25	200,000.00			200,000.00	200,162.00	-
Flagstar Bank National Association	615-030525-245	5.20%	6/11/24	1/13/26	243,000.00			243,000.00	243,879.66	-
US Government Bonds										
Federal Home Loan Bank	615-030525-245	5.00%	10/29/24	10/30/29	500,000.00	(500,000.00)		-	-	6,250.00
Federal Home Loan Bank	615-030525-245	4.80%	5/28/25	5/15/28	500,000.00	(500,000.00)		-	-	5,133.33
Federal Home Loan Bank	615-030525-245	4.75%	10/30/24	10/30/29	500,000.00			500,000.00	499,150.00	-
Federal Home Loan Bank	615-030525-245	4.50%	1/30/25	7/30/27	500,000.00			500,000.00	499,395.00	11,250.00
Federal Home Loan Bank	615-030525-245	5.00%	5/28/25	5/14/30	500,000.00			500,000.00	499,485.00	-
Federal Home Loan Bank	615-030525-245	4.50%	6/30/25	6/23/28	280,000.00			280,000.00	279,946.80	-
Federal Home Loan Bank	615-030525-245	4.50%	7/30/25	7/28/28		500,000.00		500,000.00	499,970.00	-
Federal Home Loan Bank	615-030525-245	4.55%	8/19/25	2/19/26		500,000.00		500,000.00	499,665.00	
Federal Home Loan Bank	615-030525-245	4.50%	3/24/25	3/24/28	251,000.00			251,000.00	250,751.51	-
Federal Home Loan Bank	615-030525-245	4.52%	5/7/25	11/7/28	503,000.00			503,000.00	502,190.17	-
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	**4.37%**								
Total CD's					**5,214,000.00**	**-**	**-**	**5,214,000.00**	**5,210,702.18**	**22,644.54**
Securities America Sweep Program										
Beginning Balance					**67.00**			67.00		
	Transfers In/(Out)		7/1-7/31/25			19,482.01		19,482.01		
			8/1-8/31/25			(19,549.01)		(19,549.01)		
					67.00	**(67.00)**	**-**	**0.00**	**0.00**	**-**
Local Agency Investment Fund										
Beginning Balance	98-10-400				18,458,212.85			18,458,212.85		-
	Interest	4.40%	7/15/25			202,228.94		202,228.94		202,228.94
								-		-
	Transfers In/(Out)							-		
								-		
								-		
Total - LAIF		**4.40%**			**18,458,212.85**	**202,228.94**	**-**	**18,660,441.79**	**18,660,441.79**	**202,228.94**

CITY OF KERMAN
CD/Securities Portfolio
As of August 31, 2025

Institution	Account Number	Interest Rate/ Trans. Date	Opening Date	Maturity Date	6/30/2025 Book Balance	Additions/ (Deletions)	Cashed In	6/30/2026 Book Balance	Fair Value	Interest Paid
Central Valley Money Market Acct	015030960									
Beginning Balance					3,649,281.76			3,649,281.76		
	Interest		7/31/25			247.95		247.95		247.95
			8/31/25			231.97		231.97		
								-		-
	Transfers In/(Out)							-		
								-		
								-		
		0.08%						-		
					3,649,281.76	479.92	-	**3,649,761.68**	3,649,761.68	247.95
Subtotal All City Investments		**2.95%**			**27,321,494.61**	**202,708.86**	**-**	**27,524,203.47**	**27,520,905.65**	**225,121.43**
			Total Investments		27,321,561.61	202,641.86	-	27,524,203.47	27,520,905.65	225,121.43
								Market Value Adjustment	(3,297.82)	
								202,641.86		
								202,641.86		
								0.00		

CITY OF KERMAN
CD/Securities Portfolio
As of July 31, 2025

Institution	Account Number	Interest Rate/ Trans. Date	Opening Date	Maturity Date	6/30/2025 Book Balance	Additions/ (Deletions)	Cashed In	6/30/2026 Book Balance	Fair Value	Interest Paid
CD's:										
Pacific Member Bank Irvine	615-030525-245	5.00%	3/15/24	9/15/25	243,000.00			243,000.00	243,051.03	-
Discover Bank Greenwood	615-030525-245	3.55%	9/20/22	9/22/25	245,000.00			245,000.00	244,706.00	-
BMW Bank North Amer Salt Lake	615-030525-245	0.50%	9/25/20	9/25/25	249,000.00			249,000.00	247,513.47	-
Bank of Hapoalim B M New York	615-030525-245	5.05%	4/24/24	10/29/25	200,000.00			200,000.00	200,246.00	-
Flagstar Bank National Association	615-030525-245	5.20%	6/11/24	1/13/26	243,000.00			243,000.00	243,899.10	-
US Government Bonds										
Federal Home Loan Bank	615-030525-245	4.75%	10/30/24	10/30/29	500,000.00			500,000.00	498,100.00	-
Federal Home Loan Bank	615-030525-245	4.50%	1/30/25	7/30/27	500,000.00			500,000.00	498,585.00	11,250.00
Federal Home Loan Bank	615-030525-245	4.80%	5/28/25	5/15/28	500,000.00			500,000.00	499,505.00	-
Federal Home Loan Bank	615-030525-245	5.00%	5/28/25	5/14/30	500,000.00			500,000.00	499,335.00	-
Federal Home Loan Bank	615-030525-245	4.50%	6/30/25	6/23/28	280,000.00			280,000.00	279,669.60	-
Federal Home Loan Bank	615-030525-245	4.50%	7/30/25	7/28/28		500,000.00		500,000.00	499,150.00	-
Federal Home Loan Bank	615-030525-245	4.50%	3/24/25	3/24/28	251,000.00			251,000.00	250,718.88	-
Federal Home Loan Bank	615-030525-245	4.52%	5/7/25	11/7/28	503,000.00			503,000.00	500,349.19	-
Federal Home Loan Bank	615-030525-245	5.00%	10/29/24	10/30/29	500,000.00	(500,000.00)		-	-	6,250.00
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					**5,214,000.00**	**-**	**-**	**5,214,000.00**	**5,204,828.27**	**17,502.01**
Securities America Sweep Program										
Beginning Balance					**67.00**			67.00		
	Transfers In/(Out)		7/1-7/31/25			19,482.01		19,482.01		
					67.00	**19,482.01**	**-**	**19,549.01**	**19,549.01**	**-**
Local Agency Investment Fund										
Beginning Balance	98-10-400				18,458,212.85			18,458,212.85		-
	Interest	4.40%	7/15/25			202,228.94		202,228.94		202,228.94
								-		-
	Transfers In/(Out)							-		
								-		
								-		
Total - LAIF		**4.40%**			**18,458,212.85**	**202,228.94**	**-**	**18,660,441.79**	**18,660,441.79**	**202**

CITY OF KERMAN
CD/Securities Portfolio
As of July 31, 2025

Institution	Account Number	Interest Rate/ Trans. Date	Opening Date	Maturity Date	6/30/2025 Book Balance	Additions/ (Deletions)	Cashed In	6/30/2026 Book Balance	Fair Value	Interest Paid
Central Valley Money Market Acct	015030960									
Beginning Balance					3,649,281.76			3,649,281.76		
	Interest		7/31/25			247.95		247.95		247.95
								-		-
	Transfers In/(Out)							-		
								-		
								-		
		0.08%						-		
					3,649,281.76	247.95	-	**3,649,529.71**	3,649,529.71	247.95
Subtotal All City Investments		**2.96%**			**27,321,494.61**	**202,476.89**	**-**	**27,523,971.50**	**27,514,799.77**	**219,978.90**
			Total Investments		27,321,561.61	221,958.90	-	27,543,520.51	27,534,348.78	219,978.90
								Market Value Adjustment	(9,171.73)	
								221,958.90		
								221,958.90		
								0.00		

STAFF REPORT

MEETING DATE: October 22, 2025

PRESENTER: Josefina Alvarez, Finance Director

SUBJECT: Contract Agreement with Civic Plus for City Website and Support Services (JA)

RECOMMENDATION: Council by motion adoption resolution approving new agreement with Civic Plus for City website and support services and authorizing the City Manager to sign the agreement.

EXECUTIVE SUMMARY:

Council approved a contract agreement with Civic Plus for the new City website and support services on July 27, 2022. That agreement technically expired. The parties have negotiated a new agreement with an initial term to commence on August 25, 2025.

The new quote from Civic Plus has an annual renewal amount of $15,462.18 with a 5% annual increase each renewal term. The new rate would be about a 12.47% increase or $1,714.57 when compared to the 5% annual increase to the existing contract.

FISCAL IMPACT:

Increase of $1,714.57 to numerous funds already incorporated in budget 2025/2026.

ATTACHMENTS:

A. Resolution w/Exhibit

Attachment 'A'

RESOLUTION NO. 25-___

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING NEW AGREEMENT WITH CIVIC PLUS FOR CITY WEBSITE AND SUPPORT SERVICES AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT

WHEREAS, the City signed a contract agreement with Civic Plus for the new City website and support services on July 27, 2022; and

WHEREAS, Civic Plus is requesting a new agreement, and the parties have negotiated a new agreement; and

WHEREAS, the City's website is a valuable tool that provides public information, resources, and notifications, and

WHEREAS, the new annual amount would be $15,462.18 with an annual 5% increase each renewal term, and

WHEREAS, the City desires to accept the new agreement with Civic Plus for City website and support services.

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

1. The foregoing recitals are true and correct.

2. The City Council hereby approves the new Civic Plus Agreement attached hereto and incorporated by reference and authorizes the City Manager to execute same.

3. This new agreement supersedes any and all prior agreements.

4. This resolution shall be effective immediately upon adoption.

(Certification on following page)

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 22nd day of October 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'

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

Quote #: Q-108418-1
Date: 9/23/2025 1:17 PM
Customer: KERMAN CITY, CALIFORNIA

QTY	DESCRIPTION
1.00	Hosting & Security Annual Fee - CivicEngage Central
1.00	Annual - CivicEngage Central
3.00	Ultimate Department Header Annual Fee - Police, Parks and Rec, and Econ Dev
1.00	48 month Redesign Ultimate Annual - CivicEngage
1.00	AudioEye Managed: https://cityofkerman.net
1.00	DNS and Domain Hosting Annual Fee: https://cityofkerman.net
1.00	SSL Management - CP Provided Only 1 per domain (Annually Renews): https://cityofkerman.net
1.00	Year 1 Annual Fee Discount for 2025 renewal already paid

Annual Recurring Services - Initial Term	USD 0.00
Annual Recurring Services - (Subject to Uplift)	USD 15,462.18

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: https://www.civicplus.help/hc/en-us/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 8/25/2025 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.
4. Please note that this document is a SOW and not an invoice. Upon signing and submitting this SOW, Client will receive the applicable invoice according to the terms of the invoicing schedule outlined herein.
5. Client may issue purchase orders for its internal, administrative use only, and not to impose any contractual terms. Any terms contained in any such purchase orders issued by the Client are considered null and will not alter the Binding Terms, the Agreement or this SOW.

Acceptance of Quote # Q-108418-1
By signing below, the parties are agreeing to be bound by the covenants and obligations specified in this S
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

By:

_____

Printed Name:

_____

Title:

_____

Date:
_____

CivicPlus

By:



Printed Name:

Amy Vikander

Title:

Senior Vice President of Customer Success

Date:
9/24/2025
_____

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: October 22, 2025

PRESENTER: Jesus A. Gonzalez, City Engineer

SUBJECT: Resolution Accepting the Downtown Corridor Revitalization Project - Phase 1, Federal Project No. CCL-5291(032) and Authorizing Filing of the Notice of Completion (JG)

RECOMMENDATION: Council by motion adopt the resolution accepting the Downtown Corridor Revitalization Project - Phase 1, Federal Project No. CCL-5291(032) and authorizing the City Engineer to record the Notice of Completion.

EXECUTIVE SUMMARY:

The contractor, Wabo Landscape & Construction, Inc., has satisfactorily completed the work required for the Downtown Corridor Revitalization Project - Phase 1, Federal Project No. CCL-5291(032). The Project consisted of: 1) the replacement of center median turf with drought tolerant shrubs and mulch, 2) the replacement of unhealthy trees, and 3) the installation of benches, trash receptacles, and planters.

Supplemental to the contract work, City personnel engaged in separate activities consisting of procuring mural artwork and installing wayfinding signs and streetlight banners to further enhance the corridor and meet the requirements of the Clean California grant funding source.

In order to close out the Project, City Council must accept the improvements and authorize the recording of a Notice of Completion.

The Project was advertised for bid, and the construction contract was awarded to Wabo Landscape & Construction, Inc. on October 9, 2024. The Contractor began construction on February 12, 2025, and completed the Project on August 14, 2025. The Project was completed within the specified contract time.

FISCAL IMPACT:

The City budgeted $834,500 for the Project. The estimated final Project cost is $797,000 including design, construction management, inspection, and contingency. The Project is funded with Clean California grant funding and Measure M funding.

ATTACHMENTS:

A. Resolution

Attachment 'A'

RESOLUTION NO. 25-___

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN ACCEPTING IMPROVEMENTS AND AUTHORIZING FILING OF THE NOTICE OF COMPLETION FOR THE DOWNTOWN CORRIDOR REVITALIZATION PROJECT - PHASE 1, FEDERAL PROJECT NO. CCL-5291(032)

WHEREAS, Wabo Landscape & Construction, Inc. has completed the work for the Downtown Corridor Revitalization Project - Phase 1, Federal Project No. CCL-5291(032); and

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

WHEREAS, the City Engineer recommends acceptance of the Downtown Corridor Revitalization Project - Phase 1, Federal Project No. CCL-5291(032), and requests the Council to authorize the City Engineer to record the Notice of Completion for the Project.

NOW, THEREFORE, the City Council of the City of Kerman does resolve as follows:

SECTION 1. The foregoing recitals are incorporated by reference.

SECTION 2. The Council accepts the Downtown Corridor Revitalization Project - Phase 1, Federal Project No. CCL-5291(032), and authorizes the City Engineer to record the Notice of Completion.

SECTION 3. This resolution is effective on adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 22nd day of October 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

_____
Josie Camacho
City Clerk

STAFF REPORT

MEETING DATE: October 22, 2025

PRESENTER: Josefina Alvarez, Finance Director

SUBJECT: Modification of Job Descriptions for Account Clerk I and Account Clerk II in Finance Department (JA)

RECOMMENDATION: Council by motion adopt resolution amending the job descriptions for the Account Clerk I and Account Clerk II positions in the Finance Department.

EXECUTIVE SUMMARY:

The Finance Department is, at many times, the first point of contact for customers in the City of Kerman. The Account Clerk I position in the Finance Department greets and provides customer service to the majority of residents. The Account Clerk II position would serve as backup when the Account Clerk I is unavailable. Customers are able to contact the Finance Department in person, by phone, or by email. A considerable number of customers speak only Spanish, making it crucial to modify the job descriptions to now state “proficient in Spanish.” Staff recommend this change to both job descriptions to eliminate a second Finance employee from providing translation services and to expedite assistance to our residents. The job descriptions for the Account Clerk I and Account Clerk II positions will remain an hourly position and are part of the KMEA bargaining unit.

With the passing of the Fiscal Year 2025/2026 budget, these positions were already approved by Council.

FISCAL IMPACT: None

ATTACHMENTS:

A. Resolution

Attachment 'A'

RESOLUTION NO. 25-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING MODIFICATION OF JOB DESCRIPTIONS FOR THE ACCOUNT CLERK I AND ACCOUNT CLERK II POSITIONS IN THE FINANCE DEPARTMENT

WHEREAS, the Finance Department is the first point of contact for the majority of customers in the City of Kerman; and

WHEREAS, customers are able to reach the Finance Department in person, by phone, or by email; and

WHEREAS, a considerable number of residents speak only Spanish; and

WHEREAS, staff is recommending modifying the job descriptions for the Account Clerk I and Account Clerk II positions to state "Proficient in Spanish"; and

WHEREAS, clear and current job descriptions are required for optimal employee performance; and

WHEREAS, the job descriptions do not negatively affect any incumbents; and

WHEREAS, the job descriptions have been reviewed by the KMEA; and

WHEREAS, the proposed changes do not result in any salary adjustments for Fiscal Year 2025/2026.

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

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

Section 2. The City Council approves the Job Descriptions as set forth in **Exhibit 'A'** and incorporated herein by reference.

Section 3. This resolution is effective upon its adoption.

(Certification on following page)

The foregoing resolution was adopted by the City Council of the City of Kerman at a regularly scheduled meeting held on the 22nd day of October 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

_____

Maria Pacheco
Mayor

ATTEST:

_____

Josie Camacho
City Clerk

JOB DESCRIPTION

JD Revision Date: October 1, 2025

Title	**Account Clerk I**
Reports To	**Finance Director**
Bargaining Unit	**Kerman Miscellaneous Employees Association (KMEA)**

Definition	To perform financial and administrative clerical duties that involves posting, checking entries and balancing accounts in an accounting system; to perform a variety of tasks in the preparation of utility bills; and to do related work as required. Must demonstrate commitment, dependability and respect for other employees with regular attendance, punctuality and adherence to agreed-upon schedule of availability.
Distinguishing Characteristics	Work under close supervision performing a group of repetitive or closely related duties according to established procedures. While a variety of tasks may be assigned, each step usually fits a pattern which has been observed and reviewed both during its performance and upon completion, and changes in procedure or exceptions to rules are explained in detail as they arise.
Examples of Duties	• Maintain general and subsidiary ledger records according to established account classifications. • Post entries from supportive records and balance against other records. • Process and/or provide backup support for processing accounts payable and receivables, purchase orders, dog license billings and invoicing and collection of funds. • Serve at public counter collecting service payments and license fees; make change; count cash and verify receipts; make daily bank deposits. • Accurately record data changes to customer accounts such as names and address, phone numbers etc. in a timely manner. • Utilize spreadsheets and accounting software programs; enter, post, verify, handle and retrieve a wide variety of routine financial data. • Processes incoming and outgoing mail. • Assists with water shut off processes. • Participate in the assignment of appropriate billing rates for utility and other municipal services; make adjustments and corrections on accounts. • Provide accurate and timely information and assistance to managers and employees. • Post charges to accounts. • Assist in departmental budgetary control. • Participate in the assignment of appropriate billing rates for utility and other municipal services; make adjustments and corrections on accounts. • Prepare, stuff and mail monthly utility statements. • Performs other related duties as required

Qualifications

Knowledge Of	• Modern office practices and procedures. • Proficient in Excel and Word. • General accounting procedures

Ability To	• Have well developed communication skills, both verbal and written. • Accurately provide data entry. • Provide organization and teamwork skills. • Work independently and follow through to achieve results. • Work with software related to accomplishing the accounting functions, including spreadsheets and various computer applications • Perform clerical work, office and accounting procedures. • Understand and carry out oral and written instructions.
Education	Equivalent to the completion of twelfth grade. Supplemented courses in bookkeeping preferred.
Experience	Two years of clerical and cash handling experience.

Special Qualifications

Driver's License	Possession of a valid California Class C Driver License is required. Individuals who do not meet this requirement due to physical disability will be reviewed on a case-by-case basis.
Bilingual	Proficient in Spanish
Physical Demands	Light work in an office setting. Lifting, carrying and/or pushing 25 pounds maximum
Probationary Period	Twelve (12) months

JOB DESCRIPTION

JD Revision Date: October 1, 2025

Title	**Account Clerk II**
Reports To	**Finance Director**
Bargaining Unit	**Kerman Miscellaneous Employees Association (KMEA)**

Definition	To perform financial and administrative clerical duties that involves posting, checking entries and balancing accounts in an accounting system; to perform a variety of tasks in the preparation of utility bills; and to do related work as required. May provide direction to Account Receptionist or Account Clerk I. Must demonstrate commitment, dependability and respect for other employees with regular attendance, punctuality and adherence to agreed-upon schedule of availability.
Distinguishing Characteristics	Work under general supervision and, within the framework of established procedures to perform a wide variety of accounting duties with only occasional instruction or assistance. Requires the knowledge of departmental procedures and precedence, and the ability to choose among a limited number of alternatives in solving routine problems. Expected to work productively even in the absence of supervision. Work is normally reviewed only on completion and for overall results.
Examples of Duties	• Maintain general and subsidiary ledger records according to established account classifications. • Post entries from supportive records and balance against other records. • Primary processor for accounts payable and receivables, purchase orders, invoicing and collection of funds. • Processes Building Permits. • Process Business Licenses and perform annual business verification of business requesting payment. • Process accounts payable vendor 1099's annually • Serve at public counter collecting service payments and license fees; make change; count cash and verify receipts; make daily bank deposits. • Accurately record data changes to customer accounts such as names and address, phone numbers etc. in a timely manner. • Utilize spreadsheets and accounting software programs; enter, post, verify, handle and retrieve a wide variety of routine financial data. • Processes incoming and outgoing mail. • Principal contact for water shut off processes. • Participate in the assignment of appropriate billing rates for utility and other municipal services; make adjustments and corrections on accounts. • Insures that the Department's forms are up-to-date on the website. • Provide accurate and timely information and assistance to managers and employees. • Post charges to accounts. • Assist in departmental budgetary control. • Prepare financial and statistical reports. • Participate in the assignment of appropriate billing rates for utility and other municipal services; make adjustments and corrections on accounts. • Prepare, stuff and mail monthly utility statements. • Performs other related duties as required

Qualifications

Knowledge Of	• Modern office practices and procedures. • Proficient in Excel and Word. • General accounting procedures • Municipal accounting system requirements and procedures.
Ability To	• Have well developed communication skills, both verbal and written. • Accurately provide data entry. • Provide organization and teamwork skills. • Work independently and follow through to achieve results. • Work with software related to accomplishing the accounting functions, including spreadsheets and various computer applications • Perform clerical work, office and accounting procedures. • Understand and carry out oral and written instructions. • To provide supervision in the absence of the Senior Accountant.
Education	Equivalent to the completion of twelfth grade. Supplemented courses in bookkeeping preferred.
Experience	One year of experience performing the duties comparable to those of Account Clerk I in the City of Kerman and two years of clerical and cash handling experience.

Special Qualifications

Driver's License	Possession of a valid California Class C Driver License is required. Individuals who do not meet this requirement due to physical disability will be reviewed on a case-by-case basis.
Bilingual	Proficient in Spanish
Physical Demands	Light work in an office setting. Lifting, carrying and/or pushing 25 pounds maximum
Probationary Period	Twelve (12) months

STAFF REPORT

MEETING DATE: October 22, 2025

PRESENTER: John Jansons, City Manager

SUBJECT: Consideration of Resolution Approving Updated Emergency Operations Plan (JAJ)

RECOMMENDATION: Council by motion adopt a resolution approving updated Emergency Operations Plan.

EXECUTIVE SUMMARY:

In 2024, the City performed a comprehensive rewrite and update of the Emergency Operation Plan (EOP or "Plan"). The final draft plan was presented to City Council in 2024, and changes were identified as necessary to reflect the new City Council taking office in January 2025. It was determined that to proceed with the draft plan, it was necessary to adopt an ordinance to update and modernize Kerman Municipal Code (KMC) Chapter 2.52. The Council adopted an ordinance adopting new Chapter 2.52 titled "Emergency Organization and Functions" on September 24, 2025. The proposed resolution **Attachment 'A'** adopts an Emergency Operations Plan which conforms to the new ordinance.

DISCUSSION:

Preserving life, property, and the environment are inherent responsibilities of local, state, and federal governments. As disasters can occur at any time, the City of Kerman must provide safeguards that will save lives and minimize property and environmental damage through careful planning, preparedness measures, and training. Sound emergency plans carried out by knowledgeable and well-trained personnel can and will minimize losses.

The City's Emergency Operations Plan establishes an Emergency Management Organization and assigns functions and tasks consistent with California's Standardize Emergency Management System (SEMS) and the National Incident Management System (NIMS). It provides for the integration and coordination of planning efforts through a whole community approach and authorizes city personnel to perform their duties and tasks before, during, and after an emergency.

This plan was developed for City Departments and local Special Districts with emergency services responsibilities within the City. The content is based upon guidance approved and provided by the Federal Emergency Management Agency and the California Office of Emergency Services. The intent of the plan is to provide directions on how to respond to an emergency from the onset, through an extended response, and into the recovery process.

Once adopted, this plan is an extension of the Fresno County Emergency Operations Plan and the California Emergency Plan. It will be reviewed, exercised periodically, and revised as necessary to meet changing conditions.

This promulgation shall be effective upon its signing and shall remain in effect until amended or rescinded by further promulgation The promulgation of this EOP further affirms the City of Kerman's support for emergency management and a safe and resilient community.

The City of Kerman's Emergency Operations Plan (EOP) serves as a strategic framework for a prepared response to extraordinary emergencies, encompassing natural or man-made disasters under an all-hazards approach. This plan is distinct from the routine procedures applied to day-to-day emergencies within departments. Instead, it is crafted to address operational concepts essential for large-scale disasters that pose significant threats to life, property, and the environment, necessitating unique and extensive emergency responses.

With the update to KMC Chapter 2.25, the Disaster Council has been designed and proposed to function as a community-based emergency preparedness and response tool in accordance with the California Emergency Services Act (CESA) and the City of Kerman Municipal Code.

Finally, it should be noted that Government Code §8630 et seq., governs statutory provisions on local emergencies, Government Code §8610 et seq., provides provisions on local disaster councils, and Government Code §38791 provides provisions on City emergency executives and these may be reviewed for further explanation of City responsibilities and roles.

FISCAL IMPACT:

None to adopt resolution of approval. Future emergency preparedness training and supplies will require future funding.

ATTACHMENTS:

A. Resolution w/Exhibit

Attachment 'A'

RESOLUTION NO. 25- ___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN ADOPTING AN UPDATED EMERGENCY OPERATIONS PLAN (EOP) FOR THE CITY OF KERMAN

WHEREAS, the City of Kerman recognizes the importance of maintaining an effective Emergency Operations Plan (EOP) to safeguard the lives, property, and welfare of its residents in times of emergencies and disasters; and

WHEREAS, the prior plan was last updated and promulgated in 2003 including a Disaster Council operative under 1951 municipal code sections; and

WHEREAS, it is essential to periodically review and update the EOP to align with changing risks, technologies, and best practices in emergency management; and

WHEREAS, the City of Kerman has conducted a thorough review and revision process to ensure that the updated EOP reflects current emergency management standards and addresses potential hazards and vulnerabilities within the jurisdiction; and

WHEREAS, the updated EOP has been developed through collaboration and input from relevant stakeholders, including city departments, emergency response agencies, community organizations, and the public; and

WHEREAS, the updated EOP, in final draft form, was presented to, and received preliminary approval from City Council in 2024; and

WHERAS, Chapter 2.52 of the Kerman Municipal Code was updated by Ordinance No. 25-02 to modernize the Disaster Council to conform to the then proposed Draft Emergency Operation Plan for operability and effectiveness; and

WHEREAS, the Draft EOP has been updated to conform to Chapter 2.52 of the Kerman Municipal Code; and

WHEREAS, the adoption of the final EOP will enhance the City of Kerman's preparedness, response, and recovery capabilities, thereby better positioning the city to mitigate the impacts of emergencies and disasters on its residents and infrastructure.

NOW, THEREFORE, be it resolved by the City Council of the City of Kerman that:

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

2. The City Council hereby adopts the updated Emergency Operations Plan (EOP), dated September 2025 for the City of Kerman, **Exhibit 'A'** as the official guiding document for emergency preparedness, response, and recovery activities within the jurisdiction.

3. The City Manager or designated authority is directed to ensure the dissemination and implementation of the updated EOP among all relevant city departments, agencies, and stakeholders.

4. The City Council emphasizes the importance of ongoing training, exercises, and public outreach initiatives to familiarize stakeholders with the updated EOP and enhance community resilience in the face of emergencies and disasters.

5. The City Council expresses its gratitude to all individuals and organizations involved in the review, revision, and development of the updated EOP, whose dedication and expertise have contributed to the city's overall readiness and resilience.

6. This resolution shall take effect immediately upon adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 22nd day of October 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’

Due to the size of the EOP, its size a link is provided here for online viewing –

https://www.cityofkerman.net/DocumentCenter/View/1907/Emergency-Operations-Plan-

STAFF REPORT

MEETING DATE: October 22, 2025

PRESENTER: Jesus A. Gonzalez, City Engineer

SUBJECT: Public Hearing and Authorization of Submission of Application for Community Development Block Grant Funds for Program Year 2026-2027 (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 Program Year 2026-2027 for Solar Streetlight Improvements.

EXECUTIVE SUMMARY:

The City of Kerman receives an annual allocation of Federal CDBG funds from the U.S. Department of Housing and Urban Development (HUD) through an agreement with the County of Fresno (County). The City's funding allocation for Program Year 2026-2027 is estimated at $167,000. Staff submitted an application to the County for installation of solar streetlights in the area bounded by Kearney Boulevard, Eighth Street, California Avenue, and Sixth Street.

The proposed Project involves the installation of approximately seventeen (17) solar streetlights to reduce lighting gaps, resulting in safer nighttime conditions. The City currently has fifteen lights in its possession and will procure an additional two (2) before the start of the Project. The Project is located within an area where over 51 percent of the households are low to moderate income. A preliminary application for the proposed Project was submitted to the County for verification of eligibility, and the County has determined the Project to be eligible for funding.

A Public Hearing is required to be held to allow interested citizens the opportunity to comment on projects or activities submitted for CDBG funding. The Notice of Public Hearing was published in the Mid Valley Times on October 8, 2025 and posted at City Hall.

PROGRAM IMPACT:

The total Project estimated cost is $182,000. The City's 2026-2027 Program Year CDBG funding allocation is estimated at $167,000. The Project overage in the amount of $21,000 will be through a local match funding source to be identified in the Program Year 2026-27 budget.

ATTACHMENTS:

A. Resolution

Attachment 'A'

RESOLUTION NO. 25-___

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN AUTHORIZING SUBMISSION OF APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR PROGRAM YEAR 2026-2027

WHEREAS, a Notice of Public Hearing was published in the Mid Valley Times on October 8, 2025; and

WHEREAS, the City Council held a Public Hearing to discuss an application for Community Development Block Grant (CDBG) Funds for Program Year 2026-2027 on October 22, 2025, and to receive public comments; and

WHEREAS, the City Council received a report from the City Engineer identifying the need for solar streetlights in the area bounded by Kearney Boulevard, Eighth Street, California Avenue, and Sixth Street.

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

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

2. Submission of an application for CDBG Funds for 2026-2027 to the County of Fresno for the installation of solar streetlights is hereby authorized.

3. The City Manager is authorized to sign all application documents and funding agreements pertaining to said project.

4. This resolution is effective upon adoption.

(Certification on following page)

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 22nd day of October 2025 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

STAFF REPORT

MEETING DATE: October 22, 2025

PRESENTER: Bonique Emerson, Contract Planner

SUBJECT: Public Hearing Regarding General Plan Amendment (GPA 2023-02), Rezone (REZ 2023-03), Tentative Parcel Map (TPM 2024-01), Tentative Subdivision Map (TSM 2023-03), Annexation (ANX 2023-03), and Mitigated Negative Declaration (SCH No. 2025060904) Pertaining To Two (2) Parcels Located On The South side of West Nielsen Avenue Between North Madera Avenue and North Del Norte Avenue (APNs 020-120-06 and 020-120-03S) (JJ)

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

1. A resolution of the City Council of the City of Kerman (1) adopting the findings required by California Environmental Quality Act (CEQA) Guidelines, Section 15091; (2) certifying the Mitigated Negative Declaration (SCH No. 2025060904); (3) adopting the proposed Mitigation Monitoring and Reporting Program; and (4) approving General Plan Amendment 2023-02 to amend the 2040 Kerman General Plan planned land use designations for Assessor's Parcel Numbers (APN) 020-120-06 (9.64 acres) to MU – Mixed Use and MDR – Medium Density Residential (southwest corner of West Nielen Avenue and North Madera Avenue); and

2. Introduce by title only an ordinance of the City Council of the City of Kerman approving Rezone 2023-03 to amend the official zoning map of the City of Kerman for two (2) parcels identified as Assessor's Parcel Numbers (APNs) 020-120-06 (19.82 acres) and 020-120-03S (20 acres), pre-zoning the parcels consistent with the proposed land use designations, resulting in approximately 30.39 acres within the Smart Development Combining District – Residential – minimum 3,500 square feet (SD-R-3.5), 8.74 acres within the Mixed Use District, totaling approximately 39.13 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue (Rezone 2023-03).

EXECUTIVE SUMMARY:

Lifetime Communities (Applicant) proposes General Plan Amendment (GPA) 2023-02, Rezone (REZ) 2023-03, Tentative Parcel Map (TPM) 2024-01, Tentative Subdivision Map (TSM) 2023-03, and Annexation (ANX) 2023-03, and related Mitigated Negative Declaration pertaining to two (2) parcels identified as Assessor's Parcel Numbers (APNs) 020-120-06 (19.82 acres) and 020-120-03S (20 acres), totaling approximately 40 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue. The Project would result in the annexation of approximately 40 acres from the County of Fresno to the City of Kerman, an amendment of the 2040 Kerman General Plan planned land use designations for ±9.64 acres, an amendment to the official zoning map of the City of Kerman for ±40 acres, a split of ±40 acres into two (2) parcels and a remainder, and the subdivision of ±28.35 acres for future single-family use. Future development of

the Project site would require additional entitlements, including but not limited to, a Development Plan Permit, Site Plan Review, and Conditional Use Permit.

As noted in the Recommendations above, at this meeting the Council is asked to approve the resolution regarding the mitigated negative declaration (CEQA) and General Plan Amendment and to introduce the ordinance amending the Zoning Map. At the next meeting, Council will be asked to approve the following:

1. A resolution to approve The Orchards at Gill Estates parcel map of two (2) parcels identified as 020-120-06 (20 acres) and 020-120-03S (20 acres) into two (2) parcels and one (1) remainder, including a 28.35-acre "Parcel 1" that would accommodate TSM 2023-03, a 8.74-acre "Parcel 2" on the east portion of APN 020-120-06 with no development proposed at this time, and a 2.04-acre "Remainder" on the northwest corner with an existing single-family residence (Tentative Parcel Map 2024-01); and

2. A resolution to approve The Orchards at Gill Estates subdivision of one (1) parcel (Parcel 1 of TPM 2024-01) into 172 single-family lots ranging in size from 3,690 square feet to 8,987 square feet and five (5) outlots, totaling approximately 28.35 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue (Tentative Subdivision Map 2023-03); and

3. A resolution to initiate annexation of two (2) parcels identified as Assessor's Parcel Numbers (APNs) 020-120-06 (19.82 acres) and 020-120-03S (20 acres), totaling approximately 40 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue (Annexation 2023-03).

APPLICABLE CODES AND PROCEDURES:

KMC Title 16 – Subdivisions
KMC 17.10 – Residential Zones
KMC 17.12 – Commercial, Office, and Mixed-Use Zones
KMC 17.18 – Combining Zones
KMC 17.20 – General Site Planning and Development Standards
KMC 17.98 – CEQA Procedures
KMC 17.112 – Amendments
KMC 17.116 – Public Notices and Hearings
Public Resource Code – 21000 et seq.

BACKGROUND:

Site Location

The Project site is currently in the jurisdiction of the County of Fresno, California. The site is located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue, consisting of two (2) parcels that total approximately 40 acres. The site is identified by the Fresno County Assessor as Assessor's Parcel Numbers (APNs) 020-120-06 (19.82 acres) and 020-120-03S (20 acres). The Project Vicinity Map is shown in **Attachment 'A'**.

Setting and Surrounding Uses

As referenced in **Table 1**, the Project site is surrounded by agricultural land to the north, east, and west, and a new school facility to the south. The properties to the west are planned for residential uses and properties to the east are planned for commercial uses within the City of Kerman Sphere of Influence. The properties to the north are planned for agricultural uses within the County of Fresno. The Aerial Photograph and Physical Setting of the Project site is shown in **Attachment 'B'.**

Table 1. Existing Land Use, General Plan Designation, and Zone District of Surrounding Properties

Direction from site	Existing Land Use	General Plan Designation	Zone District
North	Agriculture	Urban Reserve (County)	AE-20 – Agriculture Exclusive, 20 acre (County)
East	Agriculture	GC - General Commercial	AE-20 – Agriculture Exclusive, 20 acre, AL-20 – Agriculture Limited, 20 acre (County)
South	KUSD School Site	Schools/Institutional (S/I)	UR – Urban Reserve
West	Agriculture	MDR - Medium Density Residential	AE-20 – Agriculture Exclusive, 20 acre, AL-20 – Agriculture Limited, 20 acre (County)

General Plan Land Use Designation

The Project site has a City of Kerman 2040 General Plan land use designation of MDR – Medium Density Residential (30.19 acres) and GC – General Commercial (9.64 acres). Acreages of land use designations by APN are shown in **Table 2**. The General Plan Land Use Map for the Project site is shown in **Attachment 'C'**.

Table 2. Acreages of Existing Land Use Designations by APN

APN	General Plan Land Use Designation (Acres)	
	MDR – Medium Density Residential	GC – General Commercial
APN 020-120-06	10.19	9.64
APN 020-120-03S	20.00	0
Total	30.19	9.64

Zone District

The Project site is located within the City's Sphere of Influence but since it is outside City limits, the site is zoned by the County. The site is within the County of Fresno's Agricultural Exclusive – 20 Acres (AE-20) and Limited Agricultural – 20 Acres (AL-20) zone district. The Zoning Map for the Project site is shown in **Attachment 'D'.**

ANALYSIS:

Annexation 2023-03

Annexation (ANX) 2023-03 would initiate the annexation process for two (2) parcels identified as APNs 020-120-06 (19.82 acres) and 020-120-3S (20 acres), totaling approximately 40 acres located in the City of Kerman Sphere of Influence, on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue from the County of Fresno to the City Limits of City of Kerman, in addition to adjacent right-of-way, and detach the annexation area from the Kings River Conservation District. The Annexation Boundary is shown in **Attachment 'K'.**

The annexation application will be considered by the Fresno County Local Agency Formation Commission (LAFCO) for approval. Per LAFCO, the annexation is required to comply with LAFCO policies and objectives. Pursuant to the Second Amendment and Restated Memorandum of Understanding (MOU) between the County of Fresno and City of Kerman, the City must issue a notice of intent to annex and request a finding of consistency with the MOU, at least 30 days prior to filing any annexation proposal with the Fresno County LAFCO.

General Plan Amendment 2023-02

General Plan Amendment (GPA) 2023-02 would amend the Kerman 2040 General Plan planned land use designations for the parcel identified as APNs 020-120-06 as shown in **Table 3**. GPA 2023-02 would result in approximately 11.08 acres of MDR – Medium Density Residential and 8.74 acres of MU – Mixed Use land use designations, representing an increase in acreages of the MU land use designation and decrease in acreage of the GC land use designation. No amendment is proposed for the parcel identified as APN 020-120-03S, the parcel would remain MDR as currently exists.

Table 3. Existing and Proposed Land Use Designations for APN 020-120-06

General Plan Land Use Designation	Existing Acreages	Proposed Acreages
MDR – Medium Density Residential	10.19	11.08
GC – General Commercial	9.64	0
MU – Mixed Use	0	8.74

The definition and description of MDR and MU land use designations per the General Plan, and an analysis of the project's consistency with the General Plan are described below.

- **MDR – Medium Density Residential Land Use Designation:** The MDR land use designation "allows for residential development at a density of 5 to 12 units per gross acre. Development in this category could include a mix of single-family and multifamily residences, including duplexes, triplexes, fourplexes, and mobile homes." The MDR land use designation is compatible with the R-1-7, R-1-12, R-2, SD-R-5, SD-R-4.5, SD-R-3.5, PD-R-7, and PD-R-12 zoning districts. Typical uses of this land use designation include single-family detached dwellings, small-lot multifamily dwellings including duplexes, triplexes, fourplexes, and mobile homes, accessory dwelling units, and compatible public and quasi-public uses (e.g., churches, day-care centers, community centers, parks, and schools).

  The project proposes 172 single-family lots, "The Orchards at Gill Estates," on a portion of the site proposed to be planned for MDR. The number of proposed lots equate to a residential density of

6.1 units per acre (172 lots divided by 28.35 acres equals 6.1 dwelling units per acre) and would be within the density requirements for the MDR land use designation (5.0 to 12.0 dwelling units per acre). The project also proposes a rezone, which would pre-zone/rezone the MDR portion of the site to the SD-R-3.5 zone district. The SD-R-3.5 zone district is a zone district that is compatible with the MDR land use designation.

- **MU – Mixed Use Land Use Designation:** The MU land use designation allows for a maximum density of 20 dwelling units per acre and a maximum intensity of 1.0 floor area ratio. The MU land use designation is compatible with the MU zoning district. Typical uses of this land use designation include a combination of single and multifamily dwellings, major retail stores and restaurants, personal service/repair, medical, and office uses, administrative and professional offices, and central gathering places.

  No development is proposed on the portion of the site proposed to be planned for MU. The project proposes a rezone, which would pre-zone/rezone the MU portion of the site to the MU zone district. The MU zone district is a zone district that is compatible with the MU land use designation. Future development would be subject to compliance with the applicable development standards contained in the KMC Section 17.12-2 Development Standards – Commercial, Office, and Mixed-Use Zones and other applicable sections of the Zoning Code. Compliance with these standards would be ensured through the entitlement review process.

Rezone 2023-03

Rezone (REZ) 2023-03 would pre-zone approximately 39.13 acres (APNs 020-120-03S and 020-120-06) to zoning districts consistent with the underlying General Plan land use designations. The pre-zone would include 30.39 acres to the Smart Development Combining District – Residential – minimum 3,500 square feet (SD-R-3.5) and 8.74 acres to the Mixed Use (MU) zoning district, as shown in **Attachment 'H'**. Because the site is outside City limits, proposed development would require annexation and a pre-zone of the site to a zoning district consistent with the City of Kerman 2040 General Plan planned land use designation.

The purpose of each proposed zone district is described by the Kerman Municipal Code (KMC), in addition an analysis of the project, is as follows.

- **Smart Residential Development (SD) Combining Zone District:** The purpose of the Smart Residential Development (SD) combining zone is to promote development designs that respond to significant planning-related issues facing the San Joaquin Valley, including urbanization of agricultural land, air pollution, housing affordability, traffic, aesthetics, and neighborhood deterioration. This new approach to development design has been popularized by the term "smart growth" and its purpose is to achieve the average density goals set forth by each zone.

  The SD combining zone is structured to encourage a comprehensive development that is superior to traditional development of the recent past by increasing walkability and connectivity while achieving the higher net density and preservation of open space goals set forth by the General Plan. To the greatest extent possible, attention shall be given to greater design details and the average density set forth by each individual zone shall be achieved through a mix of residential housing types and sizes. The SD combining zone implements the Low Density Residential (LDR),

Medium Density Residential (MDR), High Density Residential (HDR), Quasi-Public (QP), and Schools (S) land use designations in the General Plan.

The project proposes 172 single-family lots, "The Orchards at Gill Estates," on a portion of the site proposed to be planned for MDR. The number of proposed lots equate to a residential density of 6.1 units per acre (172 lots divided by 28.35 acres equals 6.1 dwelling units per acre) and would be within the density requirements for the MDR land use designation (5.0 to 12.0 dwelling units per acre) and the SD-R-3.5 zone district (maximum of 12.0 dwelling units per acre). Future development would be subject to compliance with applicable development standards contained in KMC Section 17.18.030 Smart Residential Development Combining Zone (SD) Standards and Regulations. Compliance with these standards would be ensured through the entitlement review process. Projects within SD zone districts are subject to a Development Plan Permit.

- **Mixed-Use Zone District:** The purpose of the Mixed-Use Zone (MU) is to provide areas of the City that allow for a combination of residential, office, and essential commercial uses, e.g., pharmacies, laundromats, grocery stores. The MU zone implements the Mixed Use (MU) land use designation in the General Plan.

  The project proposes one (1) mixed use parcel that is approximately 8.74 acres and would meet the minimum parcel size required for the MU zone district (7,000 square feet for newly created parcels). The MU zone district allows a maximum density of 20 dwelling units per acre (du/ac) and a maximum intensity of 1.0 Floor Area Ratio (FAR). Future development would be subject to compliance with the applicable development standards contained in the KMC Section 17.12-2 Development Standards – Commercial, Office, and Mixed-Use Zones and other applicable sections of the Zoning Code. Compliance with these standards would be ensured through the entitlement review process.

<u>Tentative Parcel Map 2024-01</u>

Tentative Parcel Map (TPM) 2024-01 would split the two (2) parcels identified as APNs 020-120-03S and 020-120-06 into two (2) parcels and one (1) remainder, including a 28.35-acre "Parcel 1" that would accommodate TSM 2023-03, a 8.74-acre "Parcel 2" on the east portion of APN 020-120-06 with no development proposed at this time, and a 2.04-acre "Remainder" on the northwest corner of APN 020-120-03S with an existing single-family residence (**Attachment 'I'**).

The project proposes the 8.74-acre "Parcel 2" as Mixed Use (MU) zone district and Mixed Use (MU) land use designation and would meet the minimum parcel size required for the MU zone district (7,000 square feet for newly created parcels). The MU zone district allows a maximum density of 20 dwelling units per acre (du/ac) and a maximum intensity of 1.0 Floor Area Ratio (FAR). Future development would be subject to compliance with the applicable development standards contained in the KMC Section 17.12-2 Development Standards – Commercial, Office, and Mixed-Use Zones and other applicable sections of the Zoning Code. Compliance with these standards would be ensured through the entitlement review process.

<u>Tentative Subdivision Map 2023-03</u>

Tentative Subdivision Map (TSM) 2023-03 would subdivide "Parcel 1" of TPM 2024-01 into 172 single-family lots ranging in size from 3,690 square feet to 8,987 square feet, and five (5) outlots

(**Attachment 'J'**). The lot areas conform to the standards of development as defined by the Zoning Ordinance for the applicable development zone districts. No development is currently proposed.

The project proposes 172 single-family lots, "The Orchards at Gill Estates," which would equate to a residential density of 6.1 units per acre (172 lots divided by 28.35 acres equals 6.1 dwelling units per acre) and would be within the density requirements for the MDR land use designation (5.0 to 12.0 dwelling units per acre) and the SD-R-3.5 zone district (maximum of 12.0 dwelling units per acre). Future development would be subject to compliance with applicable development standards contained in KMC Section 17.18.030 Smart Residential Development Combining Zone (SD) Standards and Regulations. Compliance with these standards would be ensured through the entitlement review process. Projects within SD zone districts are subject to a Development Plan Review Permit.

Public utility easements and pedestrian easements are proposed as required throughout the subdivision. Nine (9) foot landscape outlots (Outlot A and Outlot B) are proposed along the southern boundary of the subdivision. A park is proposed at the center of the subdivision (Outlot C). Outlot D is proposed on the northwest corner of the site as a stormwater basin. Outlot E is proposed at the southeast corner of the site for public utility and pedestrian access purposes.

Land Use Plans and Policies

The 2040 General Plan includes policy recommendations related to the various physical development aspects of the community. The policies are supported by a set of goals and objectives. The City Council shall refer to the General Plan's policies, goals, and objectives when deciding on this request. Through the Project and development review process and in collaboration with other City departments and outside agencies, the Project has been designed to comply with the City's General Plan goals, policies, and objectives. As proposed, the Project will be consistent with the Kerman 2040 General Plan goals and objectives related to land use and the urban form. Below are excerpts from the General Plan that are germane to this Project, with discussion of the Project's consistency.

General Plan Policy LU-1.4. Limit Residential Development Along Highways: *The City shall limit residential development from fronting State Highway 145 and State Highway 180 to ensure public safety. Residential development along these facilities shall be designed and buffered to reduce noise and air pollutant impacts to the maximum extent reasonably feasible and consistent with CEQA review.* The project as proposed is consistent with General Plan Policy LU-1.4. The project site is located on the west side of North Madera Avenue (State Route 145). The project site is currently planned for MDR and GC land use designations. The portions of the site planned for GC land uses are concentrated along North Madera Avenue.

Although the project proposes a General Plan Amendment to amend the planned land use designations for APN 020-120-06, the MU planned portion of the site would be concentrated along North Madera Avenue, replacing the current GC planned portion. Future residential development of the portions of the site planned for residential use would be subject to compliance with the applicable development standards for the underlying zone district, including setbacks, landscaping, fences, walls, and hedges, etc. which help to ensure adequate buffers between uses to ensure public safety.

In addition, environmental impacts of the project, including the General Plan Amendment and Rezone, have been analyzed in accordance with the California Environmental Quality Act (CEQA). An Initial Study (IS) and Mitigated Negative Declaration (MND) was prepared to evaluate the potential impacts associated with the project. Based upon review of the IS/MND, air pollutant impacts were found to be less than significant; however, noise-related impacts were found to be potentially significant for transportation noise sources and potential stationary and construction noise sources. Mitigation measures are established to reduce noise levels below levels of significance. Future residential and commercial development would be subject to compliance with these mitigation measures.

Overall, through compliance with the applicable development standards and with the noise-related mitigation measures, the project as proposed would be designed and buffered to reduce impacts to the maximum extent reasonably feasible and consistent with CEQA review and therefore would be consistent with General Plan Policy LU-1.4.

General Plan Policy LU-1.6. Agricultural Buffers: *The City shall require non-agricultural land uses adjacent to active agricultural uses to incorporate adequate buffers (e.g., setbacks, fences) to protect public health and limit conflicts with adjoining agricultural operations and pesticide applications.* The project site is adjoined by agricultural land use to the north, east and west. Potential conflicts between urban and agricultural uses were analyzed in the Initial Study prepared for the project in accordance with CEQA. In order to reduce potential conflicts between uses, the Initial Study requires implementation of the following measures: 1) potential residents shall be notified about possible exposure to agricultural chemicals at the time of purchase/lease of property within the development, 2) a right-to-farm covenant shall be recorded on each residential tract map or be made a condition of each tract map to protect continued agricultural practices in the area, and 3) potential residents shall be informed of the right-to-farm covenant at the time of purchase/lease of property within the development. Future residential development would also be subject to compliance with the applicable development standards for the underlying zone district, including setbacks, landscaping, fences, walls, and hedges, etc. which help to ensure adequate buffers to protect public health and limit conflicts. Overall, through compliance with the mitigation measures and applicable development standards, the project as proposed would incorporate adequate buffers to protect public health and limit conflicts with adjoining agricultural operations and pesticide applications, and therefore would be consistent with General Plan Policy LU-1.6.

General Plan Policy LU-3.2 Urban Form: *To maintain the City's compact form, the City shall maintain growth management controls by managing changes to the City's Sphere of Influence and incorporated City limits. Future changes to the City's Sphere of Influence will be managed by two growth lines, shown on [General Plan] Figure 3-2.)*

- *The City may consider requests to amend the current Sphere of Influence and City limits into Area 1 (shown on Figure 3-2) based on the ability of the City to provide services to the area.*
- *The City may consider requests to amend the current Sphere of Influence and City limits into Area 2 (shown on Figure 3-2) if Area 1 has reached the 80 percent infill criteria (for residentially designated lands). The City Council may, at that time, consider allowing development beyond the Area 1 Growth Boundary Line.*
- *For any change in Sphere of Influence or City limits, the following considerations will be used:*

- *80 percent of Area 1's residentially designated land has been developed or has approved development plans.*
- *Residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing.*
- *Community needs such as open space, recreational facilities, parks, schools, etc.*
- *Obstacles to growth such as cost of infrastructure, Williamson Act properties, etc.*
- *Economic development needs.*

The project site is outside City limits but is within the City's Sphere of Influence. The project requires annexation and therefore would result in a change in City limits. The project as proposed would meet the considerations of General Plan Policy LU-3.2 Urban Form. Specifically, the project would facilitate future residential units which would help meet the city's residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing. The project would also facilitate open space (Outlot C) meeting community needs. The project would not result in obstacles to growth because future development would be able to connect to City services. The project would result in infrastructure improvements, including roadway and circulation improvements. Lastly, the project would facilitate future commercial uses which would serve the city's economic development needs. Based on these considerations, the project as proposed maintains growth management controls and is consistent with General Plan Policy LU-3.2.

General Plan Policy LU-3.3 Prevent Sprawl Development: *The City shall direct new development to areas that are contiguous to existing or approved development and prevent sprawl development.* The project site is contiguous to existing and approved development within City Limits. Thus, the project does not encourage sprawl and is therefore consistent with General Plan Policy LU-3-3.

General Plan Policy LU-3.4 Leapfrog Development: *The City shall require the Planning Commission and City Council to make a finding before approving new subdivisions that are more than 1/8 mile from existing urban development.* The project site is contiguous to existing urban development and thus would not constitute leapfrog development.

General Plan Policy LU-4.5. Right-to-Farm Disclosure: *The City shall require that property owners and applicants within 1,000 feet of agricultural land or agricultural operations sign and record a deed of notification to document that they were informed of the potential agricultural operations and agricultural conditions in the area.* The project is within 1,000 feet of agricultural land and operations. A right-to-farm disclosure is required for the project through the Conditions of Approval. All future property owners and applicants are required to sign and record a deed of and notification to document that they were informed of the potential agricultural operations and agricultural conditions in the area. In addition, the Initial Study requires implementation of the following measures: 1) potential residents shall be notified about possible exposure to agricultural chemicals at the time of purchase/lease of property within the development, 2) a right-to-farm covenant shall be recorded on each residential tract map or be made a condition of each tract map to protect continued agricultural practices in the area, and 3) potential residents shall be informed of the right-to-farm covenant at the time of purchase/lease of property within the development. Therefore, the project is consistent with General Plan Policy LU-4.5.

General Plan Policy LU-5.4 New Incompatible Land Uses: *The City shall prohibit the introduction of new incompatible land uses and environmental hazards into existing residential areas.* The project site is currently planned for residential and commercial uses. The property to the west of the site is planned for residential use and the property to the east is planned for commercial and residential use within the City of Kerman Sphere of Influence. The property to the north is within the County of Fresno, currently used for agricultural purposes, and has a designation of Urban Reserve in the City's 2040 General Plan. The property to the south is used for an elementary school. Although the project proposes a General Plan Amendment and Rezone, the proposed land use designations and zone districts would still facilitate the development of residential and commercial uses. Therefore, the project would not introduce new incompatible land uses and environmental hazards into existing residential areas. The project is consistent with General Plan Policy LU-5.4.

Access, Circulation, and Off-Site Improvements

Vehicular access to the site would be provided by one (1) point of ingress/egress to West Nielsen Avenue and one (1) point of ingress/egress to the south at the extension of North First Street, which also connects to a roadway that is being built along the southern boundary of the site. This new roadway along the southern boundary will provide access to Madera Avenue. The Project would also provide three (3) stub streets connections to future development of the surrounding area, including two (2) points of ingress/egress to the west (i.e., APNs 020-120-17S and 020-120-28S) and one (1) point of ingress/egress to the north (i.e., APN 020-120-11). Internal circulation within the site would be provided by public streets and pedestrian walkways.

The Project would include right-of-way dedications and off-site improvements along Nielsen Avenue, including, but not limited to, curb and gutter, sidewalks, ADA curb ramps, streetlights, landscaped median islands, irrigation, and permanent paving. Along the development frontage, the Project will dedicate sufficient right-of-way to achieve a half-width of 42 feet south of the center of Nielsen Avenue, in accordance with City Standard P-1. On the north side of Nielsen Avenue, opposite the project frontage, a half-width landscaped median island and a 12-foot westbound travel lane will be constructed. Along the frontage of the Remainer Parcel (TPM 2024-01), the Project will dedicate sufficient right-of-way to achieve a half-width varying between 24 to 30 feet south of centerline. On the north side of Nielsen Avenue, a 12' travel lane and 4' paved shoulder will be constructed. The Project will also re-construct Nielsen from the east end of development to State Route 145, to provide a 12' travel lane and 4' paved shoulders in each direction.

Street Transitions: Transitional paving will be constructed at the eastern and western ends of the project frontage to tie into existing roadway conditions and ensure smooth, safe travel. Additionally, Nielsen Avenue will be reconstructed from the eastern edge of the subdivision to State Route 145 to provide a consistent section with one 12-foot travel lane and 4-foot paved shoulder in each direction, per City requirements.

A traffic impact study was prepared for the project by JLB Traffic Engineering, Inc., dated May 21, 2025. The study evaluated projected trip generation based upon the trip generation rates and potential impacts associated with development occurring on the subject property in accordance with the proposed project. The project trip generation was determined using trip generation rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition) for daily, weekday AM (7:00-9:00am), and PM (4:00-6:00pm) peak hours. The single-family units and multi-

family units are anticipated to generate approximately 1,688 and 1,011 average daily trips, respectively. The general commercial development is anticipated to generate approximately 735 average trips. The project is estimated to generate a total of 3,434 daily trips. The weekday AM peak hour trips generated for the single-family units is estimated to be 125 trips, 60 trips for multi-family units, and 32 trips for general commercial, for a total of 217 AM peak hour trips on a weekday. The weekday PM peak hour trips generated for the single-family units is estimated to be 168 trips, 77 trips for multi-family units, and 89 trips for general commercial, for a total of 334 PM peak hour trips on a weekday.

The analysis contained in the traffic impact study indicates that roadway improvements are necessary to support the implementation of the project as well as to accommodate other traffic increases expected in the study area in 2046 scenarios. Future improvements identified in the study include three (3) intersections: State Route 145/Harvest Elementary Road, Siskiyou Avenue/State Route 180, and Del Norte Avenue/State Route 180. The traffic impact study recommended that the project contribute its equitable fair share, as established in the study, for those future improvements which are not covered by an existing impact fee program or grant funds.

Public Utilities and Service Systems (TSM 2023-03)

The project will tie into existing municipal water, sewer, and storm drain systems through the extension of existing systems. Sanitary sewer service would be provided through connection to the existing trunk sewer main in First Street at the east-west street along the southern boundary of the site. Domestic water service would also be provided through a connection point at the same location. A drainage basin is proposed on-site in Outlot D of the subdivision on a portion of the parcel identified as APN 020-120-03S. The basin was adequately sized to accommodate stormwater runoff from the site. Associated electric, natural gas, telecommunications, and solid waste services are provided by private companies and will serve the project site as needed.

Other Department Comments

The project proposal was reviewed by various other City Departments and affected outside agencies. The responses and recommendations have been incorporated into the recommended conditions of approval included in this report. Comments are standard and can be found in **Attachment 'E'**.

Conclusion

The proposed project is consistent with the Kerman General Plan and Zoning Ordinance as well as the Subdivision Map Act. Additionally, as conditioned, there is no evidence that suggests approval of the proposed project will be detrimental to the public, health, safety, and welfare of those residing or working nearby. To ensure the continued compatibility of the site with surrounding uses, conditions of approval have been incorporated.

ENVIRONMENTAL REVIEW:

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, the City, as the Lead Agency, has analyzed the proposed project and has prepared an Initial Study (ISMND) to evaluate the environmental effects of the project. The key components of the requested actions are as follows.

Initial Study and Mitigated Negative Declaration

An Initial Study (IS) is a preliminary analysis prepared under CEQA to determine whether a project has a significant impact on the environment. If the IS identifies potentially significant impacts but finds that these impacts can be clearly mitigated to a less-than-significant level, a Mitigated Negative Declaration (MND) is prepared. The MND includes the Initial Study, a description of the proposed mitigation measures, and a determination that the project, as revised, will not result in significant environmental effects. The Final IS/MND consists of the Administrative Draft IS/MND plus any public comments received to revise the IS/MND or mitigation measures in response.

Mitigation Monitoring and Reporting Program

The Mitigation Monitoring and Reporting Program (MMRP) is a document that contains a table with the required mitigation measures, the responsible party or parties for implementing the measure, and the timing of implementation. The MMRP is contained in **Attachment 'G'**.

IS/MND Process/Public Input and Noticing

The City, as the Lead Agency under CEQA, determined that an IS/MND was required for the proposed project. The firm, Precision Civil Engineering, was contracted by the City to prepare the IS/MND. The ISMND was assigned State Clearinghouse No. 2025060904. The preparation of the IS/MND followed the process prescribed by CEQA as described below.

Notice of Intent

Upon the City's determination that an IS/MND was required for this project, a Notice of Intent (NOI) was made available to the public and responsible trustee agencies to solicit input on the issues of concern that should be addressed in the IS/MND. The NOI was issued on June 18, 2025, for a 20-day public review period. No comment letters were received.

Draft IS/MND

The Draft IS/MND was circulated for a 20-day review period from June 18, 2025 to July 9, 2025. The Draft IS/MND was circulated through the State Clearinghouse (SCH No. 2025060904), posted on the City's website, and available at City Hall. As of the date of this staff report, no comments were received.

Final IS/MND

The Final IS/MND consists of the revised Draft IS/MND in which the City addressed all comments and possible propose changes to the Draft IS/MND, if needed.

Notice of Completion

Upon completion of the public review period for the NOI, a Notice of Completion (NOC) was filed with the State Clearinghouse to indicate that the review period for the Draft IS/MND had concluded.

Tribal Consultation

The City of Kerman conducted formal tribal consultation for the proposed Project pursuant to AB 52 and SB 18 on March 8, 2024, utilizing the consultation list of tribes received from the Native American Heritage Commission. The following tribes included the North Fork Rancheria of Mono Indians, Northern Valley Yokut/Ohlone Tribe, Picayune Rancheria of the Chuckchansi Indians, Santa Rosa

Rancheria Tachi Yokut Tribe, Table Mountain Rancheria, Tule River Indian Tribe, and Wukssachi Indian Tribe/Eshom Valley Band. These tribes were included in the formal consultation. Consultation for AB 52 ended on April 19, 2024, and consultation for SB 18 ended on June 6, 2024. Santa Rosa Rancheria Tachi Yokut Tribe and Table Mountain Rancheria responded, declining participation in tribal consultation. The NAHC also conducted a Sacred Lands File (SFL) search which was negative.

PUBLIC HEARING NOTICE:
In accordance with KMC Chapter 17.116, Public Notices and Hearings, public hearing notices were mailed to property owners and residents within 500 feet of the site and published in the Fresno Bee at least 10 days before the hearing.

PLANNING COMMISSION REVIEW:
The Planning Commission held a public hearing to consider the project at a special meeting on September 22, 2025. At the Planning Commission, questions were asked regarding the infrastructure required of the project and there was a discussion of the projects compliance with the Subdivision Map Act. All items were clarified at the hearing. One member of the public spoke, but was not in opposition. He made a request to include his land in the annexation. Given that this project is far along on the process, it would be difficult to include this adjacent property in the current annexation application for the subject project.

On a 5-0 vote, the Planning Commission adopted Resolution No. 2025-05(GPA 2023-02 and SCH No. 2025060904), Resolution No. 2025-06 (REZ 2023-03), Resolution No. 2025-07 (TPM 2024-01), Resolution No. 2025-08 (TSM 2023-03) and Resolution No. 2025-09 (ANX 2023-03), recommending that the City Council approve GPA 2023-02, REZ 2023-03, TPM 2024-01, and TSM 2023-03, initiate ANX 2023-03, and certify the IS/MND. The Planning Commission Resolutions are provided in **Attachment 'F'.**

CITY COUNCIL FINDINGS:
<u>General Plan Amendment 2023-02</u>
To approve the proposed General Plan Amendment 2023-02, the City Council must make the following findings pursuant to KMC Chapter 17.112 Amendments and Rezones.

1. The change is consistent with the General Plan goals and policies.

2. The change is consistent with the purpose of the Zoning Ordinance to preserve and promote the public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner.

3. There will not be significant effects upon the quality of the environment and natural resources.

Findings regarding each of these items are set forth in the proposed Resolution (**Attachment 'G'**).

<u>Rezone 2023-03</u>
To approve the proposed Rezone 2023-03, the City Council must make the following findings pursuant to KMC 17.112. Amendments and Rezones.

1. The change is consistent with the General Plan.

2. The change is consistent with the purpose of the Zoning Ordinance to promote the health, safety, and welfare of the community.

3. There will not be significant effects upon the quality of the environment and natural resources.

Findings regarding each of these items are set forth in the proposed Resolution (**Attachment 'H'**).

Tentative Parcel Map 2024-01

To approve the proposed Tentative Parcel Map 2024-01, the City Council must determine that the proposed map is consistent with the General Plan, Zoning Ordinance, and the Subdivision Map Act subject to the following consistency findings:

1. The proposed map is consistent with the applicable General Plan, Subdivision Ordinance, Specific Plan, and the Subdivision Map Act.

2. The design or improvement of the proposed land division is consistent with applicable general plan and specific plans.

3. That the site is physically suitable for the proposed type of development.

4. That the site is physically suitable for the proposed density of development.

5. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat.

6. The design of the land division and type of improvements being required are not likely to cause serious public health problems.

7. The design of the parcels or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

8. That the proposed design provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision pursuant to Government Code Section 66473.1.

Findings regarding each of these items are set forth in the proposed Resolution (**Attachment 'I'**).

Tentative Subdivision Map 2023-03

To approve the proposed Tentative Subdivision Map 2023-03, the City Council must determine that the proposed map is consistent with the General Plan, Zoning Ordinance, and the Subdivision Map Act subject to the following consistency findings:

1. The proposed map is consistent with the applicable General Plan, Subdivision Ordinance, Specific Plan, and the Subdivision Map Act.

2. The design or improvement of the proposed land division is consistent with applicable general plan and specific plans.

3. That the site is physically suitable for the proposed type of development.

4. That the site is physically suitable for the proposed density of development.

5. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat.

6. The design of the subdivision and type of improvements being required are not likely to cause serious public health problems.

7. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

8. That the proposed design provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision pursuant to Government Code Section 66473.1.

Findings regarding each of these items are set forth in the proposed Resolution (**Attachment 'J'**).

Annexation 2023-03

To approve the proposed Annexation 2023-03, the City Council must make the following findings pursuant to the City/County Second Amended and Restated MOU standards for annexation:

1. The proposed annexation is within the City's adopted Sphere of Influence.

2. The proposal must be consistent with city general and specific plans, including adopted goals and policies.

3. Pursuant to CEQA, the proposal must mitigate any significant adverse effect on continuing agricultural operations on adjacent properties, to the extent reasonable and consistent with the applicable general and specific plan.

4. At least 25% of the area proposed for annexation has an approved tentative subdivision map(s) (single-family residential) and an approved site plan (for uses besides single-family).

5. The annexation is to fulfill the city's Regional Housing Needs Allocation (RHNA) obligation which otherwise cannot be accommodated on lands currently within the city's incorporated boundary.

6. The proposal would not create islands. Boundaries must ultimately minimize creation of peninsulas and corridors, or other distortion of boundaries.

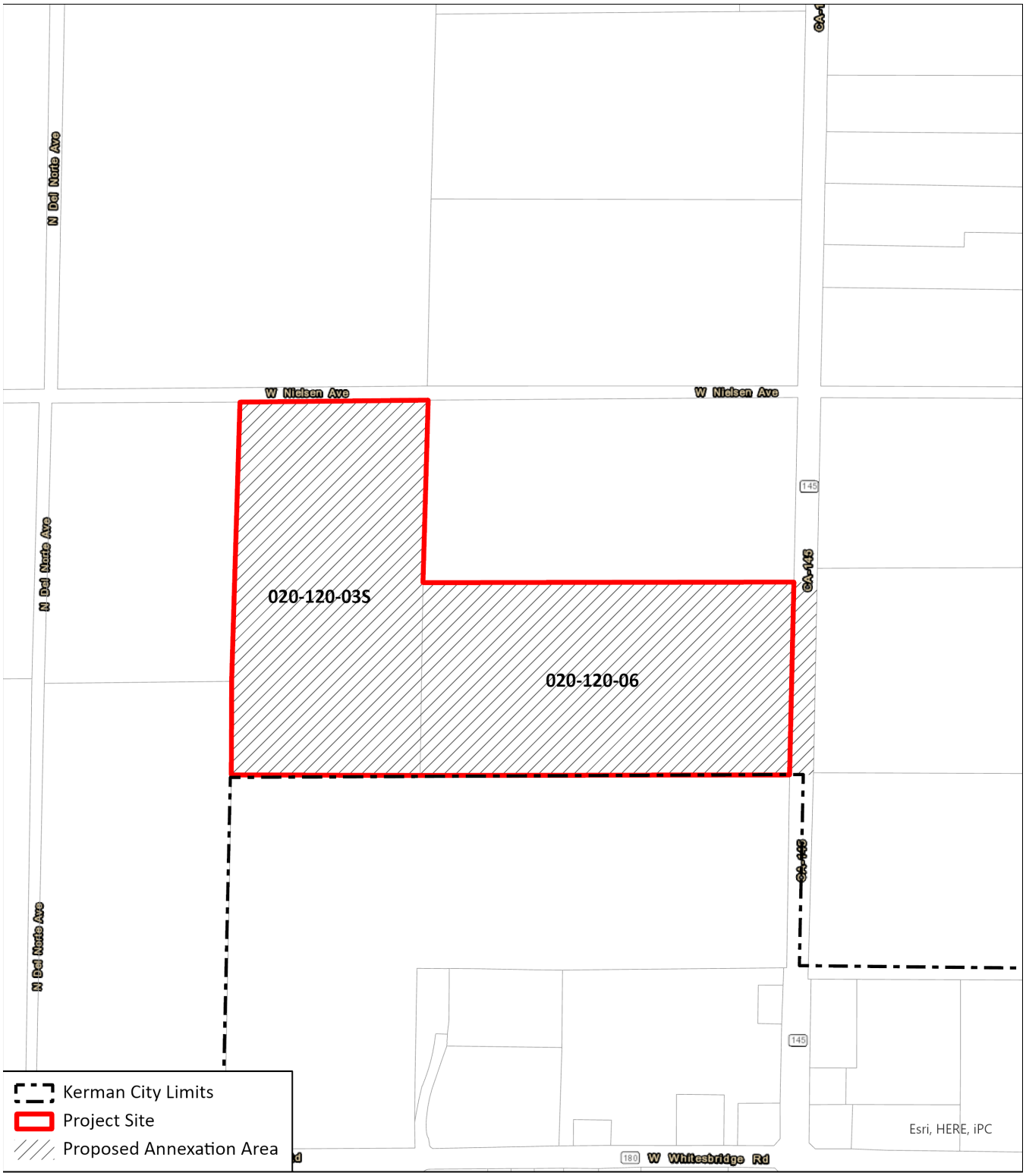
Findings regarding each of these items are set forth in the proposed resolution (**Attachment 'K'**).

ATTACHMENTS:

A. Attachment 'A' – Project Vicinity Map
B. Attachment 'B' – Aerial Map of the Project Site
C. Attachment 'C' – General Plan Land Use Designation Map (Existing) for Project Site
D. Attachment 'D' – Zoning District Map (Existing) for Project site
E. Attachment 'E' – Other Agency/Department Comments
F. Attachment 'F' – Planning Commission Resolutions
    1. Resolution No. 2025-05 regarding General Plan Amendment 2023-02 and Mitigated Negative Declaration (SCH No. 2025060904)
    2. Resolution No. 2025-06 regarding Rezone 2023-03
    3. Resolution No. 2025-07 regarding Tentative Parcel Map 2024-01
    4. Resolution No. 2025-08 regarding Tentative Subdivision Map 2023-03
    5. Resolution No. 2025-09 regarding Annexation 2023-03
G. Attachment 'G' – Resolution regarding General Plan Amendment 2023-02 and Mitigated Negative Declaration (SCH No. 2025060904)
    1. Exhibit '1' – General Plan Amendment 2023-02
    2. Exhibit '2' – Initial Study and Mitigated Negative Declaration
    3. Exhibit '3' – Mitigation Monitoring and Reporting Program
H. Attachment 'H' – Rezone 2023-03
    1. Exhibit '1' – Rezone 2023-03
I. Attachment 'I' – Resolution regarding Tentative Parcel Map 2024-01
    1. Exhibit '1' - Tentative Parcel Map 2024-01
    2. Exhibit '2' – Conditions of Approval for Tentative Parcel Map 2024-01
J. Attachment 'J' – Resolution regarding Tentative Subdivision Map 2023-03
    1. Exhibit '1' – Tentative Subdivision Map 2023-03
    2. Exhibit '2' – Conditions of Approval for Tentative Subdivision Map 2023-03
K. Attachment 'K' – Resolution regarding Annexation 2023-03
    1. Exhibit '1' – Annexation 2023-03

ATTACHMENT 'A'

Project Vicinity Map

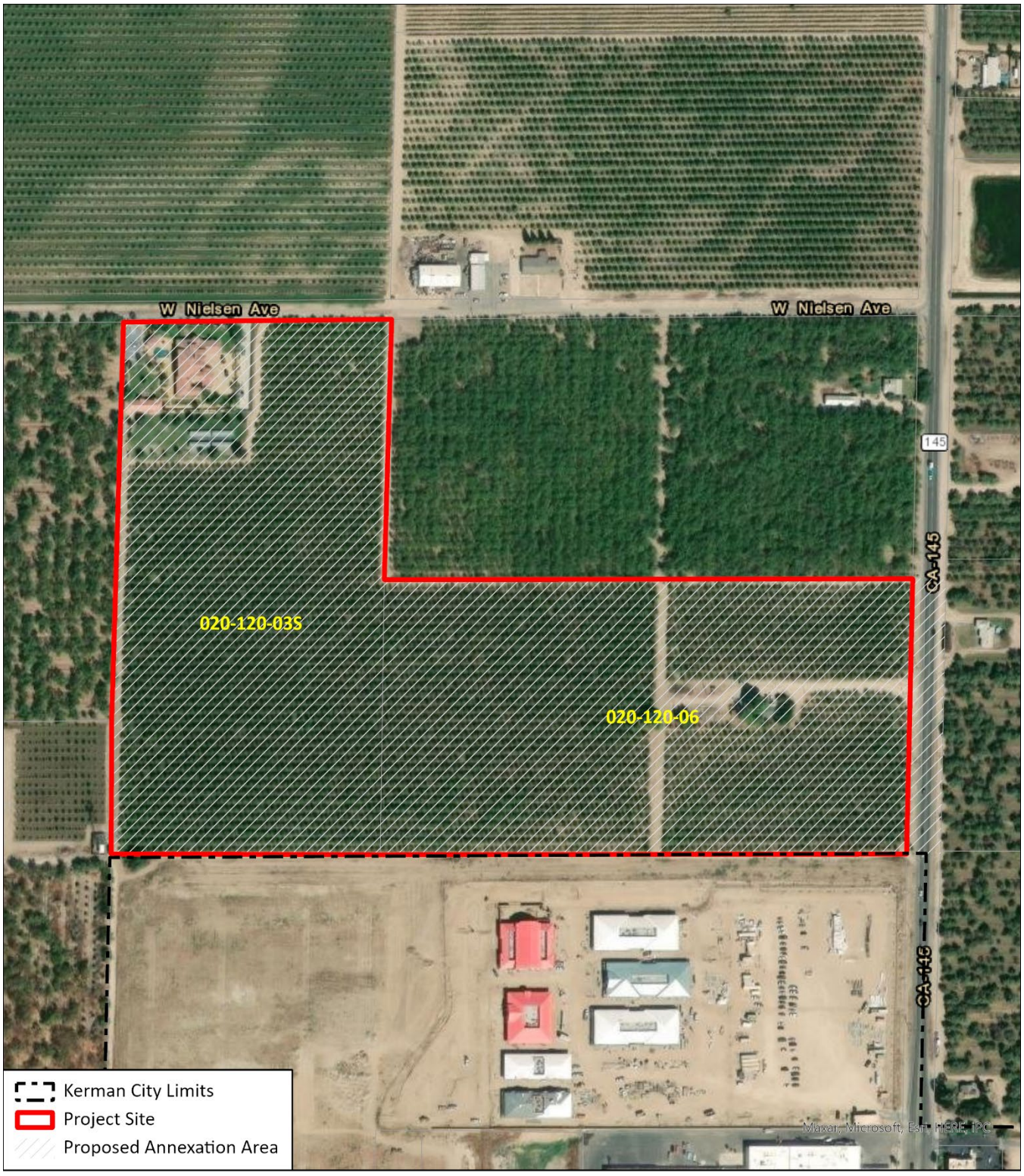


Map Created 8/5/2025

CITY OF KERMAN - GILL ORCHARDS ESTATES

ATTACHMENT 'B'

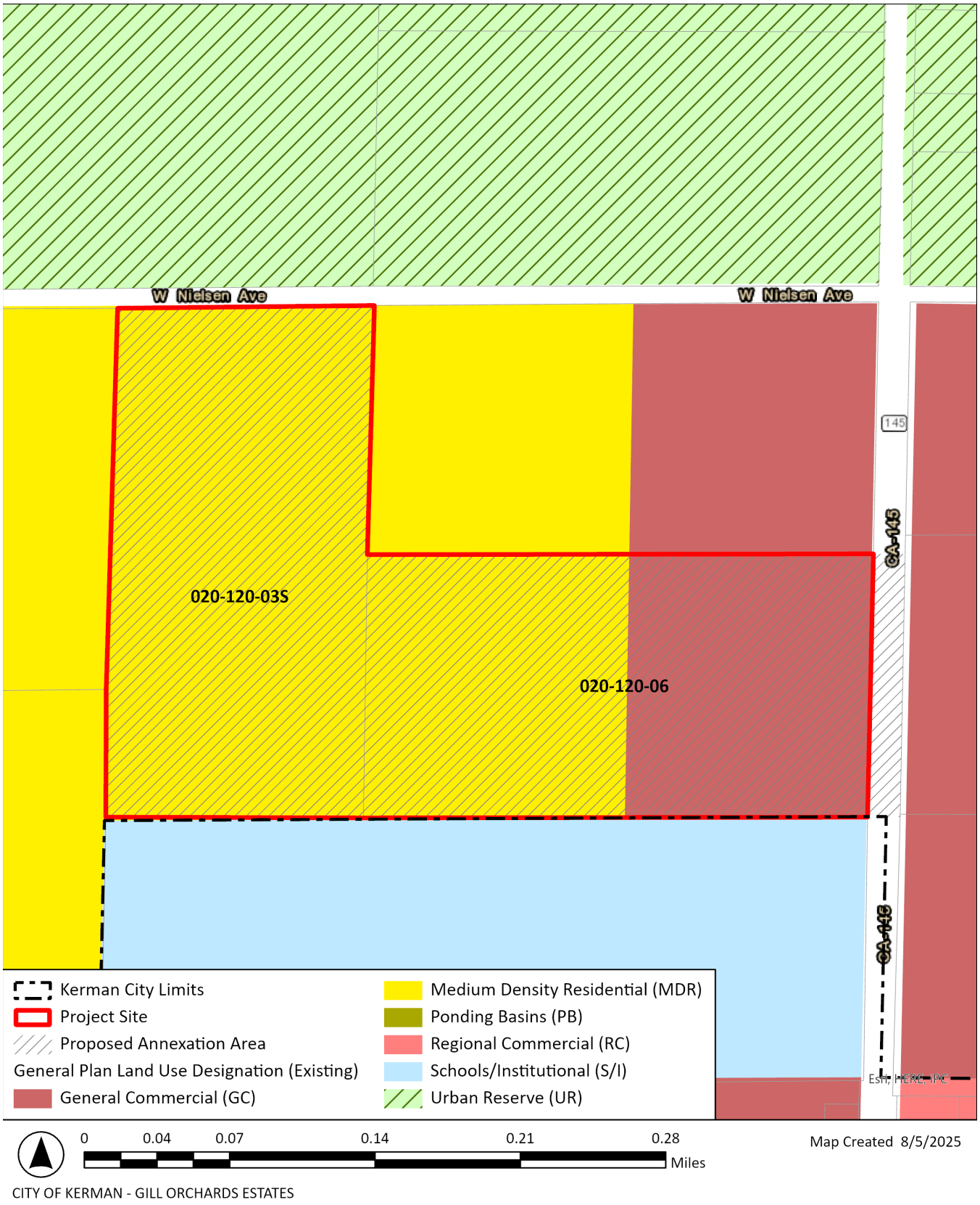
Aerial Map of the Project Site



CITY OF KERMAN - GILL ORCHARDS ESTATES

ATTACHMENT 'C'

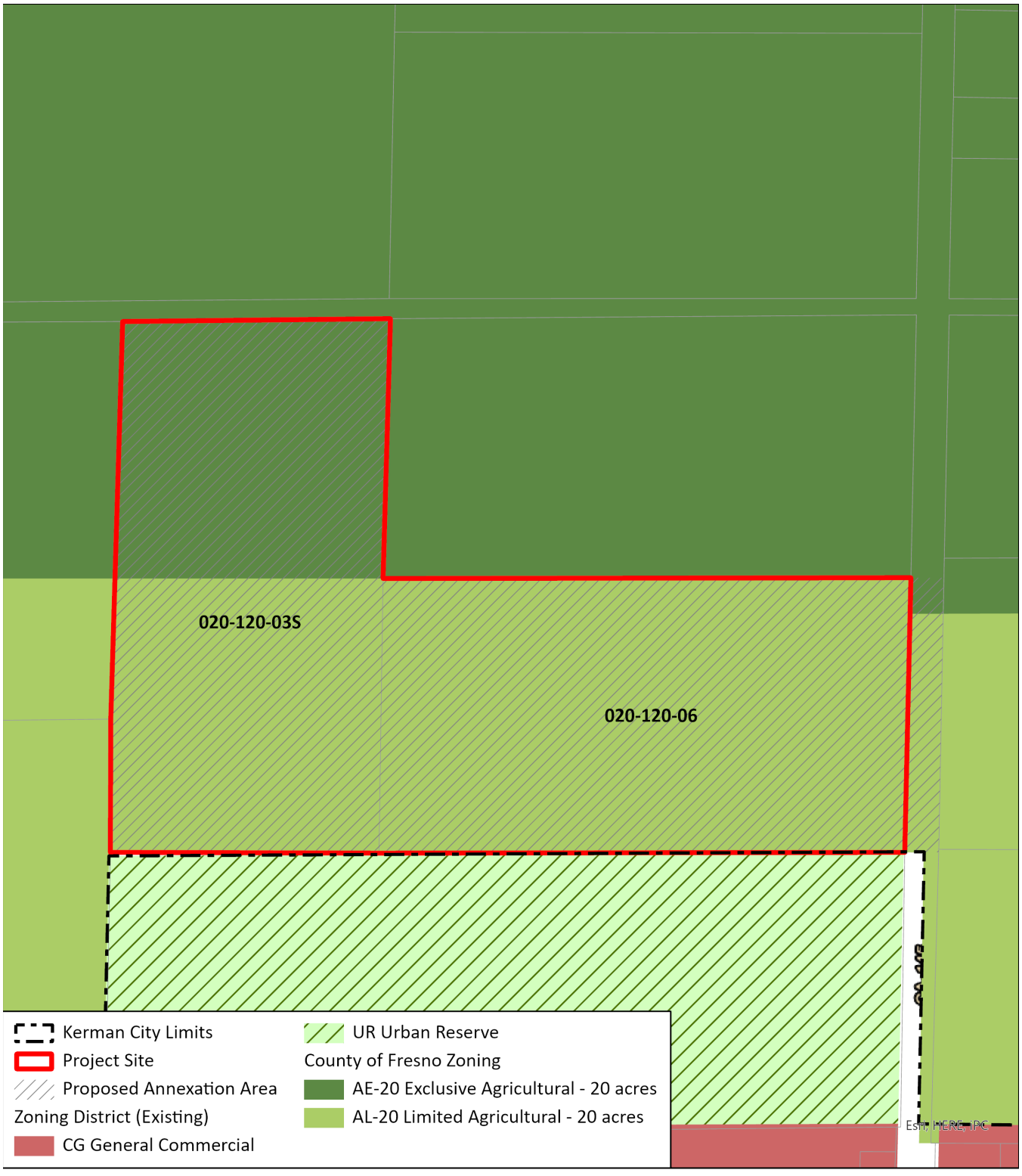
General Plan Land Use Designation Map (Existing) for Project Site



CITY OF KERMAN - GILL ORCHARDS ESTATES

ATTACHMENT 'D'

Zoning District Map (Existing) for Project site



CITY OF KERMAN - GILL ORCHARDS ESTATES

ATTACHMENT 'E'

Other Agency/Department Comments

California Department of Transportation
DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 981-7284 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov

March 6, 2024

FRE-180-42.292
Gill Orchard Estates Project
GTS #: https://ld-igr-gts.dot.ca.gov/district/6/report/32046

SENT VIA EMAIL

Mr. Manuel Campos, Assistant Planner
City of Kerman
850 S. Madera Avenue
Kerman, CA 93630
mcampos@cityofkerman.org

Dear Mr. Campos:

Caltrans has completed the review of the application which proposes Tentative Subdivision Map to construct 179 single-family lots (6.43 dwelling units per acre) on 27.85 acres of the site that range in size from 3,690 square feet (sq. ft.) to 6,729 sq. ft., in addition to four (4) out lots.

The project site is located on the southwest corner section of State Route (SR) 145 (North Madera Avenue) and West Nielsen Avenue, in Kerman, CA 93630.

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) process reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. Access to the site is proposed via Nielsen Avenue. Driveway access for this development via SR 145 (Madera Avenue) shall not be permitted. **It is recommended that a second point of access to the subdivision be taken from Del Norte Avenue.**

2. **A transportation Impact report (TIS), prepared by a traffic consultant is**

recommended and should include a safety analysis as described by the Caltrans Local Development Review (LDR) Safety Review Practitioners Guidance. A VMT analysis should also be included in the TIS per the Vehicle Miles Traveled-Focused, Transportation Impact Study Guide, dated May 20, 2020. The TIS scope should be submitted for review to Caltrans prior to the commencement of the study. If a local agency does not require a TIS, a safety analysis would need to be completed independently, at minimum a trip generation and trip distribution should be provided to identify intersections to be analyzed.

3. Alternative transportation policies should be applied to the development. An assessment of multi-modal facilities should be conducted to develop an integrated multi-modal transportation system to serve and help alleviate traffic congestion caused by the project and related development in this area of the City. The assessment should include the following:

    a. Pedestrian walkways should link this Project to transit facilities, bicycle pathways and other walkways in the surrounding area.

    b. Coordinating connections to local and regional bicycle pathways should be done to encourage further the use of bicycles for commuter and recreational purposes.

    c. Transit service and bus stop accommodations should be extended to within ¼-mile of the Project site.

4. Caltrans **recommends** that the Project implement "smart growth" principles regarding parking solutions, providing alternative transportation choices to residents. Alternative transportation choices may include but are not limited to parking for carpools/vanpools, car-share and/or ride-share programs.

5. Based on Caltrans Vehicle Miles Traveled (VMT)-Focused Transportation Impact Study Guide, dated May 20, 2020, and effective as of July 1, 2020, Caltrans seeks to reduce single occupancy vehicle trips, provide a safe transportation system, reduce per capita VMT, increase accessibility to destinations via cycling, walking, carpooling, transit and reduce greenhouse gas (GHG) emissions. Caltrans recommends that the project proponent continue to work with the City to implement further improvements to reduce VMT and offer a variety of transportation modes for its employees.

If you have any other questions, please call or email: Keyomi Jones, Transportation Planner at (559) 981-7284 or keyomi.jones@dot.ca.gov.

Sincerely,



Mr. Dave Padilla, Branch Chief,
Transportation Planning – North

California Department of Transportation
DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE |P.O. BOX 12616 |FRESNO, CA 93778-2616
(559) 981-7284 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov

March 27, 2025

FRE-180-42.292
Gill Orchard Estates Project
GTS #: https://ld-igr-gts.dot.ca.gov/district/6/report/32046

SENT VIA EMAIL

Mr. Manuel Campos, Assistant Planner
City of Kerman
850 S. Madera Avenue
Kerman, CA 93630
mcampos@cityofkerman.org

Dear Mr. Campos:

Caltrans has completed the review of the application which proposes Tentative Subdivision Map to construct 179 single-family lots (6.43 dwelling units per acre) on 27.85 acres of the site that range in size from 3,690 square feet (sq. ft.) to 6,729 sq. ft., in addition to four (4) out lots.

The project site is located on the southwest corner section of State Route (SR) 145 (North Madera Avenue) and West Nielsen Avenue, in Kerman, CA 93630.

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) process reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. The SR 145 / Harvest Elementary Road, Near Term plus Project intersection improvement to "Restripe the southbound right-turn lane to a southbound through-right lane along the Project's frontage," proposed by the TIA, is not recommended.

Given the high speeds along SR 145, the future presence of school children and other pedestrians, and the satisfaction of the peak hour signal warrant, improved intersection traffic control is recommended. The Intersection Safety and Operational Assessment Process (ISOAP) is required to evaluate proposed traffic control and design geometrics for intersections and other access improvements proposed on the State Highway System.

ISOAP refers to a data-driven, performance-based framework incorporating the Safe System Approach to screen intersection strategies and identify optimal solutions for new or improved intersections that considers all users.

2. Frontage improvements (lane configuration, shoulder, curb, gutter, sidewalk, roadway lighting, etc.) along this portion of State Route 145 should match the roadway proposed configuration directly to the south, to be completed by Caltrans oversight project 06-1E060 (Contact Caltrans Project Manager, Ilda Thanes, 559.944.7894).

3. The Caltrans Madera Avenue Capital Preventative Maintenance (CAPM) project includes this portion of State Route 145. Coordination with this project may be needed (Contact C0altrans Project Manager, Ronnie Kier 559.341.6971).

If you have any other questions, please call or email: Keyomi Jones, Transportation Planner at (559) 981-7284 or keyomi.jones@dot.ca.gov.

Sincerely,

Mr. Dave Padilla, Branch Chief,
Local Development Review Branch

CC: Matt Arndt, marndt@jlbtraffic.com

2907 S. Maple Avenue
Fresno, California 93725-2208
Telephone: (559) 233-7161
Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

March 22, 2024

Jesus Orozco
City of Kerman
Planning & Development Department
850 S. Madera Avenue
Kerman, CA 93630

RE: Tentative Subdivision Map Application No. TSM 2023-03
S/W Nielsen and Madera avenues

Dear Mr. Orozco:

The Fresno Irrigation District (FID) has reviewed the proposed Development Application for Gill Orchards Project located southwest of Nielsen and Madera avenues proposing to develop 40-acres into Commercial and Medium-Density Residential, APNs: 020-120-03S and 020-120-06. This is being reviewed concurrently with Annexation Application No. ANX 2023-03, General Plan Amendment GPA 2023-02, Pre-zone Application No. REZ 2023-03, and CEQA Application No. ENV 2023-04. FID has the following comments:

1. FID does not own, operate or maintain any facilities located on the subject property, as shown on the attached FID exhibit map.

2. The City of Kerman has a Surface Water supply agreement with FID, entered into on June 7, 2022. The proposed area is within the sphere of influence at the time of execution of the agreement and is included in the area allocated the water supply.

3. For informational purposes, Houghton West No. 94 runs westerly along the north side of Nielsen Avenue, crosses Madera Avenue(SR145) 1,300 feet northeast of the subject property, crosses Del Norte Avenue approximately 600 feet northwest of the subject property, and crosses Siskiyou Avenue approximately 1,900 feet northwest of the subject property as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Nielsen Avenue, Madera Avenue (SR145), Del Norte Avenue, Siskiyou Avenue, or in the vicinity of this canal, FID requires it review and approve all plans.

BOARD OF DIRECTORS President RYAN JACOBSEN Vice-President JERRY PRIETO, JR. CHRISTOPHER WOOL
GEORGE PORTER GREGORY BEBERIAN General Manager BILL STRETCH

4. For informational purposes, FID's Siskiyou Lateral No. 146 runs southwesterly, crosses Nielsen Avenue approximately 1,900 feet northwest of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Nielsen Avenue, or in the vicinity of this canal, FID requires it review and approve all plans.

5. For informational purposes, FID's Towne No. 95 runs southwesterly, and crosses Whitesbridge Avenue approximately 2,400 feet southeast of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Nielsen Avenue, or in the vicinity of this canal, FID requires it review and approve all plans.

6. For informational purposes, FID's Whitmore runs southwesterly approximately 250 feet northeast of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements in the vicinity of this pipeline, FID requires it review and approve all plans.

7. For informational purposes, a private facility known as the Whitmore No. 346 runs southwesterly traverses the subject property, as shown on the attached FID exhibit map. FID does not own, operate or maintain this private pipeline. FID's records indicate this this line is active and shall need to be treated as such. FID can supply the City with a list of known users upon request.

8. FID is concerned that the proposed development may negatively impact local groundwater supplies. The area was historically agricultural land and a significant portion of its water supply was imported surface water, supplemented by groundwater pumping. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in a conversion from imported surface water to groundwater, this deficit will increase. FID recommends the City of Kerman require the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem.

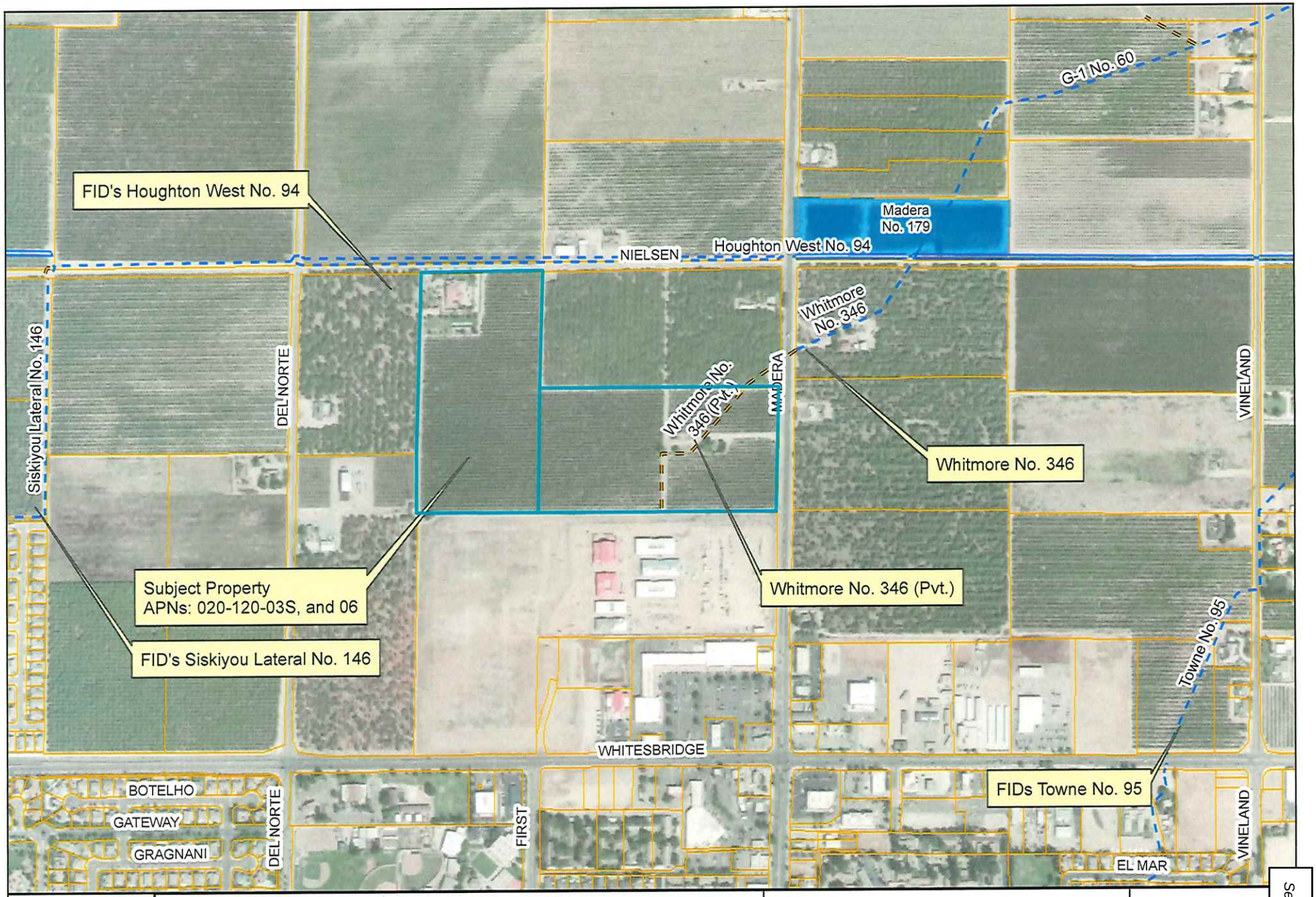
9. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Kerman are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is completely reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Kerman should consider the impacts of the development on the City's ability to comply with requirements of SGMA.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.
Chief Engineer

Attachment



FRESNO IRRIGATION DISTRICT

Legend

- FID Canal
- Private Canal
- Abandoned Canal
- FID Pipeline
- Private Pipeline
- Abandoned Pipeline
- Stream Group
- Other-Creek\River
- Other-Pipeline
- FID Boundary
- Railroad
- Streets & Hwys
- Parcel
- FMFCD Acquired Basins
- FMFCD Proposed Basins

This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7161 for further information on FID facilities.

Path: G:\Fidgis\20240220 FID Master.mxd
Spatial Reference
Name: NAD 1983 StatePlane California IV FIPS 0404

0 330 6
Feet
1 inch = 666.67 feet

Jeremy Landrith

From: Manuel Campos <mcampos@cityofkerman.org>
Sent: Friday, February 23, 2024 4:03 PM
To: HLuna@fresnocountyca.gov; Theresa Johnson; Jesus Gonzalez; Michael Barajas; Laurence Kimura; Engineering Review; Jodi Ward; Rhonda Armstrong- Sebastian; kraig.magnussen@kermanusd.com; Jennifer Sagariballa; jayfowler@midvalleydisposal.com; jacob.mcafee@northcentralfire.org; CEQA - SJVAPCB-valley air-CEQA permitreview; Cecilia Belmontes; Wil Barcoma (FCLE); pgeplanreview@pge.com; bjimenez@fresnocountyca.gov; Spaunhurst, Brian; Lara, Juan; Bonique Emerson; Jenna Chilingerian; Jonathon Kutka; Steve Wilkins (FCLE); Isla, Nicholas@DOT; Padilla, Dave@DOT; Munique Cubillos (FCLE)
Subject: City of Kerman Project Distribution - Gill Orchard Estates
Attachments: Gill Orchard Estates - Comment Letter.pdf; Attachment 'B'.pdf; Attachment 'A'.pdf

You don't often get email from mcampos@cityofkerman.org. Learn why this is important

Dear Stakeholder,

Please find attached a summary of a Development Application for a project referred to as Gill Orchard Estates located approximately 2,000' from the northwest corner of W. Whitesbridge Rd. and Madera Ave. in Kerman, CA 93630.

Please provide comments or questions on or before **March 22, 2024.**

An Initial Study compliant with CEQA guidelines will be distributed for public review and comments separately.

Stakeholders List

- City of Kerman (internal depts.)
- North Central Fire Prevention District
- Kerman Unified School District
- Mid Valley Disposal
- Fresno Irrigation District
- Fresno County Public Works/Planning
- Fresno LAFCo
- Sebastian Corp
- Caltrans District 6
- SJVAPCD
- PG&E

Respectfully,

Manuel Campos | Assistant Planner
City of Kerman | Community Development Department
p. (559) 846.9384 ext. 316 | f. (559) 846.6199
850 S. Madera Ave. Kerman, CA 93630
mcampos@cityofkerman.org
www.cityofkerman.net

City of Kerman
Community Development Department
Building · Engineering · Planning · Code Compliance & Enforcement

850 S. Madera Avenue, Kerman, CA 93630
Office: (559) 846-9386 Fax: (559) 846-9348
www.cityofkerman.net

February 23, 2024

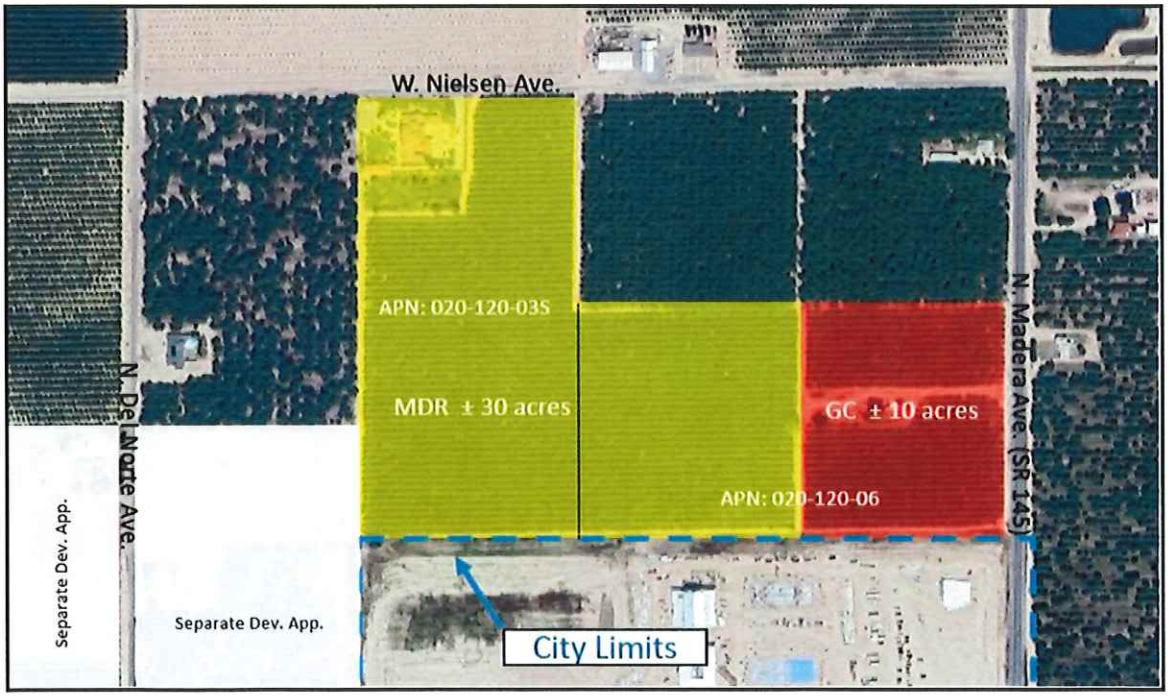
RE: Project Distribution and Request for Comments for a Development Application related to the development of a Project referred to as the Gill Orchard Estates

Dear Stakeholder:

Please accept this Project distribution as a formal invitation to provide comments related to a Project proposal referred to as Gill Orchard Estates located on the southwest corner section of North Madera Avenue and West Nielsen Avenue, in Kerman, CA 93630. Below are details of the Project proposal.

A. **Site Information**

Site Address	15319 W. Nielsen Ave.
APN	020-120-03S and 020-120-06
Size	±40 acres (gross)
Current General Plan Land Use Designation	Medium-density residential (MDR) and General Commercial (GC)
Zone District	AL-20 – Limited Agricultural and AE20 – Exclusive Agricultural (Fresno County)



B. Annexation (ANX 2023-03)

Annexation of APNs: 020-120-03S (15139 W. Nielsen Ave.) and 020-120-06 encompassing approximately 40 acres is being considered. This annexation request is consistent with the 2040 General Plan goals and policies (LU-3), and the City/County MOU agreed to and entered into in 2021. Development of the Project entails the review and processing of entitlements listed C through F below.

C. General Plan Amendment (GPA 2023-02)

The proposed General Plan Amendment is to change the land use designation of APN: 020-120-06 from approximately 10 acres of an existing General Commercial (GC) land use designation to Mixed Use (MU). GPA 2023-02 also proposes to change the land designation of APN: 020-120-03S from approximately 2.04 acres of an existing Medium Density Residential (MDR) land use designation to Very Low Density Residential (VLDR).

D. Pre-zone (REZ 2023-03)

The proposed pre-zoning will be consistent with the amended underlying General Plan land use designations. Currently, the parcels have a county zoning of AL20 – Limited Agricultural and AE20 – Exclusive Agricultural. Rez 2023-03 is a proposal to amend the current county zoning to the following City of Kerman zone districts: Smart Development Residential (SDR-3.5), Rural Residential (RR), and Mixed Use (MU). These zone districts are consistent with the proposed General Plan land use designations mentioned above.

E. Tentative Subdivision Map (TSM 2023-03) & Tentative Parcel Map (TPM 2024-01)

TSM 2023-03 would facilitate the subdivision of the Project site into 179 single-family lots (6.43 dwelling units per acre) on 27.85 acres of the site that range in size from 3,690 square feet (sq. ft.) to 6,729 sq. ft., in addition to four (4) outlots. Outlot A, 6,862 sq. ft., and Outlot B, 5,040 sq. ft., are proposed along the south of the subdivision for landscaping purposes. Outlot C, 66,926 sq. ft., is proposed in the center of the subdivision as a stormwater basin and open space. Outlot D, 2,194 sq. ft., is proposed as a 25-foot wide trail/open space. The Project also proposes an internal network of local streets and sidewalks with one (1) point of ingress/egress to Nielsen Avenue, one (1) point of ingress/egress to the northern property (APN 020-120-11), two (2) points of ingress/egress to the west, and one (1) point of ingress/egress to the south of the Project site. TPM 2024-01 would split the Project site into two (2) parcels with one (1) remainder parcel, including a 2.39-acre portion on the northwest corner with an existing single-family residence as a remainder parcel, a 27.85-acre parcel of the center portion that would accommodate TSM 2023-03, and an 8.9-acre parcel on the east portion of APN 020-120-06 with no development proposed at this time. Please see Attachments 'A' and 'B' to view TSM 2023-03 and TPM 2024-01.

F. CEQA (ENV 2023-04)

The project will require an Environmental Impact Report (EIR) to comply with the California Environmental Quality Act (CEQA). Based on a preliminary assessment of the project site, the project description, and cross-referencing similar projects, the scope of the work has been compiled and included herein. It is summarized as follows:

- ☐ Preparation of Initial Study and ND or MND
- ☐ Technical Studies and Analysis:
  - Acoustical Analysis
  - Air Quality, Health Risk, GHG, Energy Analysis
  - Biological Resource Assessment
  - California Historical Resources Information System
  - Phase I Environmental Site Assessment
  - Traffic Impact Analysis
  - VMT Analysis

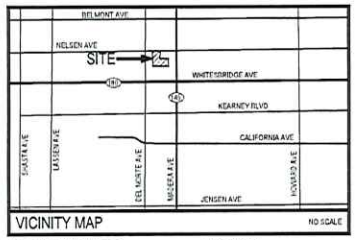
Your cooperation in this matter is greatly appreciated. Should you have any questions, please feel free to contact me at (559) 846-9384 ext. 316 or email me at mcampos@cityofkerman.org.

Sincerely,



Manuel Campos
Assistant Planner

VESTING TENTATIVE TRACT MAP NO. 6465
FOR THE ORCHARDS AT GILL ESTATES
PREPARED JANUARY 2024



VICINITY MAP — NO SCALE

OWNER/SUBDIVIDER
JAGROOP S. GILL QUALIFIED PERSONAL RESIDENCE TRUST & RUPINDER K. GILL QUALIFIED PERSONAL RESIDENCE TRUST
1100 MADERA AVENUE
MADERA, CA 93637
(559) 906-6065

CIVIL DESIGN CONSULTANT
MORTON & PITALO, INC.
7643 N. INGRAM AVE., STE 105
FRESNO, CA 93711
(559) 652-4505

APPLICANT
LIFETIME COMMUNITIES
920 HIGGINS DRIVE, SUITE 130
ROSEVILLE, CA 95678
916-749-0967

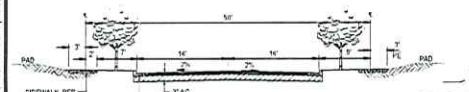
APNs
020-120-035 & 020-120-06

ZONING
CURRENT: AE20 & AL20 (COUNTY OF FRESNO)
PROPOSED: RURAL RESIDENTIAL (RR-43), SMART DEVELOPMENT RESIDENTIAL 3.5 (SD-R-3.5) & MIXED USE (MU)

GENERAL PLAN / LAND USE PLAN
CURRENT: MEDIUM DENSITY RESIDENTIAL (MDR) & GENERAL COMMERCIAL (GC)
PROPOSED: MEDIUM DENSITY RESIDENTIAL (MDR) & MIXED USE (MU)

GENERAL NOTES
1. PROJECT DENSITY = 3.76 UNIT/ACRE
2. THE TRACT IS NOT WITHIN 200' OF ANY RAILROAD.
3. LOT 181 IS TO BE SUBDIVIDED IN THE FUTURE.
4. ABANDON ALL WELL AND SEPTIC TANKS TO COUNTY STANDARDS.
5. NO IRRIGATION CANAL IS ON SITE.
6. THIS AREA IS NOT SUBJECT TO FLOOD INUNDATION.
7. PROPOSED WATER AND SEWER SERVICE TO BE PART OF CITY OF KERMAN, THEN CITY OF KERMAN STANDARDS.
8. ALL IMPROVEMENTS SHALL BE AS REQUIRED BY THE CITY OF KERMAN AND BUILT TO CITY STANDARDS AND SHALL INCLUDE SANITARY SEWER, DOMESTIC WATER, UNDERGROUND POWER, TELEPHONE, CAT, CONCRETE CURBS, GUTTERS, SIDEWALKS, PERMANENT STREET PAVEMENT, STREET LIGHTS, ETC. ON-SITE STREETS WILL BE PUBLIC AND AS APPROVED BY THE CITY OF KERMAN.
9. THIS PROJECT WILL HAVE CC&Rs PROTECTIVE COVENANTS TO BE RECORDED AT FINAL MAP.
10. THERE ARE NO EXISTING WATER COURSE OR IRRIGATION DITCHES ON PROPERTY.
11. THERE ARE NO EXISTING EASEMENTS.

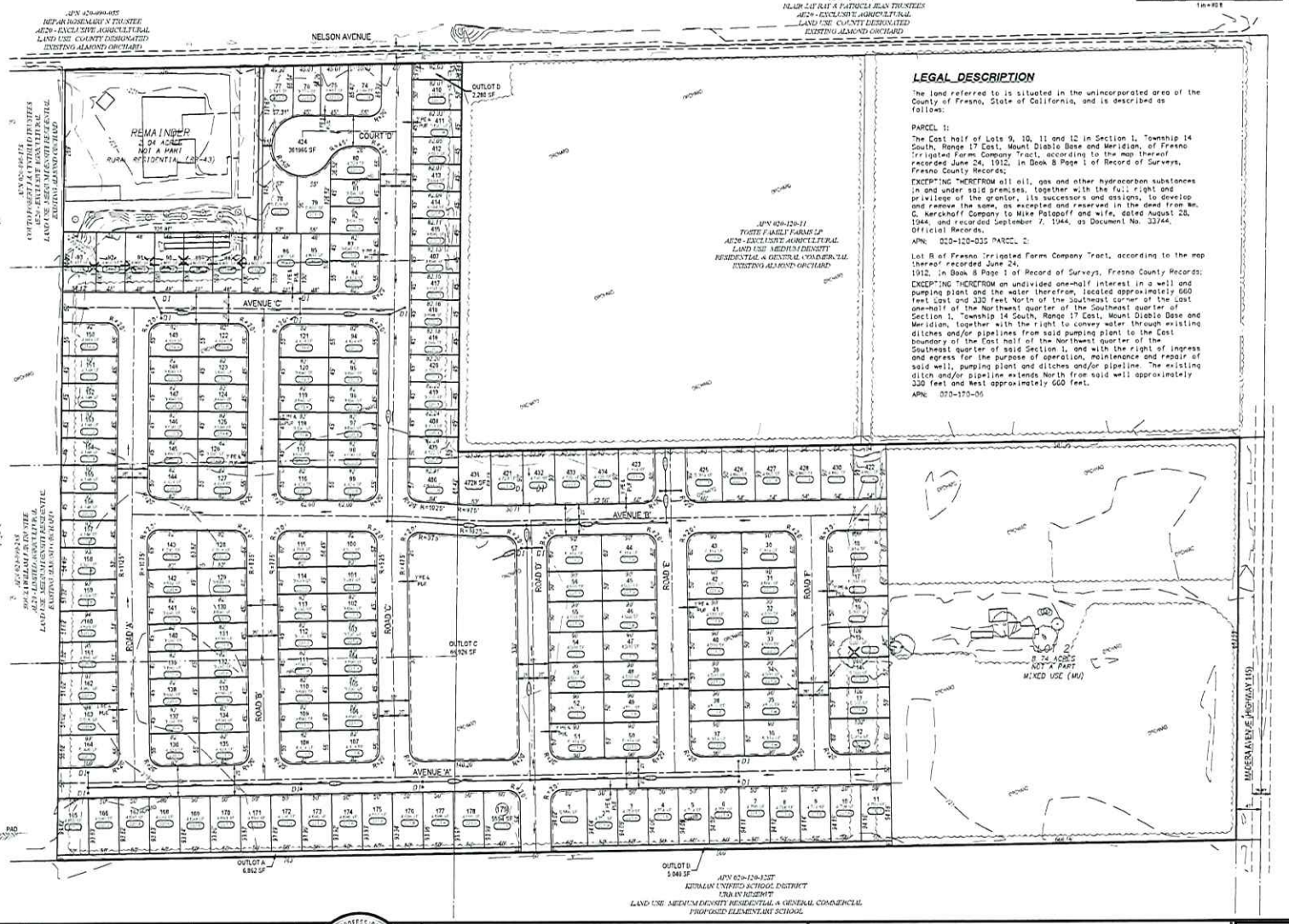
LANDSCAPE PLANS
1. ALL PLANTING SHALL BE IN ACCORDANCE TO THE CITY OF KERMAN STANDARD SPECIFICATIONS, SECTION 29 AND AS DIRECTED BY THE ENGINEER.
2. PLANTING LEGEND WITH SYMBOL, SIZE (GALLONS), BOTANICAL, VARIETY (IF ANY), COMMON NAME, AND COMMENTS INCLUDED ON EACH SHEET. A SEPARATE PLANTING SCHEDULE FOR THE ENTIRE PROJECT SHOWING TOTAL QUANTITY OF EACH PROPOSED SPECIES AND THE TOTAL SQUARE FOOTAGE OF SHRUB, TURF AND SIDEWALK AREA SHALL BE LOCATED ON THE COVER SHEET.
3. INCLUDE TYPICAL PLANTING DETAILS FOR TREES, SHRUBS AND VINES, AND GROUNDCOVERS ON DETAIL SHEET.
4. PROVIDE REQUIRED PLANTING NOTES AS THEY APPLY FOR EACH PROJECT.
5. CROSS-SECTION DETAILS OF LANDSCAPED AREA WITH DIMENSIONS AND SLOPE INDICATED FOR ALL BUFFERS, MEDIAN ISLANDS AND MULTI-PURPOSE TRAILS.



A PUBLIC STREET WITH SIDEWALK
50' R/W (T.L.=5.0) NTS

OUTLOT DESIGNATIONS
OUTLOT A - FOR PUBLIC LANDSCAPING PURPOSES
OUTLOT B - FOR PUBLIC LANDSCAPING PURPOSES
OUTLOT C - FOR PUBLIC DRAINAGE PURPOSES
OUTLOT D - FOR PUBLIC LANDSCAPING PURPOSES

GRAPHIC SCALE
80 40 0 80 160
1 in = 80 ft



LEGAL DESCRIPTION

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

PARCEL 1:

The East half of Lots 9, 10, 11 and 12 in Section 1, Township 14 South, Range 17 East, Mount Diablo Base and Meridian, of Fresno Irrigated Farms Company Tract, according to the map thereof recorded June 24, 1912, in Book 8 Page 1 of Record of Surveys, Fresno County Records;

EXCEPTING THEREFROM all oil, gas and other hydrocarbon substances in and under said premises, together with the full right and privilege of the grantor, its successors and assigns, to develop and remove the same, as excepted and reserved in the deed from Wm. C. Kerckhoff Company to Mike Palapoff and wife, dated August 28, 1944, and recorded September 7, 1944, as Document No. 33744, Official Records.

APN: 020-120-035 PARCEL 2:

Lot 8 of Fresno Irrigated Farms Company Tract, according to the map thereof recorded June 24, 1912, in Book 8 Page 1 of Record of Surveys, Fresno County Records;

EXCEPTING THEREFROM an undivided one-half interest in a well and pumping plant and the water therefrom, located approximately 660 feet East and 330 feet North of the Southeast corner of the East one-half of the Northwest quarter of the Southeast quarter of Section 1, Township 14 South, Range 17 East, Mount Diablo Base and Meridian, together with the right to convey water through existing ditches and/or pipelines from said pumping plant to the East boundary of the East half of the Northwest quarter of the Southeast quarter of said Section 1, and with the right of ingress and egress for the purpose of operation, maintenance and repair of said well, pumping plant and ditches and/or pipeline. The existing ditch and/or pipeline extends North from said well approximately 330 feet and West approximately 660 feet.

APN: 020-120-06

SCALE:	BENCH MARK	COMPUTED	JJ
HORIZ. 1" = 80'		DESIGNED	GJB
VERT. 1" = N/A		DRAWN	KLF
		PROJ. ENGR.	GJB

MORTON & PITALO, INC.
CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING
Folsom • Fresno
7643 North Ingram Avenue, Suite #105
Fresno, CA 93711
phone: (559) 652-4505
web: www.mpengr.com

VESTING TENTATIVE TRACT MAP NO. ____
FOR THE ORCHARDS AT GILL ESTATES
IN THE CITY OF KERMAN
FRESNO COUNTY, CALIFORNIA

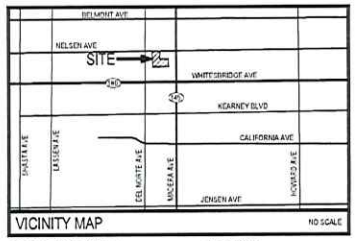
JOB NO. ____

ATTACHMENT 'A'

NOT FOR CONSTRUCTION

ATTACHMENT 'B'

TENTATIVE PARCEL MAP NO. ____
FOR THE ORCHARDS AT GILL ESTATES
PREPARED JANUARY 2024



VICINITY MAP NO SCALE

OWNER/SUBDIVIDER

JAGROOP S. GILL QUALIFIED PERSONAL RESIDENCE TRUST & RUPINDER K. GILL QUALIFIED PERSONAL RESIDENCE TRUST
1100 MADERA AVENUE
MADERA, CA 93637
(559) 906-6065

CIVIL DESIGN CONSULTANT

MORTON & PITALO, INC.
7643 N. INGRAM AVE, STE 105
FRESNO, CA 93711
(559) 353-4505

APPLICANT

LIFETIME COMMUNITIES
970 RESERVE DRIVE, SUITE 135
ROSEVILLE, CA 95678
916-749-0967

APNs

020-120-035 & 020-120-06

ZONING

CURRENT: AE20 & AL20 (COUNTY OF FRESNO)
PROPOSED: RURAL RESIDENTIAL (RR-43), SMART DEVELOPMENT RESIDENTIAL 3.5 (SD-R-3.5) & MIXED USE (MU)

GENERAL PLAN / LAND USE PLAN

CURRENT: MEDIUM DENSITY RESIDENTIAL (MDR) & GENERAL COMMERCIAL (GC)
PROPOSED: MEDIUM DENSITY RESIDENTIAL (MDR) & MIXED USE (MU)

GENERAL NOTES

1. THE TRACT IS NOT WITHIN 200' OF ANY RAILROAD.
2. LOT 2 IS TO BE SUBDIVIDED IN THE FUTURE.
3. THE EXISTING RESIDENCE ON APN 020-120-035 IS TO BE PRESERVED.
4. THE EXISTING RESIDENCE ON APN 020-120-06 IS TO BE DEMOLISHED.
5. ABANDON ALL WELL AND SEPTIC TANKS TO COUNTY STANDARDS.
6. NO IRRIGATION CANAL IS ON SITE.
7. THIS AREA IS NOT SUBJECT TO FLOOD INUNDATION.
8. PROPOSED WATER AND SEWER SOURCE TO BE PART OF CITY OF KERMAN, PER CITY OF KERMAN STANDARDS.
9. ALL IMPROVEMENTS SHALL BE AS REQUIRED BY THE CITY OF KERMAN AND BUILT TO CITY STANDARDS AND SHALL INCLUDE SANITARY SEWER, DOMESTIC WATER, UNDERGROUND POWER, TELEPHONE, GAS, CONCRETE CURBS, GUTTERS, SIDEWALKS, PERMANENT STREET PAVEMENT, STREET LIGHTS, ETC. ON-SITE STREETS WILL BE PUBLIC AND AS APPROVED BY THE CITY OF KERMAN.
10. THIS PROJECT WILL HAVE CC&Rs, PROTECTIVE COVENANTS TO BE RECORDED AT FINAL MAP.
11. THERE ARE NO EXISTING WATER COURSE OR IRRIGATION DITCHES ON PROPERTY.
12. THERE ARE NO EXISTING EASEMENTS.

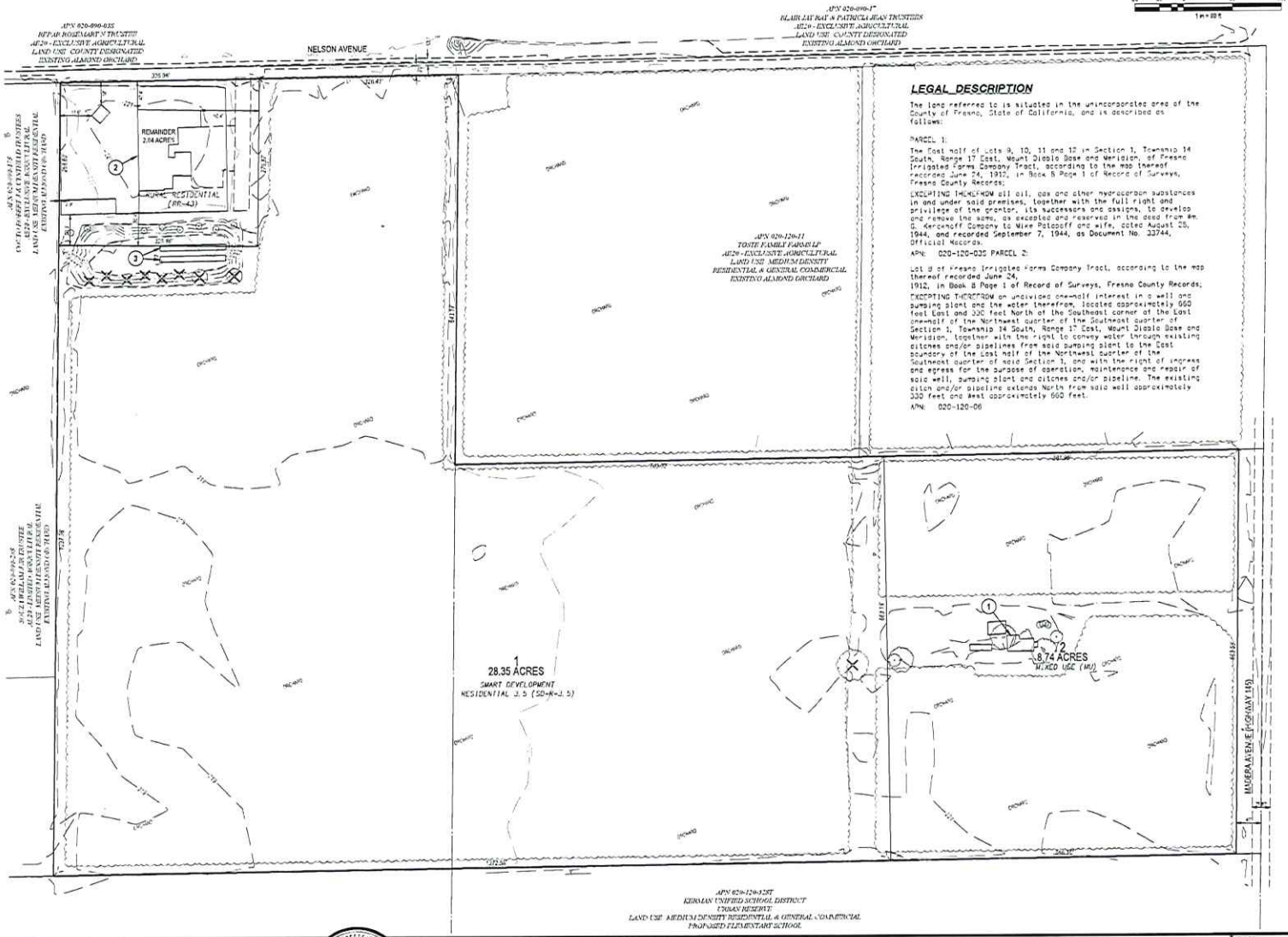
KEYNOTES

1. REMOVE CONCRETE PAD, CHAIN LINK FENCE, PUMP, STANDPIPES & POWER POST.
2. EXISTING HOME TO REMAIN
3. REMOVE SOLAR PANELS AND EQUIPMENT

LEGEND

→	DIRECTION OF WATER FLOW
◇	DRAINAGE MANHOLE
DI	DRAIN INLET
(E)	EXISTING
⊗	EXISTING TREE TO BE REMOVED
(P)	PROPOSED
PE	PEDESTRIAN EASEMENT
PUE	PUBLIC UTILITY EASEMENT
12"	UNDERGROUND STORM DRAIN PIPE

GRAPHIC SCALE
80 40 0 80 160
1 in = 80 ft



LEGAL DESCRIPTION

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

PARCEL 1:

The East half of Lots 9, 10, 11 and 12 in Section 1, Township 14 South, Range 17 East, Mount Diablo Base and Meridian, of Fresno Irrigated Farms Company Tract, according to the map thereof recorded June 24, 1912, in Book 8 Page 1 of Record of Surveys, Fresno County Records;

EXCEPTING THEREFROM all oil, gas and other hydrocarbon substances in and under said premises, together with the full right and privilege of the grantor, its successors and assigns, to develop and remove the same, as excepted and reserved in the deed from Mm. G. Kercheff Company to Mike Petaloff and wife, dated August 25, 1944, and recorded September 7, 1944, as Document No. 33744, Official Records.

APN: 020-120-035 PARCEL 2:

Lot 9 of Fresno Irrigated Farms Company Tract, according to the map thereof recorded June 24, 1912, in Book 8 Page 1 of Record of Surveys, Fresno County Records;

EXCEPTING THEREFROM an undivided one-half interest in a well and pumping plant and the water therefrom, located approximately 660 feet East and 330 feet North of the Southeast corner of the East one-half of the Northwest quarter of the Southeast quarter of Section 1, Township 14 South, Range 17 East, Mount Diablo Base and Meridian, together with the right to convey water through existing ditches and/or pipelines from said pumping plant to the East boundary of the East half of the Northwest quarter of the Southeast quarter of said Section 1, and with the right of ingress and egress for the purpose of operation, maintenance and repair of said well, pumping plant and ditches and/or pipeline. The existing ditch and/or pipeline extends North from said well approximately 330 feet and West approximately 660 feet.

APN: 020-120-06

SCALE:	BENCH MARK	COMPUTED	JJ	MORTON & PITALO, INC.	TENTATIVE PARCEL MAP NO. ____
HORIZ. 1" = ____ 80'		DESIGNED	GJB	CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING	FOR THE ORCHARDS AT GILL ESTATES
VERT. 1" = ____ N/A		DRAWN	KLF	Folsom • Fresno	IN THE CITY OF KERMAN
		PROJ. ENGR.	GJB	7643 North Ingram Avenue, Suite #105 Fresno, CA 93711 phone: (559) 853-4505 web: www.mpengr.com	FRESNO COUNTY, CALIFORNIA

JOB NO. ____

NOT FOR CONSTRUCTION

Manuel Campos

From: Jonathon Kutka <jonathon.kutka@northcentralfire.org>
Sent: Monday, April 8, 2024 12:46 PM
To: Jesus Orozco; Manuel Campos
Subject: Del Notre and Gill Orchard estates
Attachments: 403.002 - Fire Department Access.pdf

Good morning Jesus and Manuel,

Here are NCFPD notes from our meeting regarding Del Norte and Gill Orchard Estates pertaining too FD requirements. These requirements apply to both sites.

Attached are the NCFPD requirements per CFC and NCFPD Policy 403.002.

Buildings not meeting the criteria in Item 2 above will have a minimum of two (2) points of vehicle access. The second point of access can be an approved Emergency Vehicle Access as described below. Unusual designs may require additional access points and must receive prior approval by the Fire Marshal, or designee.

When two (2) points of access are required, they will be placed at a distance apart equal to or not less than one-half the length of the maximum diagonal dimension of the lot or area served, measured in a straight line between access points. Unusual lot configurations or other site restrictions may be allowed by the Fire Marshal, or designee, subject to review and analysis of the access.

All types of fire apparatus access will have a minimum clear width of 20 feet and a vertical clearance of 13 feet, 6 inches over the entire length of the access.

Required fire access roads will be provided with an all-weather surface before delivery of combustible material on site, and will be maintained in service during all phases of construction. Alternative or phased fire access requires approval by the Fire Department. Failure to maintain fire access may result in a Stop Work Order until access is restored.

Roadways less than 26-feet in width are NOT permitted to have parking on either side. Roadways greater than 26-feet but less than 35-feet may have parking on one side.

Policy 403.002 has several items, since this is just a pre-review, I attached our whole policy, but specifically took out certain sections from the meeting regarding both Del Norte and Gill Orchard estates.

Please let me know if you have any questions.

Sincerely,

Jonathon Kutka
Battalion Chief
North Central Fire Protection District
15850 Kearney Blvd.
Kerman, CA 93630
Cell (559)785-7116

FIRE PREVENTION MANUAL		
	Fire Department Access	EFFECTIVE DATE: **01/01/2019**
	APPROVED BY: Timothy V. Henry Fire Chief	REVISED DATE: **TBD**
		NUMBER: **403.002**

PURPOSE

This policy has been established to provide direction for the requirements of the North Central Fire Protection District (District) for providing minimum fire department access to properties within the District.

APPLICATION

This policy applies to developers and licensed contractors completing construction projects within the District service areas.

OPERATIONAL POLICY

The purpose of fire department apparatus access is to allow emergency vehicles to approach a building as close as practical in order to deploy fire hose, ladders, and other equipment necessary for rescue and fire suppression.

District emergency vehicles are the longest, widest, tallest, and heaviest vehicles regularly driven on residential streets, private driveways, and alleys. The ability to manipulate and deploy Department apparatus is greatly affected by the dimensions and reliability of the access available.

Access, as defined in this policy, includes private streets and driveways not otherwise defined under *City of Kerman or County of Fresno Public Works (PW) Standards for Streets*.

A. General Fire Access Requirements:

1. All building openings will be accessible within 200 feet of a public street, private driveway, or other approved access.

2. Buildings and exterior storage areas sited so that all building openings and exterior storage area perimeters are within 650 feet (450 feet driving distance plus 200 foot hose pull) of the property entrance drive may have a single point of access with approved turnarounds as needed complying with this policy.

3. Buildings not meeting the criteria in Item 2 above will have a minimum of two (2) points of vehicle access. The second point of access can be an approved Emergency Vehicle Access as described below. Unusual designs may require additional access points and must receive prior approval by the Fire Marshal, or designee.

4. When two (2) points of access are required, they will be placed at a distance apart equal to or not less than one-half the length of the maximum diagonal dimension of the lot or area served, measured in a straight line between access points. Unusual lot configurations or other site restrictions may be allowed by the Fire Marshal, or designee, subject to review and analysis of the access.

5. All types of fire apparatus access will have a minimum clear width of 20 feet and a vertical clearance of 13 feet, 6 inches over the entire length of the access.

6. Where gates are installed across fire access drives, the full open width of the drive aisle must be maintained clear of gate hardware. (*See*: *Fire Prevention Manual*, Section 403.004, Emergency Services Bypass Locks for Secured Access Developments, for information regarding emergency access bypass lock requirements).

7. Fire access drives separated by a median will have a minimum width of 15 feet on each side of the median.

8. All types of access will not exceed a ten (10) percent grade or contain any irregularity creating an angle of approach or departure in excess of ten (10) percent, except as approved by the Fire Marshal, or designee.

9. Required fire access roads will be provided with an all-weather surface before delivery of combustible material on site, and will be maintained in service during all phases of construction. Alternative or phased fire access requires approval by the Fire Department. Failure to maintain fire access may result in a Stop Work Order until access is restored.

10. Temporary gates installed during construction will be provided with Fire X1 padlocks; a padlock model is available with a red construction core for use by both the contractor and the District. The core will be changed out by the contractor upon completion of the project.
11. Non-traditional pavement systems such as turf pavers, grasscrete, etc., are not allowed for EVA approaches or access drives in the public way as required by the Public Works Department. Such alternate paving material used on private property is subject to approval by the Fire Marshal, or designee. The design of

such system must be prepared by a Civil Engineer and submitted to the D Fire Prevention for plan review and installation permits. The path of such surfaces must be clearly edge delineated by an approved permanent method such as six (6") inch concrete mow strips.

12. Vertical displacement traffic calming devices or pavements treatment are prohibited on both public and private streets (See: *Fire Prevention Manual*, Section 403.007, Vertical Displacement Traffic Calming Devices).

13. Regardless of parking configurations, a minimum clear drive aisle width of 20 feet is required. The Fire Marshal, or designee, may require increases in drive aisle width due to specific site issues and for aerial ladder truck access. (See: *Fire Prevention Manual*, Section 403.005, Requirements for Marking Fire Lanes on Private Property).

B. Emergency Vehicle Access (EVA):

1. Gates, posts, or other barriers approved by the District will be installed at each entrance to emergency vehicle access points and when required by the Fire Marshal, or designee, where EVA driveways are needed for connection to the interior common access road system.

2. A Fire X-1 padlock will be installed on manually operated gates used solely for emergency vehicle access and may be used in conjunction with owner or utility services padlocks. The Fire Marshal, or designee, is authorized to require electric gate Click-to-Enter radio frequency gate operating hardware where EVA access is needed from freeways or other high speed traffic corridors.

3. Entrances to all emergency vehicle access points will be posted with permanent signs on both sides of the EVA entrance with the following wording: "FIRE LANE" in six-inch letters, "VEHICLES REMOVED AT OWNER'S EXPENSE" in two-inch letters, and display a telephone number the vehicle owner can call to recover their vehicle. (See: *Fire Prevention Manual*, Section 403.005, Requirements for Marking Fire Lanes on Private Property).

4. Where EVA access drives are not provided with gates or barriers at each entrance, the drive aisle curb or side of road will be marked with "FIRE LANE NO PARKING at 50 foot intervals. (See: *Fire Prevention Manual*, Section 403.005, Requirements for Marking Fire Lanes on Private Property).

5. Where access to an EVA is from a public or private street that is improved with a curb, a County of Fresno or City of Kerman *Public Works Standard P-67* approach is acceptable. Use of a wedged or rolled curb for a driveway approach is not acceptable.

   Where access to an EVA gate is from an adjacent parcel(s), a recorded access easement is required between all affected property owners and will be executed

with the Planning entitlement through the Planning Division. (City of Ker
County of Fresno) [Something missing here]

C. Turnarounds:

1. Buildings and exterior storage areas with a single point of access in excess of 150 feet in length are required to be provided with approved turnarounds. Turnarounds will be located within 150 feet of the termination of the single entry road. Portions of the road requiring fire apparatus to back up will not include any turns or bends, except for the required turnarounds.

2. Intermediate turnarounds will be required for multiple points of access exceeding 700 feet in length.

3. All turnarounds will have a minimum 34 foot inside turning radius," a minimum length and width of 90 X 24 and minimum clear approach drive width of 22 feet for a distance of 60 feet.

4. Turnarounds will be kept clear of all obstructions and marked as fire lanes on the perimeter curb or edge of the turnaround.

5. Turnaround areas cannot be incorporated into loading zones.

D. Aerial Fire Apparatus Access:

1. Where building roof eaves are more than 30 feet in height, as measured from the grade of the adjacent fire access road, 26-foot minimum wide driveways will be located directly adjacent to at least one long side of the building. The aerial fire apparatus access will extend at least 45 feet beyond each end of the building. This allows for access to the corners of the building and to accommodate a set up area outside of the potential building collapse zone. Aerial fire apparatus access will comply with all access and turnaround requirements. For unusually shaped buildings without a rectangular or square building footprint, alternate locations of ladder truck access points may be considered by the Fire Marshal, or designee, and analyzed on case by case bases.

2. Aerial fire apparatus access (near edge) will be located a minimum 15 feet away from the building as measured to the edge of the fire access drive. The starting point maximum distance away from the building is 30 feet; however, a greater distance may be permitted depending on the upon the height to the eave or parapet and will be analyzed on a case by case basis during plan review.

3. Overhead utility and power lines, large trees, and other obstructions will not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building.

4. Buildings designated as high-rise by the *California Building Code (CBC)* (
   the highest occupied floor is located more than 75 feet in height from the grade level of an adjacent fire access road) have no specific aerial ladder truck access requirements.

E. Fire Hose and Equipment Walking Access to Building Openings:

Required walking access will be designed to prevent sharp turns and obstacles which would hinder the carrying of hoses, ground ladders and other hand-held equipment. The walking path requires an unobstructed 36 inch horizontal clearance and continuous seven foot vertical clearance. All gates across fire hose and equipment access points will be a minimum of four (4) feet clear width. Gates across required walking access paths will be provided with Fire X-1 padlock(s).

OPERATIONAL GUIDELINE

This section left intentionally blank.

PROCESS

This section left intentionally blank.

INFORMATION

This section left intentionally blank.

DEFINITIONS

1. Common Vehicle Access--Common vehicle access describes private streets, driveways, and alleys which connect with a public street and are required for emergency access as well as for access by the public.

2. Emergency Vehicle Access--Where adequate common vehicle access to buildings is not provided by public streets or private driveways, emergency access will be provided for the exclusive use of emergency services vehicles.

3. Fire Hose Pull and Equipment Walking Access--Fire hose pull and equipment access is an unobstructed walking path which provides continuous access connecting vehicular access to all building openings and exterior storage areas.

4. Aerial Fire Apparatus Access--Fire apparatus access located directly adjacent to the corners of multi-story buildings, positioned in such a way as to allow fire department aerial ladders to be raised to the lowest point of the roof eave (as defined in *California Building Code (CBC),* Section 702A Definitions).

5. All Weather Access--Required fire apparatus access lanes will be provided year round and maintained during all phases of construction with an approved, all-weather surface, capable of supporting 80,000-pound vehicles. An all-weather surface is composed of minimum four (4") inch compacted base rock or gravel over compacted or undisturbed native soil or per approved engineering plans with a minimum of 24 feet of clear width or 20 feet minimum clear width if an approved method to prevent shoulder degradation is utilized.

CROSS-REFERENCES

California Building Code
Section 702A, Definitions

California Fire Code, Current edition

Fire Prevention Manual
Section 403.004, Emergency Services Bypass Locks for Secured Access Developments
Section 403.005, Requirements for Marking Fire Lanes on Private Property
Section 403.007, Vertical Displacement Traffic Calming Devices

OFFICE MEMO

DATE: 04/04/2024

TO: Manuel Campos

FROM: Fresno County Transportation Planning

SUBJECT: Review of Gill Orchard Estates

PROJECT OVERVIEW:

TSM 2023-03 would facilitate the subdivision of the Project site into 179 single-family lots (6.43 dwelling units per acre) on 27.85 acres of the site that range in size from 3,690 square feet (sq. ft.) to 6,729 sq. ft., in addition to four (4) outlots. Outlot A, 6,862 sq. ft., and Outlot B, 5,040 sq. ft., are proposed along the south of the subdivision for landscaping purposes. Outlot C, 66,926 sq. ft., is proposed in the center of the subdivision as a stormwater basin and open space. Outlot D, 2,194 sq. ft., is proposed as a 25-foot wide trail/open space. The Project also proposes an internal network of local streets and sidewalks with one (1) point of ingress/egress to Nielsen Avenue, one (1) point of ingress/egress to the northern property (APN 020-120-11), two (2) points of ingress/egress to the west, and one (1) point of ingress/egress to the south of the Project site. TPM 2024-01 would split the Project site into two (2) parcels with one (1) remainder parcel, including a 2.39-acre portion on the northwest corner with an existing single-family residence as a remainder parcel, a 27.85-acre parcel of the center portion that would accommodate TSM 2023-03, and an 8.9-acre parcel on the east portion of APN 020-120-06 with no development proposed at this time. Please see Attachments 'A' and 'B' to view TSM 2023-03 and TPM 2024-01.

Table A: ITE Trip Generation (210 Single Family Attached homes)

Land Use/Project	Dwelling Units	Weekday		A.M. Peak Hour		P.M. Peak Hour	
		Rate	Total	Rate	Total	Rate	Total
Gill Orchard Estates	179	9.43	1688	.75	134	.99	177
Total Net New Project Trips			+1688		**+134**		+177

COMMENTS/ MITIGATION:

This project will impact county facilities and should require a TIS, please include the county in all future routings best point of contact is bhines@fresnocountyca.gov. Using ITE trip Generation Manual (11th Edition) trips are calculated to be over the county's threshold.

A Vehicle Miles Traveled (VMT) analysis should also be prepared for the proposed development.

If you have any further questions regarding this matter, please contact Brody Hines at bhines@fresnocountyca.gov

Sincerely,

Brody Hines

Kerman Unified School District

Gordon Pacheco, District Superintendent
Kraig L. Magnussen, Assistant Superintendent/Chief Business Official
Gabe Melgoza, Assistant Superintendent/Personnel
Pam Sellick, Assistant Superintendent Educational Services

Board
Daniel Babsholl Maria
S. Cantu
Julie Gragnani Kindra
Melgoza
Jim Volkoff

April 22, 2024

Jesus R. Orozco
Community Development Director
City of Kerman
850 S. Madera Avenue
Kerman CA 93630

Subject: Del Norte Estates and Gill Orchard Estates Annexation Project

Dear Mr. Orozco:

Kerman Unified School District consents to the annexation of the properties for the Del Norte Estates and Gill Orchard Project which will be annexed to the City of Kerman and detached from Fresno County. The annexation includes the following properties:

1. Address: 275 N. Del Norte Ave. APN: 020-120-29S
2. Address: 275 N. Del Norte Ave. APN: 020-140-30S
3. Address: 204 N. Del Norte Ave. APN: 020-120-28S
4. Address: 15139 W. Nielsen Ave. APN: 020-120-03S
5. Address: 15139 W. Nielsen Ave. APN: 020-120-06

The Fresno Local Agency Formation Commission Landowner Consent form has been signed and attached. Please let us know if you have any questions or if additional information is required.

Sincerely,

Kraig L Magnussen
Assistant Superintendent
Kerman Unified School District

Notice of Nondiscrimination in District Programs and Activities: The Kerman Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, national origin, nationality, race or ethnicity, ethnic group identification, religion, marital or parental status, sex, sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics. (Designated Compliance Officer: Assistant Superintendent Personnel, Address: 15218 W. Whitesbridge Avenue, Kerman, CA 93630, Phone Number: (559) 843-9000)

Kerman Unified School District

Gordon Pacheco, District Superintendent
Kraig L. Magnussen, Assistant Superintendent/Chief Business Official
Gabe Melgoza, Assistant Superintendent/Personnel
Pam Sellick, Assistant Superintendent Educational Services

Boar
Daniel Babsion
Maria S. Cantu
Julie Gragnani
Kindra Melgoza
Jim Volkoff

April 22, 2024

Jesus R. Orozco
Community Development Director
City of Kerman
850 S. Madera Avenue
Kerman CA 93630

Subject: Gill Orchard Estates Project Annexation

Dear Mr. Orozco:

Thank you for the opportunity to provide comments on the Gill Orchard Estates Project. This letter presents the comments of the Kerman Unified School District. The proposed Gill Orchard Estates Project consists of the annexation of 40 acres in which development is proposed on 30.24 acres. The proposed development for the Gill Orchard Estates Project includes a subdivision project that will encompass 179 single family residential units which is estimated to generate 156 potential students. New residential developments are required to pay school fees to accommodate students from new development. Residential school fees will be $5.17 per square feet and commercial fees will be $0.84 starting May 13, 2024.

Kerman Unified School District has already consented to be annexed through the Del Norte Estates project.

Sincerely,

Kraig L. Magnussen
Assistant Superintendent
Kerman Unified School District

Notice of Nondiscrimination in District Programs and Activities: The Kerman Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, national origin, nationality, race or ethnicity, ethnic group identification, religion, marital or parental status, sex, sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics. (Designated Compliance Officer: Assistant Superintendent Personnel, Address: 15218 W. Whitesbridge Avenue, Kerman, CA 93630, Phone Number: (559) 843-9000)

Fresno Local Agency Formation Commission

April 9, 2024

Manuel Campos
Assistant Planner
City of Kerman

Dear Mr. Manuel Campos:

Subject: Comments Regarding Concurrent Applications: Annexation (ANX 2023-03), Pre-zone (REZ 2023-03), Tentative Subdivision Map (TSM 2023-03) & Tentative Parcel Map (TPM 2024-01), General Plan Amendment (GPA 2023-02), and CEQA (ENV 2023-04).

Thank you for the opportunity to comment on this project. From the material provided to this office, my understanding of the project description is as follows:

- **Annexation (ANX 2023-03)** is a request to approve the annexation of approximately 40 acres. This annexation request is consistent with the 2040 General Plan goals and policies (LU-3) and the City/County MOU agreed to and entered into in 2021;
- **Pre-zone (REZ 2023-03)** pertains to the pre-zoning of the proposed project. Currently the project has County zonings of Limited Agricultural (AL-20) and Exclusive Agricultural (AE-20). The project will amend the County zoning to the City of Kerman zoning districts of Smart Development Residential (SDR-3.5), Rural Residential (RR), and Mixed Use (MU);
- **General Plan Amendment (GPA 2023-02)** pertains to changing the land use designation for APN: 020-120-06 and APN: 020-120-03S. The General Plan Amendment will be processed concurrently with the Pre-zone and Annexation process;
- **CEQA (ENV 2023-04)** pertains to an initial study and a technical study/analysis being prepared for the project consistent with CEQA guidelines; and
- **Tentative Subdivision Map (TSM 2023-03) & Tentative Parcel Map (TPM 2024-01)** pertains to the subdivision of land and proposed network of local streets and sidewalks exhibited in Attachments A and B. The proposed project will include a tentative subdivision map encompassing 179 single-family residential units and four outlots to be considered.

The Fresno Local Agency Formation Commission (LAFCo) regulates, through approval or denial, the boundary changes proposed by local agencies or individuals. LAFCo's objectives are to:

- Encourage orderly formation and development of agencies;
- Encourage consistency with spheres of influence and recommended reorganization of agencies;
- Encourage orderly urban development and preservation of open space patterns;
- Encourage conservation of prime agricultural lands and open space areas; and
- Identify and address disadvantaged unincorporated communities.

LAFCo should be identified in the city's environmental document as a Responsible Agency under CEQA whose role is to consider reorganizations and spheres of influence. Commission action on the reorganization request should be noted in the environmental document. As a Responsible

Agency, the Commission is required to review and consider the city's environmental documents prior to taking its action. A Responsible Agency complies with CEQA by considering the environmental analysis prepared by the Lead Agency and by reaching its own conclusions on whether to and how to approve the project. The Commission may then make a finding that it independently reviewed and considered the information in the environmental document and that the environmental document is sufficient to support a determination on the proposed reorganization.

Project-Specific Comments

The city will be required to submit the appropriate application materials including fees to LAFCo for reorganization. These materials are enumerated on our website (www.fresnolafco.org) through the "Applications and Documents" tab under "Items Necessary for a Complete Application."

The fee schedule for changes of organization/reorganization (annexation) of 21-40 acres is $9,600.

The city may send notice 56654(c) to the interested and affected agencies if the annexation is 100 percent uninhabited to reduce the project timeline.

If the proposal results in the annexation of land that is subject to a contract executed pursuant to the Williamson Act (Chapter 7, commencing with Section 51200 of Division 1), then the petition and/or resolution for reorganization request shall state whether the city shall succeed to the contract pursuant to Section 51243 or whether the city intends to exercise its option to not succeed to the contract pursuant to Section 51243.5.

Annexation of full rights of way contiguous to parcel boundaries should be presumed in the reorganization's legal description and map.

LAFCo is available to attend any community outreach meetings should the need arise.

Thank you for the opportunity to provide comments. If you have any questions, please contact me at (559) 600-0604.

Sincerely,

Jessica Gibson
LAFCo Analyst II

Jerry Jones

From: Jay Fowler <jayfowler@midvalleydisposal.com>
Sent: Saturday, February 24, 2024 10:36 AM
To: Manuel Campos; HLuna@fresnocountyca.gov; Theresa Johnson; Michael Barajas; jacob.mcafee@northcentralfire.org; bjimenez@fresnocountyca.gov; Spaunhurst, Brian; Lara, Juan; Jenna Chilingerian; Jonathon Kutka; Padilla, Dave@DOT
Subject: RE: City of Kerman Project Distribution - Gill Orchard Estates

Hello

For solid waste services, each SF unit will require 3 carts. Presume these would be in the garage or elsewhere on the property until service day.

Regarding the width of the street. Its adequate for our trucks to operate. One concern is street parking, these high density homes make navigating the collections difficult and risky. Any chance of street parking restrictions on the day of service?

Thank you,

Jay

MID VALLEY DISPOSAL
"Service, Education, Involvement, Integrity"

Jay Fowler| District Manager
15300 W Jensen Ave, Kerman, CA 93630
Email: jayfowler@midvalleydisposal.com
Office: (559) 567-0615

From: Manuel Campos <mcampos@cityofkerman.org>
Sent: Friday, February 23, 2024 4:03 PM
To: HLuna@fresnocountyca.gov; Theresa Johnson <tjohnson@cityofkerman.org>; Jesus Gonzalez <jesusgonzalez@yhmail.com>; Michael Barajas <MBarajas@cityofkerman.org>; lkimura@fresnoirrigation.com; engr-review@fresnoirrigation.com; Jodi Ward <jward@sebastiancorp.com>; Rhonda Armstrong- Sebastian <RArmstrong@sebastiancorp.com>; kraig.magnussen@kermanusd.com; Jennifer Sagariballa <jennifer.sagariballa@kermanusd.com>; Jay Fowler <jayfowler@midvalleydisposal.com>; jacob.mcafee@northcentralfire.org; CEQA - SJVAPCB-valley air-CEQA permitreview <ceqa@valleyair.org>; Cecilia Belmontes <cecilia.belmontes@kermanusd.com>; Wil Barcoma (FCLE) <Wil.Barcoma@fcle.org>; pgeplanreview@pge.com; bjimenez@fresnocountyca.gov; Spaunhurst, Brian <bspaunhurst@fresnocountyca.gov>; Lara, Juan <jlara@fresnocountyca.gov>; Bonique Emerson <bemerson@precisioneng.net>; Jenna Chilingerian <jchilingerian@precisioneng.net>; Jonathon Kutka <jonathon.kutka@northcentralfire.org>; Steve Wilkins (FCLE) <Steve.Wilkins@fcle.org>; Isla, Nicholas@DOT <Nicholas.Isla@dot.ca.gov>; Padilla, Dave@DOT <dave.padilla@dot.ca.gov>; Munique Cubillos (FCLE) <Munique.Cubillos@fcle.org>
Subject: City of Kerman Project Distribution - Gill Orchard Estates

Dear Stakeholder,

Please find attached a summary of a Development Application for a project referred to as Gill Orchard Estates located approximately 2,000' from the northwest corner of W. Whitesbridge Rd. and Madera Ave. in Kerman, CA 93630.

Please provide comments or questions on or before **March 22, 2024.**

An Initial Study compliant with CEQA guidelines will be distributed for public review and comments separately.

Stakeholders List

- City of Kerman (internal depts.)
- North Central Fire Prevention District
- Kerman Unified School District
- Mid Valley Disposal
- Fresno Irrigation District
- Fresno County Public Works/Planning
- Fresno LAFCo
- Sebastian Corp
- Caltrans District 6
- SJVAPCD
- PG&E

Respectfully,

Manuel Campos | Assistant Planner
City of Kerman | Community Development Department
p. (559) 846.9384 ext. 316 | f. (559) 846.6199
850 S. Madera Ave. Kerman, CA 93630
mcampos@cityofkerman.org
https://link.edgepilot.com/s/72fa3cde/kq8qUgFaC0yMNqsF7QMHAw?u=http://www.cityofkerman.net/

Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

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March 19, 2024

Manuel Campos
City of Kerman
850 S Madera Avenue
Kerman, CA 93630

Re: Gill Orchard Estates Tentative Tract Map No. 6465

Dear Manuel:

Thank you for giving us the opportunity to review the proposed Gill Orchard Estates Tentative Tract Map No. 6465. The installation of new gas and electric facilities and/or relocation of existing PG&E facilities will be performed in accordance with common law or Rules and Tariffs as authorized by the California Public Utilities Commission.

Following our review, PG&E recommends the following language be expressly stated for the offer to dedicate Public Utility Easements (PUE):

> I/We the undersigned, as Owner(s) of the land shown hereon, do hereby state that I/we am/are the only person(s) whose consent is necessary to pass clear title to said land and do hereby consent to the preparation and recordation of this map and offer for dedication and do hereby dedicate for public uses the Public Utility Easements (PUEs) shown on this map for public utility purposes including electric, gas, communication facilities and all other public utility purposes; together with any and all appurtenances thereto, including the right from time to time to trim and to cut down and clear away or otherwise control any trees or brush. The PUEs hereby offered for dedication are to be kept open and free of buildings, structures and wells of any kind.

The final map must contain a statement setting forth dedications and offers to dedicate interests in real property for public utility purposes. If the offer of dedication has terminated, or the local agency declines to accept it, the applicant maybe required to provide an easement in gross satisfactory to PG&E. Please note that this is our preliminary review and PG&E reserves the right for future review as needed.

Please work with PG&E's Service Planning department at www.pge.com/cco for additional services you may require, or for any modification and/or relocation requests.

Sincerely,



Justin Newell
Land Management
916-594-4068

San Joaquin Valley AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING™

March 26, 2024

Manuel Campos
City of Kerman
Community Development Department
850 S. Madera Avenue
Kerman, CA 93630

Project: Development Application for Gill Orchard Estates

District CEQA Reference No: 20240236

Dear Mr. Campos:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the project documentation from the City of Kerman (City) for the Gill Orchard Estates project. Per the project documentation, the project consists of the annexation of 40 acres of land, general plan amendments and pre-zoning of several parcels to facilitate the development of approximately 179 single family residential lots and potential future commercial development on 27.85 acres (Project). The Project is located 15319 W. Nielsen Avenue in Kerman, CA.

The District offers the following comments at this time regarding the Project:

1) Project Related Emissions

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM2.5) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM10, and PM2.5 standards.

The District's initial review of the Project concludes that emissions resulting from construction and/or operation of the Project may exceed any of the following significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf. The District recommends that a more detailed preliminary review of the Project be conducted for the Project's construction and operational emissions.

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

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1a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.

1b) Operational Emissions

Operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf.

Recommended Mitigation Measure: At a minimum, project related impacts on air quality should be reduced to levels below the District's significance thresholds through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at: https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf

1c) Recommended Model for Quantifying Air Emissions

Project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

2) Health Risk Screening/Assessment

The City should evaluate the risk associated with the Project for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for the Project. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or

potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):
A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology. Please contact the District for assistance with performing a Prioritization analysis.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

Health Risk Assessment:
Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here: https://ww2.valleyair.org/permitting/ceqa/.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors to prevent the creation of a significant health risk in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources.

3) Ambient Air Quality Analysis

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambien Air Quality Standards. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: https://ww2.valleyair.org/permitting/ceqa/.

4) Voluntary Emission Reduction Agreement

Criteria pollutant emissions may result in emissions exceeding the District's significance thresholds, potentially resulting in a significant impact on air quality. When a project is expected to have a significant impact, the District recommends the environmental review also include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) for this Project.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs.

The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of agricultural equipment with the latest generation technologies.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

5) Under-fired Charbroilers

The future commercial development projects have the potential to occupy restaurants with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors.

Since the cooking of meat can release carcinogenic PM2.5 species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns.

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM2.5 standards. Therefore, the District recommends that the environmental review include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers.

The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation.

Please contact the District at (559) 230-5800 or technology@valleyair.org for more information, or visit: https://ww2.valleyair.org/grants/restaurant-charbroiler-technology-partnership/

6) Vegetative Barriers and Urban Greening

There are residential units and Kerman High School located south of the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the update of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

7) Clean Lawn and Garden Equipment in the Community

Since the Project consists of commercial and residential development, gas-powered commercial and residential lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/ and https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/.

8) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating

Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

8a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (559) 230-5888.

8b) District Rule 9510 - Indirect Source Review (ISR)

The Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 9,000 square feet of space.

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510 so that proper mitigation and clean air design under ISR can be incorporated into the Project's design. One AIA application should be submitted for the entire Project.

Information about how to comply with District Rule 9510 can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview

The AIA application form can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/

District staff is available to provide assistance and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

8c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: https://ww2.valleyair.org/compliance/demolition-renovation/

8d) District Rule 4601 (Architectural Coatings)

The Project will be subject to District Rule 4601 since it is expected to utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf

8e) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII,

specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities.*

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx

Information about District Regulation VIII can be found online at: https://ww2.valleyair.org/dustcontrol

8f) District Rule 4901 - Wood Burning Fireplaces and Heaters

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at: https://ww2.valleyair.org/compliance/residential-wood-smoke-reduction-program/

8g) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

9) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Matt Crow by e-mail at Matt.Crow@valleyair.org or by phone at (559) 230-5931.

Sincerely,

Tom Jordan
Director of Policy and Government Affairs



For: Mark Montelongo
Program Manager

ATTACHMENT 'F'

Planning Commission Resolutions

Resolution No. 2025-05

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL (1) ADOPT THE FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, SECTION 15091; (2) CERTIFY THE MITIGATED NEGATIVE DECLARATION (SCH NO. 2025060904); (3) ADOPT THE PROPOSED MITIGATION MONITORING AND REPORTING PROGRAM; AND (4) APPROVE GENERAL PLAN AMENDMENT 2023-02 TO AMEND THE 2040 KERMAN GENERAL PLAN PLANNED LAND USE DESIGNATIONS FOR ASSESSOR'S PARCEL NUMBER (APN) 020-120-06 TO MU – MIXED USE AND MDR – MEDIUM DENSITY RESIDENTIAL (SOUTHWEST CORNER OF WEST NIELSEN AVENUE AND NORTH MADERA AVENUE)

WHEREAS, State Law requires that local agencies adopt General Plans containing specific mandatory elements; and

WHEREAS, the City of Kerman has adopted a Comprehensive General Plan Update and Environmental Impact Report in July 2020, and the City of Kerman is currently in compliance with State mandates relative to Elements of the General Plan; and

WHEREAS, State law also provides for periodic review, updates, and amendments of its various plans; and

WHEREAS, an application was filed by Lifetime Communities, pertaining to two (2) parcels (APNs 020-120-06 and 020-120-03S) consisting of approximately 40 acres located on the south side of West Nielsen Avenue between North Madera Avenue (State Route 145) and North Del Norte Avenue ("project site"), requesting to amend the 2040 Kerman General Plan through General Plan Amendment 2023-02; and

WHEREAS, the project site has a City of Kerman 2040 General Plan land use designation of MDR – Medium Density Residential (± 30.19 acres) and GC – General Commercial (± 9.64 acres); and

WHEREAS, General Plan Amendment 2023-02 requests to increase land designated MDR – Medium Density Residential from 30.19 acres to 30.39 acres, remove GC – General Commercial, and increase MU – Mixed Use from zero acres to 8.74 acres, representing an increase in acreages of MDR and MU land use designations and decrease in acreage of the GC land use designation as shown in Exhibit 1; and

WHEREAS, approval of the project would also require approval of General Plan Amendment 2023-02, Rezone 2023-03, Tentative Parcel Map 2024-01, Tentative Subdivision Map 2023-03, and Annexation 2023-03; and

WHEREAS, the proposed General Plan Amendment will be consistent with the General Plan and the underlying zoning district, as proposed by Rezone 2023-03; and

WHEREAS, the General Plan Amendment is not expected to be detrimental to the health, safety and welfare of the city; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City of Kerman ("City") as the Lead Agency, has analyzed the proposed Project (inclusive of the two parcels to be annexed), including the General Plan Amendment, Rezone, Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2024060904) ("IS/MND") to evaluate the project; and

WHEREAS, in compliance with CEQA Section 21080.4, a Notice of Intent ("NOI") was prepared by the City and distributed for public comment to the State Clearinghouse, responsible agencies, and other interested parties for a 20-day public review and comment period commencing on June 18, 2025 and ending on July 9, 2025; and,

WHEREAS, the Draft IS/MND was circulated for a 20-day public review and comment period commencing on June 18, 2025 to July 9, 2025, and a copy of the Draft IS/MND was circulated through the State Clearinghouse, posted on the City's website, and was available at City Hall; and

WHEREAS, the public review period for the Draft IS/MND ended on July 9, 2025; and

WHEREAS, a Final IS/MND was prepared for the proposed Project consistent with CEQA Guidelines Section 15070(b) which addressed comments received on the Draft, as well as any appropriate revisions and clarifications to the Draft IS/MND; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission has completed its review of the Staff Report and documents submitted for the proposed project, evaluated the information contained in the IS/MND, and considered testimony received as a part of the public hearing process; and

WHEREAS, after due consideration of all the items before it, the Planning Commission now desires to recommend to the City Council approval of General Plan Amendment 2023-02 and certification of IS/MND as set forth herein.

NOW THEREFORE, be it resolved by the Planning Commission of the City of Kerman as follows:

1. Recitals. The Planning Commission hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. IS/MND Contents. The IS/MND consists of the following, hereafter collectively referred to as the "IS/MND".

a. The IS/MND including any attached appendices.
b. The Notice of Intent and comments received in response to the notice.
c. The Mitigation Monitoring and Reporting Program.
d. The Notice of Completion of the IS/MND for public review.
e. Any other information added by the Lead Agency.

3. Certification of Compliance with CEQA. The Planning Commission does hereby find that the IS/MND, including the Mitigation Monitoring and Reporting Program, has been prepared in accordance with the requirements of CEQA and the CEQA Guidelines.

4. Recommendation for IS/MND Certification. The Planning Commission does hereby recommend the following to the City Council.

   a. Recommendation to Adopt the Initial Study and Mitigated Negative Declaration. The Planning Commission hereby recommends to the City Council that it certify that 1) the IS/MND has been completed in compliance with CEQA, 2) that it has reviewed and considered the information contained in the IS/MND prior to approving the project, and 3) that the IS/MND reflects the City Council's independent judgment and analysis.

   b. Recommendation Regarding Feasible and Binding Effect of Mitigation Monitoring and Reporting Program. The Planning Commission hereby recommends to the City Council that it find that the mitigation measures described and specifically identified in the above referenced documents are feasible and shall become binding upon the entity (such as the project proponent or the City) assigned thereby to implement the particular mitigation measures as identified in the Mitigation Monitoring and Reporting Program.

   c. Recommendation to Adopt Mitigation Monitoring and Reporting Program. As required by applicable State law, the Planning Commission hereby recommends to the City Council that it adopt the Mitigation Monitoring and Reporting Program set forth in Exhibit 3 of this Resolution. The Planning Commission finds that the Mitigation Monitoring and Reporting Program is designed to ensure that, during project implementation, the City and any other responsible parties implement the project components and comply with the mitigation measures identified inthe Mitigation Monitoring and Reporting Program.

5. Custodian of Records. The City Clerk is recommended as the designated custodian of records for documents comprising the record of the proceedings upon which its decision is based. These documents are maintained at City Hall, located at 850 S. Madera Ave. Kerman, CA, 93630.

6. General Plan Consistency: The Planning Commission finds and recommends the City Council find that the public necessity, general welfare, good planning practices, public interest, and convenience warrant approval of General Plan Amendment 2023-02, including the following:

a. The change is consistent with the General Plan goals and policies. The project site is currently planned for residential and commercial uses. The project requests an amendment to the General Plan and Zoning Map to increase the acreage of land designated for medium density residential use, remove the acreage of land designated for commercial, and increase the acreage of land designated for mixed use. The project would facilitate future residential and commercial development within an area with existing and planned residential, commercial, recreational, and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-1.4 (Limit Residential Development Along Highways), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development) LU-4.5 (Right-to-Farm Disclosure), and LU-5.4 (New Incompatible Land Uses). Therefore, the change is consistent with the General Plan goals and policies.

b. The change is consistent with the purpose of the Zoning Ordinance to preserve and promote the public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. The project is currently planned for residential and commercial uses. The project requests an amendment to the General Plan to increase the acreage of land designated for medium density and mixed-use uses, which requires removal of the acreage of land designated for commercial uses. A rezone is also proposed to pre-zone the parcels to be annexed and rezone them to zoning districts consistent with the proposed land use designations. The proposed zoning districts are identified as compatible zoning districts for the proposed land use designations as shown in the General Plan. Future development proposed on the project site would be subject to compliance with the applicable standards and requirements of the Zoning Ordinance, standards which were adopted by the City to ensure preservation and promotion of public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. Further, the project has been reviewed by the various City departments and evaluated for conformity with the requirements of the Zoning Ordinance. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with the purpose of the Zoning Ordinance.

c. There will not be significant effects upon the quality of the environment and natural resources. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2024031008) to evaluate

the proposed Project. It was determined that all impacts were either less than significant or could be mititaged to a less than significant level.

7. Recommendations for Approval. Given that all the findings can be made, the Planning Commission recommends that the City Council adopt a resolution to amend the Kerman General Plan land use designations for the parcel identified as Assessor's Parcel Number (APN) 020-120-06, resulting in an increase in land designed MDR – Medium density Residential from from 30.19 acres to 30.39 acres, remove GC – General Commercial, and increase MU – Mixed Use from zero acres to 8.74 acres, representing an increase in acreages of MDR and MU land use designations and decrease in acreage of the GC land use designation located on the south side of West Nielsen Avenue between North Madera Avenue (State Route 145) and North Del Norte Avenue as set forth in Exhibit 1.

8. Effective Date of Resolution. This Resolution shall become effective immediately. The Secretary of the Planning Commission shall certify to the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman.

I HEREBY CERTIFY that the foregoing Resolution was approved at a special meeting of the Planning Commission of the City of Kerman on the 22nd day of September 2025, and was fully adopted at said meeting by the following vote:

Ayes: Bishop, Nehring, Bandy, Molloy, Dolzadelli

Noes: None

Absent: None

Recused: None

The foregoing resolution is hereby approved.

Scott Bishop, Chairperson

Attest:

Jerry Jones
Planning Commission Secretary

Resolution 2025-06

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF KERMAN FOR TWO (2) PARCELS IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS (APNS) 020-120-06 (19.82 ACRES) AND 020-120-03S (20 ACRES), PRE-ZONING THE PARCELS CONSISTENT WITH THE PROPOSED LAND USE DESIGNATIONS, RESULTING IN APPROXIMATELY 30.39 ACRES WITHIN THE SMART DEVELOPMENT COMBINING DISTRICT – RESIDENTIAL – MINIMUM 3,500 SQUARE FEET (SD-R-3.5), 8.74 ACRES WITHIN THE MIXED USE DISTRICT, TOTALING APPROXIMATELY 39.13 ACRES LOCATED ON THE SOUTH SIDE OF WEST NIELSEN AVENUE BETWEEN NORTH MADERA AVENUE AND NORTH DEL NORTE AVENUE (REZONE 2023-03)

WHEREAS, Rezone 2023-03 pertains to two (2) parcels (APNs 020-120-06 and 020-120-3S) consisting of approximately 39.13 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue ("project site"), requesting to amend the Official Zoning Map of the City of Kerman; and

WHEREAS, the project site is located within the City of Kerman Sphere of Influence, but since it is outside City limits, the site is zoned by the County and is within the County of Fresno's Agricultural Exclusive – 20 acres (AE-20) and Limited Agricultural – 20 acres (AL-20) zone districts; and

WHEREAS, because the project site is outside City limits, the project requires annexation and pre-zoning to a zone district consistent with the City of Kerman 2040 General Plan; and

WHEREAS, Rezone 2023-03 requests to pre-zone/rezone the two (2) parcels (APNs 020-120-06 and 020-120-3S) to zoning districts consistent with the planned land use designations, upon approval of General Plan Amendment 2023-02; and

WHEREAS, the pre-zone/rezone would result in approximately 30.39 acres within the Smart Development Combining District – Residential – Minimum 3,500 Square Feet (SD-R-3.5) and 8.74 acres within the Mixed Use District (MU) as shown in Exhibit 1; and

WHEREAS, approval of the project would require approval of General Plan Amendment 2023-02, Rezone 2023-03, Tentative Parcel Map 2024-01, Tentative Subdivision Map 2023-03, and Annexation 2023-03; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project and the project is in compliance with CEQA; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission has completed its review of the Staff Report and documents submitted for the proposed project, evaluated the information contained in the IS/MND, and considered testimony received as a part of the public hearing process; and

WHEREAS, the Planning Commission now desires to recommend that the City Council adopt an ordinance to amend the Official Zoning Map of the City of Kerman for two (2) parcels (APNs 020-120-06 and 020-120-3S), pre-zoning the parcels to SD-R-3.5 and MU zoning districts, consistent with the planned land use designations, upon approval of General Plan Amendment 2023-02.

NOW, THEREFORE, be it resolved by the Planning Commission of the City of Kerman as follows.

1. Recitals. The Planning Commission hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. CEQA: The Planning Commission concurrently recommended certification of the IS/MND (SCH No. 2025060904) for the project. The IS/MND identified the pre-zoning of the project site. The pre-zoning does not change the environmental assessment of the IS/MND. Further, the Planning Commission recommended to the City Council certification of the IS/MND for this project. The Planning Commission further recommends findings that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the IS/MND. As such, the Planning Commission recommends the City Council find Rezone 2023-03 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

3. Rezone Findings. The Planning Commission finds, and recommends the City Council find, as follows:

a. The change is consistent with the General Plan. The project site is currently planned for residential and commercial uses. The project requests an amendment to the General Plan and Zoning Map to increase the acreage of land designated for medium density and mixed use uses, which requires the removal of the acreage of land designated for commercial uses. The project would facilitate future residential and commercial development within an area with existing and planned residential, recreational and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-1.4 (Limit Residential Development Along Highways), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development) LU-4.5 (Right-to-Farm Disclosure), and LU-5.4 (New Incompatible Land Uses). Therefore, the change is consistent with the General Plan goals and policies.

b. The change is consistent with the purpose of the Zoning Ordinance to promote the health, safety, and welfare of the community. The project requests to pre-zone the parcels to be annexed and rezone them to zoning districts consistent with the proposed land use designations. The proposed zoning districts are identified as compatible zoning districts for the proposed land use designations as shown in the General Plan. Future development proposed on the project site would be subject to compliance with the applicable standards and requirements of the Zoning Ordinance, standards which were adopted by the City to ensure preservation and promotion of public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. Further, the project has been reviewed by the various City departments and evaluated for conformity with the requirements of the Zoning Ordinance. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with the purpose of the Zoning Ordinance.

c. There will not be significant effects upon the quality of the environment and natural resources. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level.

4. Recommendation for Approval. Given that all the findings can be made, the Planning Commission recommends the City Council adopt an ordinance to amend the official zoning map of the City of Kerman for two (2) parcels identified as Assessor's Parcel Numbers (APNs)

020-120-06 (19.82 acres) and 020-120-03S (20 acres), pre-zoning the parcels consistent with the proposed land use designations, resulting in approximately 30.39 acres within the Smart Development Combining District – Residential – minimum 3,500 square feet (SD-R-3.5) and 8.74 acres within the Mixed Use District (MU), totaling approximately 39.13 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue (Rezone 2023-03), as set forth in Exhibit 2 of this resolution.

5. Effective Date of Resolution. This Resolution shall become effective immediately. The Secretary of the Planning Commission shall certify the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman.

I HEREBY CERTIFY that the foregoing Resolution was approved at a special meeting of the City of Kerman Planning Commission on the 22nd day of September 2025, and was fully adopted at said meeting by the following vote:

Ayes: Bishop, Nehring, Bandy, Molloy, Dolzadelli

Noes: None

Absent: None

Recused: None

The foregoing resolution is hereby approved.

Scott Bishop, Chairperson

Attest:

Jerry Jones
Planning Commission Secretary

Resolution No. 2025-07

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT A RESOLUTION TO APPROVE THE ORCHARDS AT GILL ESTATES PARCEL MAP OF TWO (2) PARCELS IDENTIFIED AS 020-120-06 (19.82 ACRES) AND 020-120-03S (20 ACRES) INTO TWO (2) PARCELS AND ONE (1) REMAINDER, INCLUDING A 28.35-ACRE "PARCEL 1" THAT WOULD ACCOMMODATE TSM 2023-03, A 8.74-ACRE "PARCEL 2" ON THE EAST PORTION OF APN 020-120-06 WITH NO DEVELOPMENT PROPOSED AT THIS TIME, AND A 2.04-ACRE "REMAINDER" ON THE NORTHWEST CORNER WITH AN EXISTING SINGLE-FAMILY RESIDENCE (TENTATIVE PARCEL MAP 2024-01)

WHEREAS, Lifetime Communities submitted Tentative Parcel Map 2024-01 pertaining to two (2) parcels (APNs 020-120-06 and 020-120-03S) that total approximately 40 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue ("project site"); and

WHEREAS, Tentative Parcel Map 2024-01 proposes to split the two (2) parcels into two (2) parcels and one (1) remainder (Exhibit 1); and

WHEREAS, General Plan Amendment 2023-02, Rezone 2023-03, Annexation 2023-03, and Tentative Subdivision Map 2023-03 were considered concurrently by the Planning Commission with Tentative Parcel Map 2024-01; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, Annexation, Tentative Parcle Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project and the project is in compliance with CEQA; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred, and the Planning Commission now desires to recommend to the City Council adoption of a resolution approving Tentative Parcel Map 2024-01.

NOW, THEREFORE, the Planning Commission of the City of Kerman resolves as follows:

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. CEQA: The Planning Commission concurrently recommended certification of the IS/MND (SCH No. 2025060904) for the project. The IS/MND identified the land divisionof the project site. The land division does not change the environmental assessment of the IS/MND. Further, the Planning Commission recommended to the City Council certification of the IS/MND for this project. The Planning Commission further recommends findings that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the IS/MND. As such, the Planning Commission recommends the City Council find Rezone 2023-03 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

3. Subdivision Findings. The Planning Commission determines that none of the findings required by the City's Subdivision Ordinance and the California Subdivision Map Act Section 66474 that require the City to deny approval of a tentative map apply to this project, or that findings regarding flood protection cannot be made. To the contrary, the Planning Commission finds, and recommends the City Council find, as follows:

    a. The proposed map is consistent with the applicable General Plan, Subdivision Ordinance, Specific Plan, and the Subdivision Map Act. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, Tentative Parcel Map 2024-01 is consistent with all local planning documents including the General Plan, Subdivision Ordinance, and Zoning Ordinance, and the Subdivision Map Act.

    b. The design or improvement of the proposed land division is consistent with applicable general plan and specific plans. Tentative Parcel Map 2024-01 is consistent with the intended land uses, density, and development standards outlined in the General Plan. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the subdivision is consistent with the density and land use designated by the General Plan, as well as circulation, pedestrian accessibility, and other design or improvement requirements of the General Plan. There is no specific plan applicable to the site.

    c. That the site is physically suitable for the proposed type of development. Tentative Parcel Map 2024-01 would split the two (2) parcels identified as APNs 020-120-06 and 020-120-03S into two (2) parcels and one (1) remainder parcel to facilitate

future residential and commercial uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, land characteristics, including topography, soil conditions, drainage patterns, ingress/egress and access points, and utility availability are appropriate and can accommodate future development without significant challenges or modifications.

d. That the site is physically suitable for the proposed density of development. Tentative Parcel Map 2024-01 would split the two (2) parcels identified as APNs 020-120-06 and 020-120-03S into two (2) parcels and one (1) remainder parcel. The parcel sizes conform to the standards of development as defined by the Zoning Ordinance for the applicable development zone districts. Future development would be subject to compliance with applicable development standards, including allowable density and intensity. Compliance with these standards would be ensured through the entitlement review process.

e. The design of the land division and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level.

f. The design of the land division and type of improvements being required are not likely to cause serious public health problems. All improvements shall be required by the City and shall include sewer, water, underground power, telephone, gas, concrete curbs, gutters, sidewalks, permanent street pavement, and streetlights. The project will be tied into existing municipal water, sewer, and storm drain systems through the extension of existing systems Sanitary sewer service would be provided through connection to the existing trunk sewer main in First Street at the east-west street along the southern boundary of the site. Domestic water service would also be provided through a connection point at the same location. A drainage basin is proposed on-site in Outlot D of the subdivision on a portion of the parcel identified as APN 020-120-03S. The basin was adequately sized to accommodate stormwater runoff from the site. Associated electric, natural gas, telecommunications, and solid waste services are provided by private companies and will serve the project site as needed. Through compliance with applicable development standards, environmental mitigation measures, and conditions of

approval, the design of the land division and type of improvements being required are not likely to cause serious public health problems.

g. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. There are no public easements encumbering the property. Upon development, all modifications made to the existing public improvements fronting the parcels will be required to meet current City standards.

h. That the proposed design provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision pursuant to Government Code Section 66473.1. As feasible, the project has attempted to take advantage of passive or natural cooling opportunities in subdivision design. Appropriate consideration was given to the local climate, while ensuring that heating and cooling opportunities did not result in the reduction of allowable densities or the percentage of a lot that may be occupied as contemplated by Government Code section 66473.1.

4. Approval with Conditions. Based on the aforementioned findings, the Planning Commission recommends the City Council to adopt a resolution to approve Tentative Parcel Map 2024-01 (Exhibit '1'), subject to the conditions set forth in Exhibit '2' (Tentative Parcel Map 2024-01 conditions of approval) attached hereto.

5. Effective Date of Resolution. This Resolution shall become effective immediately. The Secretary of the Planning Commission shall certify to the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman

I HEREBY CERTIFY that the foregoing Resolution was approved at a special meeting of the City of Kerman Planning Commission on the 22nd day of September 2025, and was fully adopted at said meeting by the following vote:

Ayes: Bishop, Nehring, Bandy, Molloy, Dolzadelli

Noes: None

Absent: None

Recused: None

The foregoing resolution is hereby approved.

Scott Bishop, Chairperson

Attest:

Jerry Jones
Planning Commission Secretary

Resolution No. 2025-08

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL ADOPT A RESOLUTION TO APPROVE THE ORCHARDS AT GILL ESTATES SUBDIVISION OF ONE (1) PARCEL INTO 172 SINGLE-FAMILY LOTS RANGING IN SIZE FROM 3,690 SQUARE FEET TO 8,987 SQUARE FEET AND FIVE (5) OUTLOTS, TOTALING APPROXIMATELY 28.35 ACRES LOCATED ON THE SOUTH SIDE OF WEST NIELSEN AVENUE BETWEEN NORTH MADERA AVENUE AND NORTH DEL NORTE AVENUE (TENTATIVE SUBDIVISION MAP 2023-03)

WHEREAS, Lifetime Communities submitted Tentative Subdivision Map 2023-03. "The Orchards at Gill Estates," pertaining to one (1) parcel (Parcel 1 of Tentative Parcel Map 2024-01) consisting of approximately 28.35 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue ("project site"); and

WHEREAS, Tentative Subdivision Map 2023-03 proposes to subdivide the 28.35 acres into 172 single-family lots, ranging in size from 3,690 square feet to 8,987 square feet (Exhibit 1); and

WHEREAS, General Plan Amendment 2023-02, Rezone 2023-03, Annexation 2023-03, and Tentative Parcel Map 2024-01 were considered concurrently by the Planning Commission with Tentative Subdivision Map 2023-03; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project and the project is in compliance with CEQA; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred, and the Planning Commission now desires to recommend to the City Council adoption of a resolution approving Tentative Subdivision Map 2023-03.

NOW, THEREFORE, the Planning Commission of the City of Kerman resolves as follows:

6. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

7. CEQA: The Planning Commission concurrently recommended certification of the IS/MND (SCH No. 2025060904) for the project. The IS/MND identified the subdivision. The subdivision does not change the environmental assessment of the IS/MND. Further, the Planning Commission recommended to the City Council certification of the IS/MND for this project. The Planning Commission further recommends findings that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the IS/MND. As such, the Planning Commission recommends the City Council find Tentative Subidivion Map 2023-03 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

8. Subdivision Findings. The Planning Commission determines that none of the findings required by the City's Subdivision Ordinance and the California Subdivision Map Act Section 66474 that require the City to deny approval of a tentative map apply to this project, or that findings regarding flood protection cannot be made. To the contrary, the Planning Commission finds, and recommends the City Council find, as follows:

    a. The proposed map is consistent with the applicable General Plan, Subdivision Ordinance, Specific Plan, and the Subdivision Map Act. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, Tentative Subdivision Map 2023-03 is consistent with all local planning documents including the General Plan, Subdivision Ordinance, and Zoning Ordinance, and the Subdivision Map Act.

    b. The design or improvement of the proposed land division is consistent with applicable general plan and specific plans. Tentative Subdivision Map 2023-03 is consistent with the intended land uses, density, and development standards outlined in the General Plan. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the subdivision is consistent with the density and land use designated by the General Plan, as well as circulation, pedestrian

accessibility, and other design or improvement requirements of the General Plan. There is no specific plan applicable to the site.

c. That the site is physically suitable for the proposed type of development. Tentative Subdivision Map 2023-03 would subdivide "Parcel 1" of the Tentative Parcel Map 2024-01 to create 172 parcels to support single-family uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, land characteristics, including topography, soil conditions, drainage patterns, ingress/egress and access points, and utility availability are appropriate and can accommodate future development without significant challenges or modifications.

d. That the site is physically suitable for the proposed density of development. Tentative Subdivision Map 2023-03 would subdivide "Parcel 1" of the Tentative Parcel Map 2024-01 to create 172 parcels. The lot areas will conform to the standards of development as defined by the Zoning Ordinance for the applicable development zone districts. Future development will be subject to compliance with applicable development standards, including allowable density and intensity. Compliance with these standards would be ensured through the entitlement review process.

e. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level.

f. The design of the subdivision and type of improvements being required are not likely to cause serious public health problems. All improvements shall be required by the City and shall include sewer, water, underground power, telephone, gas, concrete curbs, gutters, sidewalks, permanent street pavement, and streetlights. The project will be tied into existing municipal water, sewer, and storm drain systems through the extension of existing systems. Sanitary sewer service would be provided through connection to the existing trunk sewer main in First Street at the east-west street along the

southern boundary of the site. Domestic water service would also be provided through a connection point at the same location. A drainage basin is proposed on-site in Outlot D of the subdivision on a portion of the parcel identified as APN 020-120-03S. The basin was adequately sized to accommodate stormwater runoff from the site. Associated electric, natural gas, telecommunications, and solid waste services are provided by private companies and will serve the project site as needed. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the design of the subdivision and type of improvements being required are not likely to cause serious public health problems.

g. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. There are no public easements encumbering the property. Upon development, all modifications made to the existing public improvements fronting the parcels will be required to meet current City standards.

h. That the proposed design provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision pursuant to Government Code Section 66473.1. As feasible, the project has attempted to take advantage of passive or natural cooling opportunities in subdivision design. Appropriate consideration was given to the local climate, while ensuring that heating and cooling opportunities did not result in the reduction of allowable densities or the percentage of a lot that may be occupied as contemplated by Government Code section 66473.1.

9. Approval with Conditions. Based on the aforementioned findings, the Planning Commission recommends the City Council to adopt a resolution to approve Tentative Subdivision Map 2023-03 (Exhibit '1'), subject to the conditions set forth in Exhibit '2' (Tentative Subdivision Map 2023-03 conditions of approval) attached hereto.

10. Effective Date of Resolution. This Resolution shall become effective immediately. The Secretary of the Planning Commission shall certify to the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman

I HEREBY CERTIFY that the foregoing Resolution was approved at a special meeting of the City of Kerman Planning Commission on the 22nd day of September 2025, and was fully adopted at said meeting by the following vote:

Ayes: Bishop, Nehring, Bandy, Molloy, Dolzadelli

Noes: None

Absent: None

Recused: None

The foregoing resolution is hereby approved.

Scott Bishop, Chairperson

Attest:

Jerry Jones
Planning Commission Secretary

Resolution No. 2025-09

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL ADOPT A RESOLUTION TO INITIATE ANNEXATION OF TWO (2) PARCELS IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS (APNS) 020-120-06 (19.82 ACRES) AND 020-120-03S (20 ACRES), TOTALING APPROXIMATELY 40 ACRES LOCATED ON THE SOUTH SIDE OF WEST NIELSEN AVENUE BETWEEN NORTH MADERA AVENUE AND NORTH DEL NORTE AVENUE (ANNEXATION 2023-03)

WHEREAS, the City of Kerman desires to initiate proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code; and

WHEREAS, Government Code section 56654 provides that "[a] proposal for a change of organization or a reorganization may be made by the adoption of a resolution of application by the legislative body of an affected local agency . . . [;]" and

WHEREAS, the specific changes of organization requested consists of an annexation into the City of Kerman and detachment from the County of Fresno and the Kings River Conservation District of the parcels identified as APNs 020-120-06 and 020-120-03S ("project site"); and

WHEREAS, a map of the boundaries of the territory is set forth in Exhibit '1' attached hereto and by this reference incorporated herein; and

WHEREAS, the affected territory proposed to be changed is inhabited, and on this day contains 5 registered voters, according to information received from the County Elections Office; and

WHEREAS, the proposed annexation area is inside the Sphere of Influence of the City of Kerman; and

WHEREAS, the City has an agreement with the County of Fresno to comply with Revenue and Tax Code Section 99 regarding property tax revenue transfer upon annexation, which memorandum of understanding includes standards of annexations; and

WHEREAS, the City does not propose any specific term and conditions for the proposed reorganization; and

WHEREAS, the reasons for this proposed annexation is to facilitate future residential and commercial development; and

WHEREAS, approval of the project would require approval of General Plan Amendment 2023-02, Rezone 2023-03, Tentative Parcel Map 2024-01, Tentative Subdivision Map 2023-04, and Annexation 2023-04; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project and the project is in compliance with CEQA; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project; and

WHEREAS, all prerequisites for the initiation of proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, have been met; and

WHEREAS, after due consideration of all the items before it, the Planning Commission now desires to adopt this Resolution to recommend the City Council to adopt a resolution to initiate annexation proceedings for the affected territory as set forth in Exhibit 1.

NOW, THEREFORE, Planning Commission of the City of Kerman resolves as follows:

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. CEQA. The Planning Commission concurrently recommended certification of the IS/MND (SCH No. 2025060904) for the project. The IS/MND identified the annexation of the project site. The annexation does not change the environmental assessment of the IS/MND. Further, the Planning Commission recommended to the City Council certification of the IS/MND for this project. The Planning Commission further recommends findings that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the IS/MND. As such, the Planning Commission recommends the City Council find Rezone 2023-03 has already been fully assessed in accordance with CEQA, no

subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

3. General Plan Consistency. The Planning Commission finds that the annexation is consistent with the goals, objectives, and policies of the City of Kerman 2040 General Plan, as amended by General Plan Amendment 2023-02. In this regard, the Planning Commission finds that public necessity, convenience, general welfare, or good zoning practices justify annexation of the project site. Specifically, the annexation and pre-zoning change is consistent with the General Plan goals and policies, any operative plan, or adopted policy including LU-3.2 Urban Form; LU-3.3 Prevent Sprawl Development; and LU-3.4 Leapfrog Development as described below and implements the planned residential and commercial land uses for the project site.

    a. General Plan Policy LU-3.2 Urban Form: The project site is outside City limits but is within the City's Sphere of Influence. The project requires annexation and therefore would result in a change in City limits. The project as proposed would meet the considerations of General Plan Policy LU-3.2 Urban Form. Specifically, the project would facilitate future residential units which would help meet the city's residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing. The project would also facilitate open space (Outlot C) and recreational facilities (pedestrian trail) meeting several community needs. The project would not result in obstacles to growth because future development would be able to connect to City services. The project would also result in infrastructure improvements, including roadway and circulation improvements. Lastly, the project would facilitate future commercial uses through mixed-uses which would serve the city's economic development needs. Lastly, the project would facilitate future commercial uses which would serve the city's economic development needs. Based on these considerations, the project as proposed maintains growth management controls and is consistent with General Plan Policy LU-3.2.

    b. General Plan Policy LU-3.3 Prevent Sprawl Development: The project site is contiguous to existing and approved development within City Limits. Thus, the project does not encourage sprawl and is therefore consistent with General Plan Policy LU-3-3.

    c. General Plan Policy LU-3.4 Leapfrog Development: The project site is contiguous to existing urban development and thus would not constitute leapfrog development.

4. Findings for Annexation. The Planning Commission further finds, and recommends the City Council find, as follows:

a. The proposed annexation is within the City's adopted Sphere of Influence. The project site is outside City limits but is within the City's Sphere of Influence. The project requires annexation and therefore would result in a change in City limits. The project as proposed would meet the considerations of General Plan Policy LU-3.2 Urban Form, which sets the City's growth management control measures. Specifically, the project would facilitate future residential units which would help meet the city's residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing. The project would also facilitate open space (Outlot C) meeting community needs. The project would not result in obstacles to growth because future development would be able to connect to City services. The project would also result in infrastructure improvements, including roadway and circulation improvements. Lastly, the project would facilitate future commercial uses through mixed-use development which would serve the city's economic development needs. Based on these considerations, the project as proposed maintains growth management controls and is consistent with General Plan Policy LU-3.2.

b. The proposal must be consistent with city general and specific plans, including adopted goals and policies. The project would facilitate future residential and commercial development within an area with existing and planned residential, commercial, recreational, and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-1.4 (Limit Residential Development Along Highways), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development), LU-4.5 (Right-to-Farm Disclosure), and LU-5.4 (New Incompatible Land Uses). There are no specific plans applicable to the proposed project.

c. Pursuant to CEQA, the proposal must mitigate any significant adverse effect on continuing agricultural operations on adjacent properties, to the extent reasonable and consistent with the applicable general and specific plan. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level.

d. At least 25% of the area proposed for annexation has an approved tentative subdivision map(s) (single-family residential) and an approved site plan (for uses besides single-family). The proposed annexation would meet this condition whereby at least 25% of the proposed annexation area will include an approved tentative map for single-family use.

e. The annexation is to fulfill the city's Regional Housing Needs Allocation (RHNA) obligation which otherwise cannot be accommodated on lands currently within the city's incorporated boundary. The project would facilitate future residential uses which would assist the City with fulfilling the city's RHNA obligation within the City's 6th Cycle Housing Element Update.

f. The proposal would not create islands. Boundaries must ultimately minimize creation of peninsulas and corridors, or other distortion of boundaries. The proposed annexation area would not create islands. New boundaries would not create any peninsulas or corridors.

5. Approval of Initiation of Reorganization. Based on the information provided above, the Planning Commission recommends the City Council of the City of Kerman approve a resolution to initiate annexation and reorganization of the project site that is not within the City limits, by adopting a resolution of application requesting the Local Agency Formation Commission of Fresno County to initiate proceedings for the change of organization of territory as described in Exhibit '1', in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The Planning Commission recommends that the City Council authorize and direct the City Manager to take all necessary steps to effectuate and initiate such reorganization proceedings, and to support Developer's processing of the same at Developer's sole cost and expense.

6. Effective Date of Resolution. This Resolution shall become effective immediately. The Secretary of the Planning Commission shall certify the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman.

I HEREBY CERTIFY that the foregoing Resolution was approved at a special meeting of the City of Kerman Planning Commission on the 22nd day of September 2025, and was fully adopted at said meeting by the following vote:

Ayes: Bishop, Nehring, Bandy, Molloy, Dolzadelli

Noes: None

Absent: None

Recused: None

The foregoing resolution is hereby approved.

Scott Bishop, Chairperson

Attest:

Jerry Jones
Planning Commission Secretary

Attachment 'G'

RESOLUTION NO. 25-___

A RESOLUTION OF THE CITY COUNCIL (1) ADOPTING THE FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, SECTION 15091; (2) CERTIFYING THE MITIGATED NEGATIVE DECLARATION (SCH NO. 2025060904); (3) ADOPTING THE PROPOSED MITIGATION MONITORING AND REPORTING PROGRAM; AND (4) APPROVING GENERAL PLAN AMENDMENT 2023-02 TO AMEND THE 2040 KERMAN GENERAL PLAN PLANNED LAND USE DESIGNATIONS FOR ASSESSOR'S PARCEL NUMBER (APN) 020-120-06 TO MU – MIXED USE AND MDR – MEDIUM DENSITY RESIDENTIAL (SOUTHWEST CORNER OF WEST NIELSEN AVENUE AND NORTH MADERA AVENUE)

WHEREAS, State Law requires that local agencies adopt General Plans containing specific mandatory elements; and

WHEREAS, the City of Kerman has adopted a Comprehensive General Plan Update and Environmental Impact Report in July 2020, and the City of Kerman is currently in compliance with State mandates relative to Elements of the General Plan; and

WHEREAS, State law also provides for periodic review, updates, and amendments of its various plans; and

WHEREAS, an application was filed by Lifetime Communities, pertaining to two (2) parcels (APNs 020-120-06 and 020-120-03S) consisting of approximately 40 acres located on the south side of West Nielsen Avenue between North Madera Avenue (State Route 145) and North Del Norte Avenue ("project site"), requesting to amend the 2040 Kerman General Plan through General Plan Amendment 2023-02; and

WHEREAS, the project site has a City of Kerman 2040 General Plan land use designation of MDR – Medium Density Residential (± 30.19 acres) and GC – General Commercial (± 9.64 acres); and

WHEREAS, General Plan Amendment 2023-02 requests to increase land designated MDR – Medium Density Residential from 30.19 acres to 30.39 acres, remove GC – General Commercial, and increase MU – Mixed Use from zero acres to 8.74 acres, representing an increase in acreages of MDR and MU land use designations and decrease in acreage of the GC land use designation as shown in Exhibit '1'; and

WHEREAS, approval of the project would also require approval of General Plan Amendment 2023-02, Rezone 2023-03, Tentative Parcel Map 2024-01, Tentative Subdivision Map 2023-03, and Annexation 2023-03; and

WHEREAS, the proposed General Plan Amendment will be consistent with the General Plan and the underlying zoning district, as proposed by Rezone 2023-03; and

WHEREAS, the General Plan Amendment is not expected to be detrimental to the health, safety and welfare of the city; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City of Kerman ("City") as the Lead Agency, has analyzed the proposed Project (inclusive of the two parcels to be annexed), including the General Plan Amendment, Rezone, Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2024060904) ("IS/MND") to evaluate the project; and

WHEREAS, in compliance with CEQA Section 21080.4, a Notice of Intent ("NOI") was prepared by the City and distributed for public comment to the State Clearinghouse, responsible agencies, and other interested parties for a 20-day public review and comment period commencing on June 18, 2025 and ending on July 9, 2025; and,

WHEREAS, the Draft IS/MND was circulated for a 20-day public review and comment period commencing on June 18, 2025 to July 9, 2025, and a copy of the Draft IS/MND was circulated through the State Clearinghouse, posted on the City's website, and was available at City Hall; and

WHEREAS, the public review period for the Draft IS/MND ended on July 9, 2025; and

WHEREAS, a Final IS/MND was prepared for the proposed Project consistent with CEQA Guidelines Section 15070(b) which addressed comments received on the Draft, as well as any appropriate revisions and clarifications to the Draft IS/MND; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project at a special meeting on September 22, 2025, and adopted a resolution with a recommendation to the City Council to approve General Plan Amendment 2023-02 and certify the IS/MND; and

WHEREAS, with all requirements having been met, the City Council now desires to approve General Plan Amendment 2023-02 and certify the IS/MND.

NOW THEREFORE, be it resolved by the City Council of the City of Kerman as follows:

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. IS/MND Contents. The IS/MND consists of the following, hereafter collectively referred to as the "IS/MND".

    a. The IS/MND including any attached appendices.
    b. The Notice of Intent and comments received in response to the notice.
    c. The Mitigation Monitoring and Reporting Program.
    d. The Notice of Completion of the IS/MND for public review.
    e. Any other information added by the Lead Agency.

3. Certification of Compliance with CEQA. The City Council does hereby find that the IS/MND, including the Mitigation Monitoring and Reporting Program, has been prepared in accordance with the requirements of CEQA and the CEQA Guidelines.

4. IS/MND Certification. The City Council does hereby approve, certify, and adopt the following.

    a. Certify the Initial Study and Mitigated Negative Declaration. The City Council hereby certifies that 1) the IS/MND has been completed in compliance with CEQA, 2) that it has reviewed and considered the information contained in the IS/MND prior to approving the project, and 3) that the IS/MND reflects the City Council's independent judgment and analysis.

    b. Find Feasible and Binding Effect of Mitigation Monitoring and Reporting Program. The City Council hereby finds that the mitigation measures described and specifically identified in the above referenced documents are feasible and shall become binding upon the entity (such as the project proponent or the City) assigned thereby to implement the particular mitigation measures as identified in the Mitigation Monitoring and Reporting Program.

    c. Adopt Mitigation Monitoring and Reporting Program. As required by applicable State law, the City Council hereby adopts the Mitigation Monitoring and Reporting Program set forth in Exhibit '3' of this Resolution. The City Council finds that the Mitigation Monitoring and Reporting Program is designed to ensure that, during project implementation, the City and any other responsible parties implement the project components and comply with the mitigation measures identified in the Mitigation Monitoring and Reporting Program.

5. Custodian of Records. The City Clerk is recommended as the designated custodian of records for documents comprising the record of the proceedings upon which its decision is based. These documents are maintained at City Hall, located at 850 S. Madera Ave. Kerman, CA, 93630.

6. General Plan Consistency: The City Council finds that the public necessity, general welfare, good planning practices, public interest, and convenience warrant approval of General Plan Amendment 2023-02, including the following:

    a. The change is consistent with the General Plan goals and policies. The project site is currently planned for residential and commercial uses. The project requests an amendment to the General Plan and Zoning Map to increase the acreage of land designated for medium density residential use, remove the acreage of land designated for commercial, and increase the acreage of land designated for mixed use. The project would facilitate future residential and commercial development within an area with existing and planned residential, commercial, recreational, and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-1.4 (Limit Residential Development Along Highways), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development) LU-4.5 (Right-to-Farm Disclosure), and LU-5.4

(New Incompatible Land Uses). Therefore, the change is consistent with the General Plan goals and policies.

b. The change is consistent with the purpose of the Zoning Ordinance to preserve and promote the public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. The project is currently planned for residential and commercial uses. The project requests an amendment to the General Plan to increase the acreage of land designated for medium density and mixed-use uses, which requires removal of the acreage of land designated for commercial uses. A rezone is also proposed to pre-zone the parcels to be annexed and rezone them to zoning districts consistent with the proposed land use designations. The proposed zoning districts are identified as compatible zoning districts for the proposed land use designations as shown in the General Plan. Future development proposed on the project site would be subject to compliance with the applicable standards and requirements of the Zoning Ordinance, standards which were adopted by the City to ensure preservation and promotion of public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. Further, the project has been reviewed by the various City departments and evaluated for conformity with the requirements of the Zoning Ordinance. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with the purpose of the Zoning Ordinance.

c. There will not be significant effects upon the quality of the environment and natural resources. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2024031008) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level.

7. Approval of General Plan Amendment 2023-02. Given that all the findings can be made, the City Council adopts a resolution to amend the Kerman General Plan land use designations for the parcel identified as Assessor's Parcel Number (APN) 020-120-06, resulting in an increase in land designed MDR – Medium density Residential from 30.19 acres to 30.39 acres, remove GC – General Commercial, and increase MU – Mixed Use from zero acres to 8.74 acres, representing an increase in acreages of MDR and MU land use designations and decrease in acreage of the GC land use designation located on the south side of West Nielsen Avenue between North Madera Avenue (State Route 145) and North Del Norte Avenue (General Plan Amendment 2023-02) as set forth in **Exhibit '1'**.

8. Effective Date of Resolution. This Resolution shall become effective immediately. The City Clerk shall certify to the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman.

The foregoing resolution was approved by the City Council of the City of Kerman at a regular meeting on the 22nd day of October 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

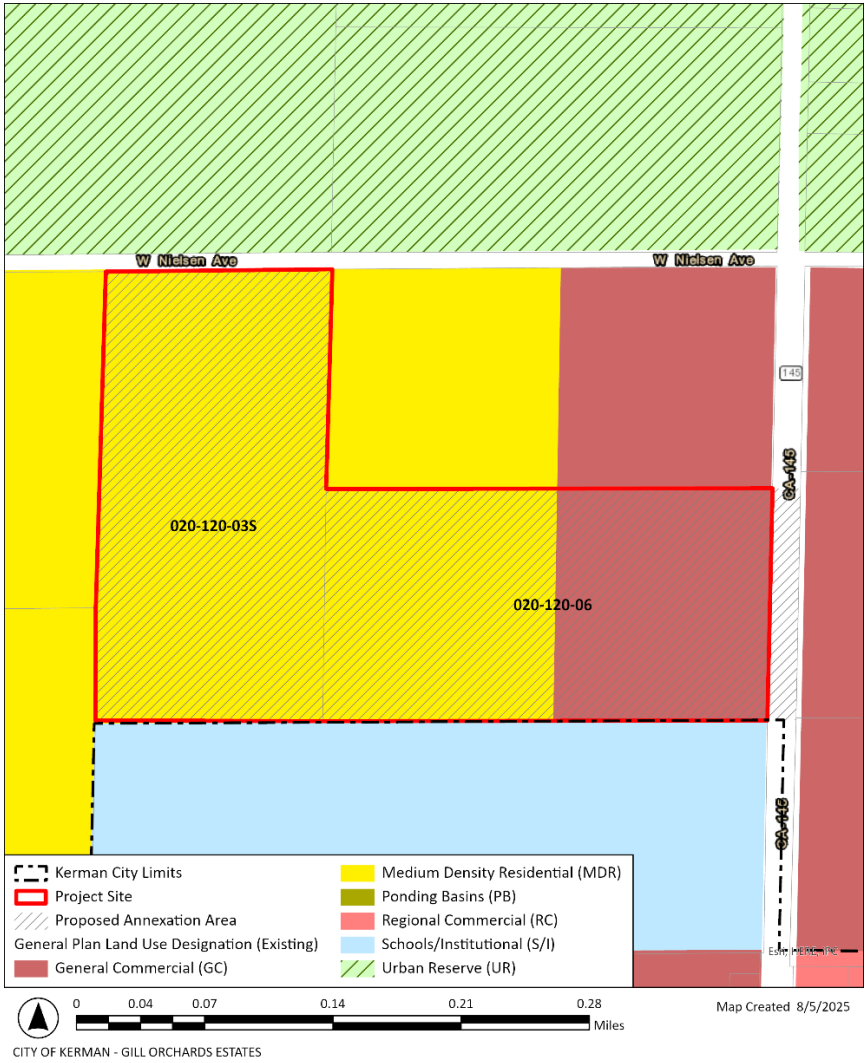
Josie Camacho
City Clerk

Exhibit '1': General Plan Amendment 2023-02
Exhibit '2': Initial Study and Mitigated Negative Declaration
Exhibit '3': Mitigation Monitoring and Reporting Program

Exhibit '1'

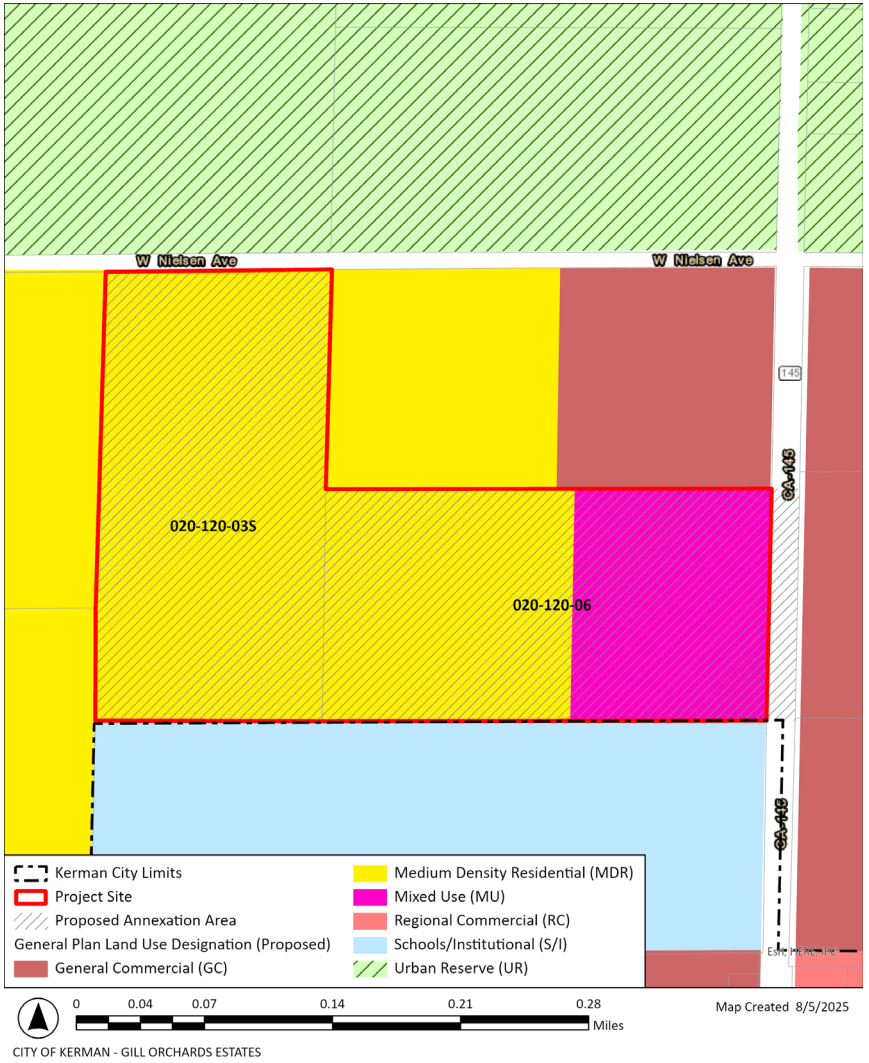
General Plan Amendment 2023-02

Prior General Plan Land Use Designation



CITY OF KERMAN - GILL ORCHARDS ESTATES

New General Plan Land Use Designation



CITY OF KERMAN - GILL ORCHARDS ESTATES

Exhibit '2'

Initial Study and Mitigated Negative Declaration

The Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) is posted on the City's Website under the Community Development Department, Planning Division, Planning Projects, 2024 Projects webpage at https://www.cityofkerman.net/175/Planning-Projects, and is available at the City Clerk's office at 850 S. Madera Avenue, Kerman, CA 93630.

Exhibit '3'

Mitigation Monitoring and Reporting Program

State law requires that the City of Kerman (Lead Agency) adopt a monitoring program for mitigation measures that have been incorporated into the approved project to reduce or avoid significant effects on the environment. The purpose of the monitoring program is to ensure compliance with environmental mitigation during project implementation and operation. Since there are potentially significant impacts requiring mitigation associated with The Orchards at Gill Estates Project, a Mitigation Monitoring Program is included herein on the following pages.

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Agricultural and Forestry Resources				
AG-1: Reduce Conflicts Between Urban and Agricultural Uses. In order to reduce potential conflicts between urban and agricultural uses, the following measures shall be implemented: 1. Potential residents shall be notified about possible exposure to agricultural chemicals at the time of purchase / lease of property within the development. Notification shall be provided by the project proponent to the potential resident. Notification shall occur at the time of each property sale or lease agreement, as demonstrated through disclosure statements included in the purchase agreements or lease documents, with a signed acknowledgement by the buyer/lessee. Verification that this notification process has been consistently implemented shall be provided by the project proponent to the City of Kerman Community Development Department prior to the approval of occupancy for each property. 2. A Right-to-Farm Covenant shall be recorded on each parcel map and residential tract map or be made a condition of each tract map or parcel map to protect continued agricultural practices in the area. The City of Kerman Community Development Department shall be responsible for requiring the condition as part of the tentative map approval. The project proponent shall be responsible for ensuring the covenant is recorded. Verification of recording shall occur by the City of Kerman Community Development Department prior to the final map approval. *3.* Potential residents and commercial tenants shall be informed of the Right-to-Farm Covenant at the time of purchase / lease of	1. Project Proponent 2. City of Kerman Community Development Department (Conditions of approval) and Project Proponent (Recordation) 3. Project Proponent	1. Prior to occupancy approval for each unit 2. Prior to final map approval 3. Prior to occupancy approval for each unit	City of Kerman Community Development Department	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
property within the development. Notification shall be provided by the project proponent to the potential resident. Verification shall occur at the time of each property sale or lease agreement, as demonstrated through disclosure statements included in the purchase agreements or lease documents, with a signed acknowledgement by the buyer/lessee. Verification that this notification process has been consistently implemented shall be provided by the project proponent to the City of Kerman Community Development Department prior to the approval of occupancy.				
Biological Resources				
BIO-1: San Joaquin kit fox Avoidance. The following measures shall be implemented to avoid any potential impact to San Joaquin kit fox during construction. These measures are designed to avoid and minimize any impact on San Joaquin kit fox in the unlikely event an individual is present within the Study Area at any time during construction. A description of the measures shall be included in the construction plans submitted to the City of Kerman Community Development Department by the project proponent during the building permit process for each phase of construction. Incorporation of measures shall be verified by the City of Kerman Community Development Department prior to issuance of building permits for each phase. 1. **Prior to Construction:** Prepare and conduct an employee education program prior to the start of construction. The program shall consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered	Project Proponent	Prior to issuance of grading or building permits	City of Kerman Community Development Department	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
species concerns to contractors, their employees, and military and/or agency personnel involved in the Project. The program shall include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the Project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during Project construction and implementation (as summarized below). A fact sheet conveying this information shall be prepared for distribution to the previously referenced people and anyone else who may enter the Project site. 2. **Avoidance and Minimization Measures During Construction:** The following measures shall be included within the worker education program and in any Project specification and contract. a. Project-related vehicles shall observe a daytime speed limit of 20 mph throughout the site in all Project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. No nighttime construction shall occur, given the species is primarily nocturnal. b. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a Project, all excavated, steep-walled holes or trenches more than 2 feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen fill or wooden planks shall be installed. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the Service and the California Department of				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Fish and Game (CDFG) shall be contacted as noted under measure 13 referenced below. c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity until the fox has escaped. d. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from a construction or Project site. e. No firearms shall be allowed on the Project site. f. No pets, such as dogs or cats, shall be permitted on the Project site to prevent harassment, mortality of kit foxes, or destruction of dens. g. The use of rodenticides and herbicides in Project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe labels and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional Project-related restrictions deemed necessary by the Service. If				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
rodent control must be conducted, zinc phosphide shall be used because of a proven lower risk to kit fox. h. A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program, and their name and telephone number shall be provided to the Service. i. Upon completion of the Project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, etc., shall be re-contoured if necessary and revegetated, if possible, to promote restoration of the area to pre-Project conditions. j. Any contractor or employee responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFG immediately in the case of a dead, injured, or entrapped kit fox. k. The Sacramento Fish and Wildlife Office and CDFG shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project-related activities. Notification must include the date, time, and location of the incident or the finding of a dead or injured animal and any other pertinent information. l. New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map marked with the location of where the kit fox was observed shall also be provided to the U.S. Fish and Wildlife Service.				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Cultural Resources				
CUL-1: In order to avoid the potential for impacts to historic and prehistoric archaeological resources, the following measures shall be implemented in conjunction with the construction of each phase of the Project: If previously unknown historical, archeological, cultural, or paleontological resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified archeologist, historical resources specialist, or paleontologist, shall be consulted to determine whether the resource requires further study. Notification of discovery shall be provided to the City of Kerman Community Development Department. The qualified archeologist, historical resources specialist, or paleontologist shall make recommendations to the project proponent on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and City's policies and procedures related to historical, cultural, and paleontological resources. Notification of the measures shall be provided to the City of Kerman Community Development Department. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the project proponent, who shall notify the City of Kerman Community Development	Project Proponent	During construction activities for all phases	City of Kerman Community Development Department	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Department. Appropriate measures for significant resources could include avoidance or capping, preservation in-place, recordation, additional archeological resting, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the City of Kerman Community Development Department approves the measures to protect these resources. Any historical, archeological, cultural, or paleontological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.				
Geology and Soils				
See **Mitigation Measure CUL-1.**	Project Proponent	During construction activities for all phases	City of Kerman Community Development Department	
Greenhouse Gas Emissions				
GHG-1 Prior to the approval of building permits, in order to meet with all project attributes in the 2022 Scoping Plan greenhouse gas emission thresholds, the project proponent shall present documentation to the satisfaction of the City of Kerman Community Development Department that each residential unit shall provide electric vehicle charging capabilities that meet the requirements of the latest version of the California Green Building Standards Code (CALGreen) Tier 2 Voluntary Standards as part of the final project designs.	Project Proponent	Prior to issuance of building permits for all phases	City of Kerman Community Development Department	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Hazards and Hazardous Materials				
HAZ-1 Asbestos Survey. Prior to the demolition or renovation of any existing structure on site, an Asbestos Survey shall be conducted to determine the quantity of asbestos-containing construction material to be removed in the Project. As regulated by National Emission Standards for Hazardous Air Pollutants (NESHAP), the inspection must be conducted by a Cal-OSHA Certified Asbestos Consultant (CAC). The Asbestos Survey report shall be submitted to the City of Kerman Community Development Department for review and approval. Alternatively, if the developer is opting to treat all of the material as RACM and will notify as such, the survey may be bypassed. A completed and signed Asbestos Notification Form must be submitted to the San Joaquin Valley Air Pollution Control District (SJVAPCD) 10 working days prior to the commencement of any regulated asbestos (RACM) abatement. If it is determined that there are asbestos-containing materials or soils on site, the developer shall utilize specialists/professionals for asbestos removal/abatement to reduce potential health risks to construction workers. Demolition activities that would expose construction workers and/or the public to asbestos-containing materials shall be conducted in accordance with the applicable regulations, including, but not limited to: • San Joaquin Valley Air Pollution Control District • California Health and Safety Code (Section 39650 et seq.) • California Code of Regulations (Title 8, Section 1529)	Project Proponent	Prior to issuance of demolition permits	City of Kerman Community Development Department	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
• California Occupational Safety and Health Administration regulations (California Code of Regulations, Title 8, Section 1529 [Asbestos] and Section 1532.1 [Lead]) Code of Federal Regulations (Title 40, Part 61 [asbestos], Title 40, Part 763 [asbestos], and Title 29, Part 1926 [asbestos and lead])				
HAZ-2 Lead-Based Paint Inspection. Prior to the demolition of any existing structure on site, a lead-based paint inspection is required to determine whether the lead-based paint is present in or on the original building materials. The inspection shall be conducted on-site by a state-certified Lead Inspector or Assessor in accordance with the California Code of Regulations, Title 8, Section 1532.1. The investigation report shall be submitted to the City of Kerman Community Development Department for review and approval prior to issuance of a demolition permit. If it is determined that lead-based paint exists on site, the project proponent shall utilize professionals for lead-based paint removal to reduce potential health risks to construction workers and/or the public. Pursuant Section 1532.1, construction workers must establish and implement a compliance program, and provide a written Pre-Job Notification to the nearest Division of Occupational Safety and Health Cal/OSHA office 24 hours before the start of a project.	Project Proponent	Prior to approval of demolition permits	City of Kerman Community Development Department	
HAZ-3 Test for Agricultural Pesticides. Prior to building permit approval for the first construction phase, a limited Phase II investigation shall be conducted to assess the surface soil of the project site for residual organochlorine and lead arsenate pesticides. The Phase II investigation shall be conducted in accordance with guidelines developed by the Department of Toxic Substances Control (DTSC) and Environmental Protection Agency (EPA) for site assessments. The Phase II investigation shall estimate the potential threat to public health and the environment if	Project Proponent	Prior to building permit approval for the first construction phase	City of Kerman Community Development Department	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
concentrations of pesticides are encountered using methods outlined in DTSC's Preliminary Endangerment Assessment Guidance Manual and DTSC's Screening Level Human Health Risk Assessment guidance for implementing screening level risk analysis. The Phase II investigation shall be submitted to the City of Kerman Community Development Department for review and approval. If the Phase II testing reveals concentrations of organochlorine pesticides and lead arsenic above health-based screening levels for residential exposure, remediation of the site shall be required to address residual organochlorine and lead arsenate pesticides above health-based level of concern. Remediation may include excavation and disposal of impacted soil or capping elevated areas beneath paved areas. The Construction Contractor shall implement the recommendations outlined in the Phase II.				
Noise				
NOI-1: To ensure that exterior noise levels at future residential and other noise-sensitive land uses within the project site do not exceed an Ldn of 60 dB due to transportation noise from adjacent roadways (N. Madera Avenue, W. Nielsen Avenue, and Harvest Elementary Road), the following noise attenuation measures shall be incorporated into the project design and implemented during construction. These measures shall be clearly depicted on the project's site, grading, landscape, building, and other required plans and are subject to review and approval by the City of Kerman Community Development Department prior to issuance of building permits.	Project Proponent	Prior to issuance of building permits	City of Kerman Community Development Department	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
The project shall implement one or a combination of the following noise mitigation strategies to achieve the 60 dB Ldn noise contour within the project boundaries, consistent with the following existing noise contours: • **N. Madera Avenue:** The 60 dB Ldn contour extends approximately 121 feet from the roadway centerline. • **W. Nielsen Avenue:** The 60 dB Ldn contour extends approximately 5 feet from the roadway centerline. • **Harvest Elementary Road:** The 60 dB Ldn contour extends approximately 42 feet from the roadway centerline. 1. **Building Setbacks:** All proposed residential structures and other noise-sensitive uses shall be setback from the centerlines of the adjacent roadways by a distance sufficient to ensure that exterior noise levels do not exceed 60 dB L_{dn}. This shall be demonstrated through the project's site, grading, landscape, building, and other required plans and are subject to review and approval by the City of Kerman Community Development Department prior to issuance of building permits. The minimum setbacks shall be no less than: • **N. Madera Avenue:** 121 feet from the roadway centerline, unless an alternative noise mitigation measure (Sound Wall) is implemented to achieve the 60 dB L_{dn} at a lesser setback. • **W. Nielsen Avenue:** 5 feet from the roadway centerline, unless an alternative noise mitigation measure (Sound Wall) is implemented to achieve the 60 dB L_{dn} at a lesser setback. • **Harvest Elementary Road:** 42 feet from the roadway centerline, unless an alternative noise mitigation measure (Sound Wall) is implemented to achieve the 60 dB L_{dn} at a lesser setback.				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Sound Walls: Where sufficient building setbacks alone are not feasible to achieve the 60 dB L_{dn} at outdoor activity areas or building facades of noise-sensitive uses, a continuous, solid sound wall with a minimum height of six (6) feet above the finished project site grade shall be constructed along the project boundary adjacent to the applicable roadway(s). This shall be demonstrated through the project's site, grading, landscape, building, and other required plans and are subject to review and approval by the City of Kerman Community Development Department prior to issuance of building permits.				
Mitigation Measure NOI-2: To mitigate potential noise impacts from future stationary noise sources on existing or proposed noise-sensitive receptors within or adjacent to the Project site, the following measures shall be implemented: 1. **Trigger for Acoustical Analysis:** Prior to the issuance of a building permit for any proposed commercial use that is reasonably anticipated to generate significant stationary noise (including, but not limited to, HVAC systems, loading docks, outdoor processing equipment, amplified sound, or other potentially loud operations) and is located within the following distances of an existing or proposed noise-sensitive receptor (e.g., residential dwellings, schools, hospitals, parks, libraries), the project proponent shall be required to prepare an acoustical analysis prepared by a qualified acoustical consultant. a. **HVAC Mechanical Equipment:** when equipment is within 50 feet of an existing or proposed noise-sensitive receptor. b. **Truck Movements:** when truck access routes are located within 100 feet of an existing or proposed noise-sensitive receptor.	Project Proponent	Prior to issuance of building permits	City of Kerman Community Development Department	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
c. **Parking Lot Activities:** when a parking lot is located within 50 feet of an existing or proposed noise-sensitive receptor. d. **Loading Dock Activities:** when loading docks are located within 100 feet of an existing or proposed noise-sensitive receptor. e. **Compactor:** when a compactor is located within 10 feet of an existing or proposed noise-sensitive receptor. 2. **Requirements for Acoustical Analysis:** The acoustical analysis shall, at a minimum, identify all potential significant stationary noise sources associated with the proposed use, including operational characteristics, predict noise levels at the property line of the noise source and nearest existing or proposed noise-sensitive receptors, and evaluate the predicted noise levels against the City of Kerman's applicable stationary noise standards in the General Plan and Municipal Code. If noise levels are predicted to exceed the City's standards at sensitive receptors, the analysis shall recommend specific, feasible, and effective mitigation measures to achieve compliance with the City's standards. The acoustical analysis shall be submitted by the project proponent to the City of Kerman Community Development Department during the entitlement process. All noise mitigation measures recommended in the acoustical analysis shall be clearly incorporated into the project's site plans prior to issuance of building permits. **Implementation of Mitigation Measures:** Mitigation measures may include but are not limited to: relocation or redesign of noise-generating equipment, installation of sound barriers or enclosures, use of quieter equipment or operational practices, limitations on hours of operation for specific noise-generating activities, or architectural soundproofing. The analysis shall clearly demonstrate the expected noise reduction and				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
confirm that the City's noise standards will be met at all sensitive receptor locations. Prior to issuance of occupancy, the project proponent shall submit verification to the City of Kerman Community Development Department confirming that all required noise mitigation measures have been implemented in accordance with approved plans.				
NOI-3 The following mitigation measures and best management practices shall be applied during periods of project construction. Prior to issuance of building permits for all project phases, the project proponent shall include these measures and best management practices on the construction plans submitted to the City of Kerman Community Development Department. The Building Division shall verify that these measures and best management practices are included in the construction plans prior to approval of building permits. • **Adherence to City Ordinance:** Construction activities are strictly prohibited outside the hours of 7:00 am and 10:00 pm, as mandated by the City of Kerman Municipal Code. Any work outside these hours requires prior written approval from the City of Kerman's Planning and/or Building Division, demonstrating necessity and implementation of enhanced noise mitigation measures. • **Equipment Maintenance and Muffling:** All construction equipment shall be maintained in proper working order with effective muffling devices that meet or exceed manufacturer specifications for noise reduction. Documentation of equipment maintenance, including muffler checks, shall be kept on-site and made available for inspection. During inspections by the City of Kerman's Building Division, non-compliant equipment shall be	Project Proponent	Prior to issuance of building permit	City of Kerman Community Development Department	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
tagged and prohibited from use until proper maintenance or muffling is implemented and verified by the City. • **Idling Reduction:** Noise-producing equipment shall not be left operating, running, or idling when not actively in use by construction personnel. Operators shall be instructed and regularly reminded to turn off equipment during periods of inactivity. This requirement shall be included in contractor agreements. • **Distance from Sensitive Receptors:** Noise-producing construction equipment shall be strategically located and operated as far as feasible from noise-sensitive land uses (e.g., residences, schools, hospitals, parks). Site plans submitted with the construction documents shall identify noise-sensitive areas and demonstrate how equipment placement maximizes distance. The City's review of the construction site plan will assess the proposed equipment locations relative to sensitive receptors. Any significant deviations during construction will require justification and potential relocation of equipment as directed by the City. • **Staging Area Location:** Construction staging areas, where equipment and materials are stored and where less intensive activities may occur, shall be located at the maximum possible distance from noise-sensitive land uses. The location of staging areas shall be clearly indicated on the construction site plan. The approved site plan will dictate the permissible locations for staging areas. Any unauthorized staging in closer proximity to sensitive receptors will require immediate relocation. • **Construction Hours Signage:** Clearly visible signs, in both English and Spanish, shall be posted at all construction site entrances and near adjacent sensitive receptors. These signs shall prominently				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
display the permitted hours of construction activities and provide the name and contact phone number of a designated noise disturbance coordinator responsible for addressing noise complaints. The presence and legibility of these signs will be verified during initial site inspections and monitored throughout the construction period. Missing or inadequate signage will require immediate replacement. The contact information for the noise coordinator shall be provided to the City prior to the commencement of construction.				
Tribal Cultural Resources				
See **Mitigation Measure CUL-1**	Project Proponent	During construction for all phases	City of Kerman Community Development Department	

Attachment 'H'

ORDINANCE NO. 25-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING REZONE 2023-03 TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF KERMAN FOR TWO (2) PARCELS IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS (APNS) 020-120-06 (19.82 ACRES) AND 020-120-03S (20 ACRES), PRE-ZONING THE PARCELS CONSISTENT WITH THE PROPOSED LAND USE DESIGNATIONS, RESULTING IN APPROXIMATELY 30.39 ACRES WITHIN THE SMART DEVELOPMENT COMBINING DISTRICT – RESIDENTIAL – MINIMUM 3,500 SQUARE FEET (SD-R-3.5) AND 8.74 ACRES WITHIN THE MIXED USE DISTRICT, TOTALING APPROXIMATELY 39.13 ACRES LOCATED ON THE SOUTH SIDE OF WEST NIELSEN AVENUE BETWEEN NORTH MADERA AVENUE AND NORTH DEL NORTE AVENUE

WHEREAS, Rezone 2023-03 pertains to two (2) parcels (APNs 020-120-06 and 020-120-3S) consisting of approximately 39.13 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue ("project site), requesting to amend the Official Zoning Map of the City of Kerman; and

WHEREAS, the project site is located within the City of Kerman Sphere of Influence, but since it is outside City limits, the site is zoned by the County and is within the County of Fresno's Agricultural Exclusive – 20 acres (AE-20) and Limited Agricultural – 20 acres (AL-20) zone districts; and

WHEREAS, because the project site is outside City limits, the project requires annexation and pre-zoning to a zone district consistent with the City of Kerman 2040 General Plan; and

WHEREAS, Rezone 2023-03 requests to pre-zone/rezone the two (2) parcels (APNs 020-120-06 and 020-120-3S) to zoning districts consistent with the planned land use designations, upon approval of General Plan Amendment 2023-02; and

WHEREAS, the pre-zone/rezone would result in approximately 30.39 acres within the Smart Development Combining District – Residential – Minimum 3,500 Square Feet (SD-R-3.5) and 8.74 acres within the Mixed Use District (MU) as shown in Exhibit '1'; and

WHEREAS, approval of the project would require approval of General Plan Amendment 2023-02, Rezone 2023-03, Tentative Parcel Map 2024-01, Tentative Subdivision Map 2023-03, and Annexation 2023-03; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project and the project is in compliance with CEQA; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission has completed its review of the Staff Report and documents submitted for the proposed project at a special meeting on September 22, 2025, and adopted a resolution with a recommendation to the City Council to approve Rezone 2023-03; and

WHEREAS, pursuant to the provision of Title 17 of the Kerman Municipal Code, the City of Kerman City Council held a public hearing on October 22, 2025 to consider Rezone 2023-03 during which the Council solicited public testimony, and considered the environmental assessment; and

WHEREAS, the City Council now desires to approve Rezone 2023-03 to amend the Official Zoning Map of the City of Kerman for two (2) parcels (APNs 020-120-06 and 020-120-03S), prezoning the parcels to SD-R-3.5 and MU zoning districts, consistent with the planned land use designations, upon approval of General Plan Amendment 2023-02.

NOW, THEREFORE, the City Council of the City of Kerman does ordain as follow:

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. CEQA: The City Council previously certified the IS/MND (SCH No. 2025060904) for the project. The IS/MND identified the pre-zoning of the project site. The pre-zoning does not change the environmental assessment of the IS/MND. Further, the IS/MND was recently certified at the public hearing regarding the project. The City Council further finds that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the IS/MND. As such, the City Council finds Rezone 2023-03 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

3. Rezone Findings. The City Council finds as follows:

    a. The change is consistent with the General Plan. The project site is currently planned for residential and commercial uses. The project requests an amendment to the General Plan and Zoning Map to increase the acreage of land designated for medium density and mixed use uses, which requires the removal of the acreage of land designated for commercial uses. The project would facilitate future residential and commercial development within an area with existing and planned residential, recreational and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-

1.4 (Limit Residential Development Along Highways), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development) LU-4.5 (Right-to-Farm Disclosure), and LU-5.4 (New Incompatible Land Uses). Therefore, the change is consistent with the General Plan goals and policies.

b. The change is consistent with the purpose of the Zoning Ordinance to promote the health, safety, and welfare of the community. The project requests to pre-zone the parcels to be annexed and rezone them to zoning districts consistent with the proposed land use designations. The proposed zoning districts are identified as compatible zoning districts for the proposed land use designations as shown in the General Plan. Future development proposed on the project site would be subject to compliance with the applicable standards and requirements of the Zoning Ordinance, standards which were adopted by the City to ensure preservation and promotion of public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. Further, the project has been reviewed by the various City departments and evaluated for conformity with the requirements of the Zoning Ordinance. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with the purpose of the Zoning Ordinance.

c. There will not be significant effects upon the quality of the environment and natural resources. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level.

4. Approval for Rezone. Given that all the findings can be made, City Council approves Rezone 2023-03 to amend the Official Zoning Map of the City of Kerman for two (2) parcels (APNs 020-120-06 and 020-120-03S), pre-zoning the parcels to SD-R-3.5 and MU zoning districts, consistent with the planned land use designations as set forth in Exhibit '1'.

5. Severability: If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

6. Certification: This ordinance shall be published in accordance with the provisions of Government Code Section 36933.

7. Effective Date of Ordinance: This ordinance shall be in full force and effect thirty (30) days after its passage.

The foregoing ordinance was introduced at a regular meeting of the City of Kerman City Council on the 22nd day of October, 2025, and passed and adopted at a regular meeting of the City Council on the 12th day of November, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

Exhibit '1': Rezone 2023-03

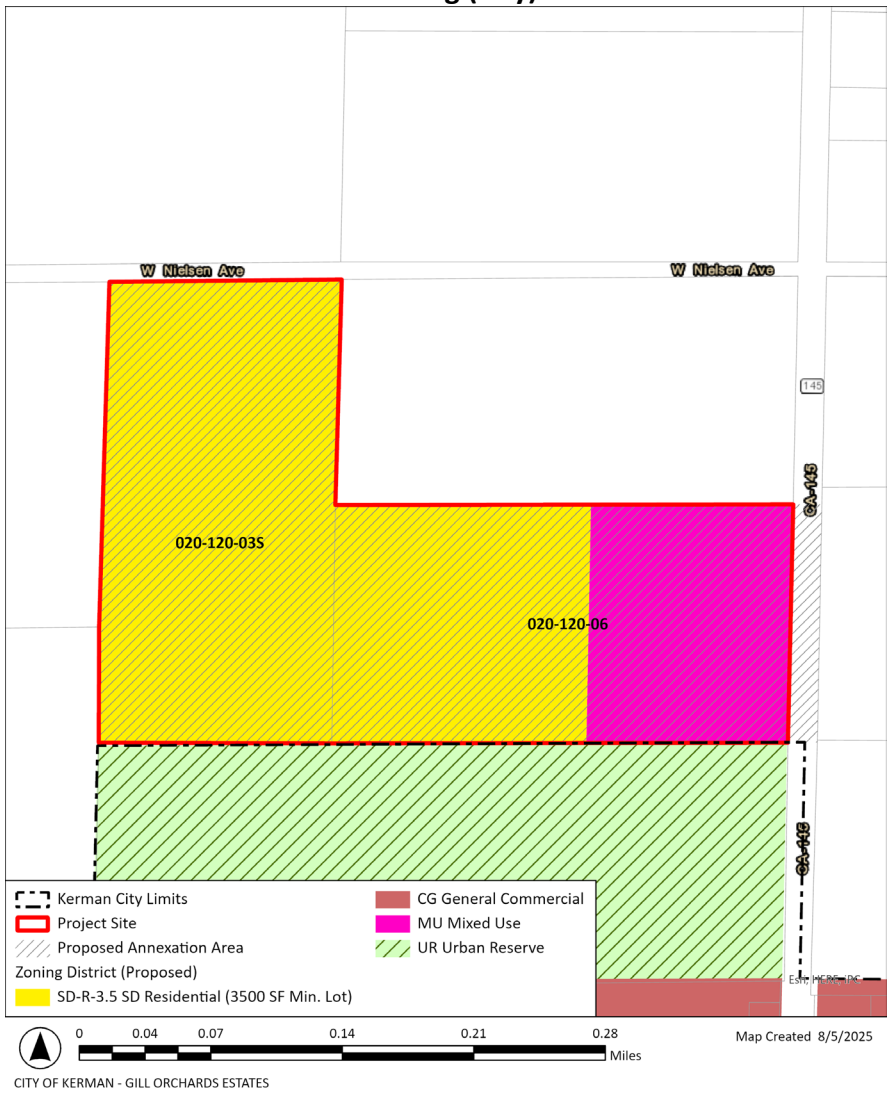
Exhibit '1'

Rezone 2023-03

Prior Zoning (County)



New Zoning (City)



Attachment 'I'

RESOLUTION NO. 25-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING THE ORCHARDS AT GILL ESTATES PARCEL MAP OF TWO (2) PARCELS IDENTIFIED AS 020-120-06 (19.82 ACRES) AND 020-120-03S (20 ACRES) INTO TWO (2) PARCELS AND ONE (1) REMAINDER, INCLUDING A 28.35-ACRE "PARCEL 1" THAT WOULD ACCOMMODATE TSM 2023-03, A 8.74-ACRE "PARCEL 2" ON THE EAST PORTION OF APN 020-120-06 WITH NO DEVELOPMENT PROPOSED AT THIS TIME, AND A 2.04-ACRE "REMAINDER" ON THE NORTHWEST CORNER WITH AN EXISTING SINGLE-FAMILY RESIDENCE (TENTATIVE PARCEL MAP 2024-01)

WHEREAS, Lifetime Communities submitted Tentative Parcel Map 2024-01 pertaining to two (2) parcels (APNs 020-120-06 and 020-120-03S) that total approximately 40 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue ("project site"); and

WHEREAS, Tentative Parcel Map 2024-01 proposes to split the two (2) parcels into two (2) parcels and one (1) remainder (Exhibit '1'); and

WHEREAS, General Plan Amendment 2023-02, Rezone 2023-03, Annexation 2023-03, and Tentative Subdivision Map 2023-03 were considered concurrently by the Planning Commission with Tentative Parcel Map 2024-01; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project and the project is in compliance with CEQA; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project at a special meeting on September 22, 2025, and adopted a resolution with a recommendation to the City Council to approve Tentative Parcel Map 2024-01; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred, and the City Council now desires adoption of a resolution approving Tentative Parcel Map 2024-01.

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

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. CEQA: The City Council concurrently certified the IS/MND (SCH No. 2025060904) for the project. The IS/MND identified the land division of the project site. The land division does not change the environmental assessment of the IS/MND. Further, the City Council certified the IS/MND for this project. The City Council further finds that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the IS/MND. As such, the City Council finds that Tentative Parcel Map 2024-01 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

3. Subdivision Findings. The City Council determines that none of the findings required by the City's Subdivision Ordinance and the California Subdivision Map Act Section 66474 that require the City to deny approval of a tentative map apply to this project, or that findings regarding flood protection cannot be made. To the contrary, the City Council finds, as follows:

    a. The proposed map is consistent with the applicable General Plan, Subdivision Ordinance, Specific Plan, and the Subdivision Map Act. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, Tentative Parcel Map 2024-01 is consistent with all local planning documents including the General Plan, Subdivision Ordinance, and Zoning Ordinance, and the Subdivision Map Act.

    b. The design or improvement of the proposed land division is consistent with applicable general plan and specific plans. Tentative Parcel Map 2024-01 is consistent with the intended land uses, density, and development standards outlined in the General Plan. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the subdivision is consistent with the density and land use designated by the General Plan, as well as circulation, pedestrian accessibility, and other design or improvement requirements of the General Plan. There is no specific plan applicable to the site.

    c. That the site is physically suitable for the proposed type of development. Tentative Parcel Map 2024-01 would split the two (2) parcels identified as APNs 020-120-06 and 020-120-03S into two (2) parcels and one (1) remainder parcel to facilitate future residential and commercial uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, land characteristics, including topography, soil conditions, drainage patterns, ingress/egress and access points, and utility availability are appropriate and can accommodate future development without significant challenges or modifications.

d. That the site is physically suitable for the proposed density of development. Tentative Parcel Map 2024-01 would split the two (2) parcels identified as APNs 020-120-06 and 020-120-03S into two (2) parcels and one (1) remainder parcel. The parcel sizes conform to the standards of development as defined by the Zoning Ordinance for the applicable development zone districts. Future development would be subject to compliance with applicable development standards, including allowable density and intensity. Compliance with these standards would be ensured through the entitlement review process.

e. The design of the land division and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level.

f. The design of the land division and type of improvements being required are not likely to cause serious public health problems. All improvements shall be required by the City and shall include sewer, water, underground power, telephone, gas, concrete curbs, gutters, sidewalks, permanent street pavement, and streetlights. The project will be tied into existing municipal water, sewer, and storm drain systems through the extension of existing systems Sanitary sewer service would be provided through connection to the existing trunk sewer main in First Street at the east-west street along the southern boundary of the site. Domestic water service would also be provided through a connection point at the same location. A drainage basin is proposed on-site in Outlot D of the subdivision on a portion of the parcel identified as APN 020-120-03S. The basin was adequately sized to accommodate stormwater runoff from the site. Associated electric, natural gas, telecommunications, and solid waste services are provided by private companies and will serve the project site as needed. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the design of the land division and type of improvements being required are not likely to cause serious public health problems.

g. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. There are no public easements encumbering the property. Upon development, all modifications made to the existing public improvements fronting the parcels will be required to meet current City standards.

h. That the proposed design provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision pursuant to Government Code Section 66473.1. As feasible, the project has attempted to take advantage of passive or natural cooling opportunities in subdivision design. Appropriate consideration was given to the local climate, while ensuring that heating and cooling opportunities did not result in the reduction of allowable densities or the percentage of a lot that may be occupied as contemplated by Government Code section 66473.1.

4. Approved with Conditions. Based on the aforementioned findings, the City Council adopts a resolution to approve Tentative Parcel Map 2024-01 (Exhibit '1'), subject to the conditions set forth in Exhibit '2' (Tentative Parcel Map 2024-01 conditions of approval) attached hereto.

5. Effective Date of Resolution. This Resolution shall become effective immediately after the City Council approves Rezone 2023-03 and said ordinance adopting the same then becomes effective.

The foregoing resolution was approved by the City Council of the City of Kerman at a regular meeting on the 22nd day of October 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

Exhibit '1': Tentative Parcel Map 2024-01
Exhibit '2': Conditions of Approval for Tentative Parcel Map 2024-01

Exhibit '1'

Tentative Parcel Map 2024-01

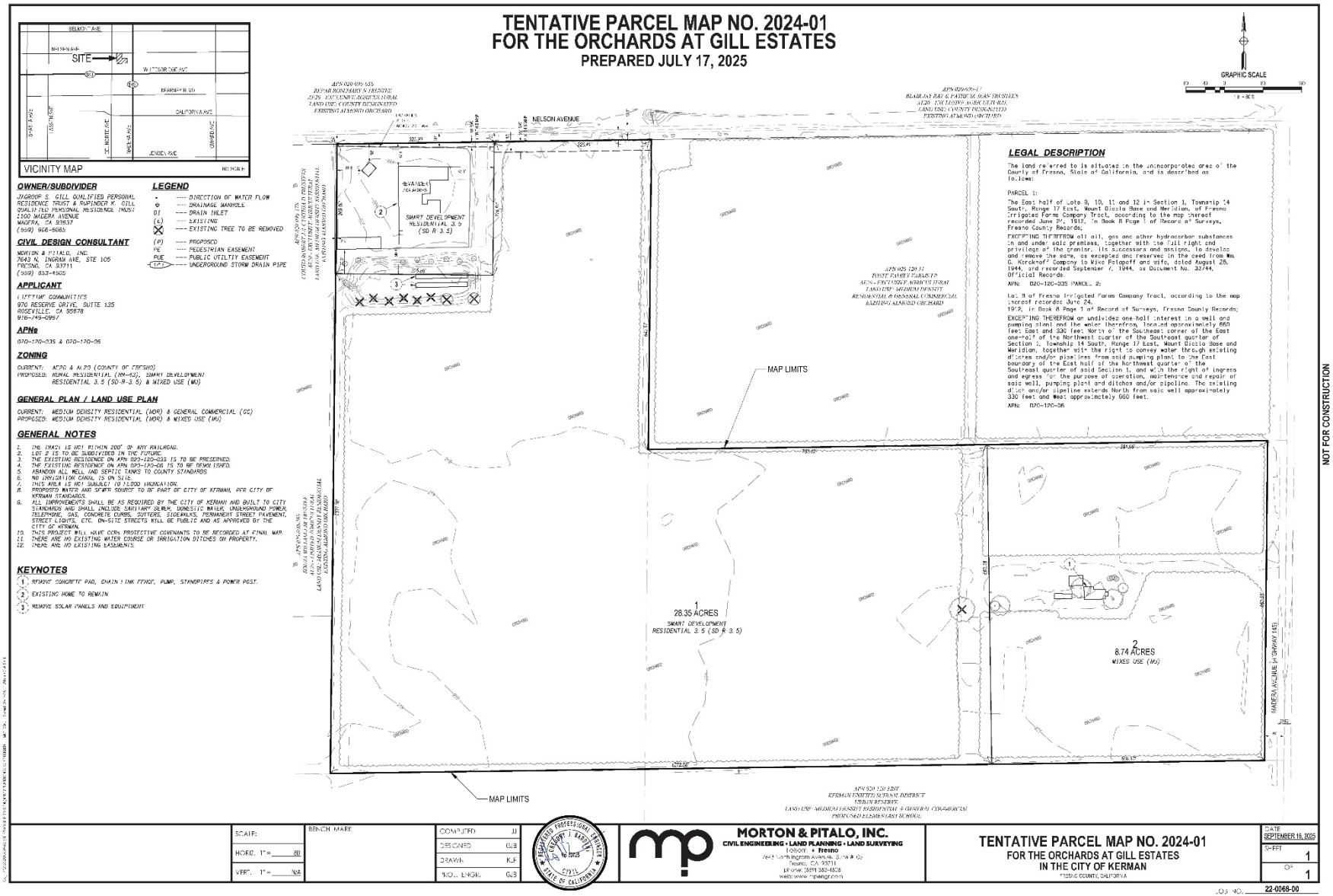


Exhibit '2'

Conditions of Approval
Tentative Parcel Map No. 2024-01
The Orchards at Gill Estates

Engineering Division Conditions of Approval

The conditions of development approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Section 66020(d) of the Government Code, these conditions constitute written notice of such fees, and a description of the dedications, reservations and other exactions. The applicant is hereby notified that the 90-day protest period commences from the date of approval of the development. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exactions contained in this notice, complying with all the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

A. General

1. Obtain express written approval of the City Engineer for a deferment, modification, or waiver of any engineering conditions of approval.

2. The conditions given herein are for the entire development. Additional requirements for individual phases may be necessary pending review by the City Engineer.

3. Comply with all applicable conditions set forth in Title 16 of the Kerman Municipal Code (Subdivisions).

4. Install monuments at all section corners, quarter section corners, all street centerline intersection points, angle points, and beginning of curves and end of curves on streets adjacent to or within the development prior to final acceptance of the development. Any existing section corner or property corner monuments damaged or destroyed by the development shall be reset to the satisfaction of the City Engineer. A licensed land surveyor or civil engineer licensed to perform land surveying shall certify the placement of all required monumentation prior to final acceptance. Within five days after the final setting of all monuments has been completed, the engineer or surveyor shall give written notice to the City Engineer that the final monuments have been set. Upon payment to the engineer or surveyor for setting the final monuments, the applicant shall present the City Engineer evidence of the payment and receipt thereof by the engineer or surveyor.

B. Maps and Plans

1. Submit a 18" x 26" final map, prepared by a registered civil engineer or licensed land surveyor, and adhering to Subdivision Map Act requirements and City of Kerman Municipal Code. The final map shall be drawn at a scale of 1"=100' and include the current filing fee, closure calculations, preliminary title report dated within 30 days of submittal, legal descriptions and

drawings of required dedications. Upon approval of the final map, applicant shall submit a reproducible/electronic copy (PDF) to the City Engineer.

2. Submit a copy of the recorded map to the County Surveyor's Office pursuant to Section 66466(f) of the Subdivision Map Act and Section 8774.5(a) of the Professional Land Surveyors Act

C. Dedications

1. Provide right-of-way acquisition or dedicate free and clear of all encumbrances the following streets to City standards, unless otherwise shown on the tentative parcel map:
   a) Nielsen Avenue
      i) Lot 1 Frontage: Dedicate right-of-way and easements, along development frontage, in accordance with City Standard P-1, to achieve a Collector street half width of 42' south of center/section.
      ii) Remainder Parcel Frontage: Dedicate right-of-way to achieve a modified Collector street half width varying from 24' to 30' south of center/section.

2. Dedicate a 10' public utility easement along all streets and all other locations requested by utility companies. Alternate widths must be approved in writing by all utility companies and a copy of said written approval shall be submitted to the City Engineer.

Attachment 'J'

RESOLUTION NO. 25-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING THE ORCHARDS AT GILL ESTATES SUBDIVISION OF ONE (1) PARCEL INTO 172 SINGLE-FAMILY LOTS RANGING IN SIZE FROM 3,690 SQUARE FEET TO 8,987 SQUARE FEET AND FIVE (5) OUTLOTS, TOTALING APPROXIMATELY 28.35 ACRES LOCATED ON THE SOUTH SIDE OF WEST NIELSEN AVENUE BETWEEN NORTH MADERA AVENUE AND NORTH DEL NORTE AVENUE (TENTATIVE SUBDIVISION MAP 2023-03)

WHEREAS, Lifetime Communities submitted Tentative Subdivision Map 2023-03. "The Orchards at Gill Estates," pertaining to one (1) parcel (Parcel 1 of Tentative Parcel Map 2024-01) consisting of approximately 28.35 acres located on the south side of West Nielsen Avenue between North Madera Avenue and North Del Norte Avenue ("project site"); and

WHEREAS, Tentative Subdivision Map 2023-03 proposes to subdivide the 28.35 acres into 172 single-family lots, ranging in size from 3,690 square feet to 8,987 square feet (Exhibit '1'); and

WHEREAS, General Plan Amendment 2023-02, Rezone 2023-03, Annexation 2023-03, and Tentative Parcel Map 2024-01 were considered concurrently by the Planning Commission with Tentative Subdivision Map 2023-03; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project and the project is in compliance with CEQA; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project at a special meeting on September 22, 2025, and adopted a resolution with a recommendation to the City council to approve Tentative Subdivision Map 2023-03; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred, and the City Council now desires to recommend to approve Tentative Subdivision Map 2023-03.

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

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. CEQA: The City Council concurrently certified the IS/MND (SCH No. 2025060904) for the project. The IS/MND identified the subdivision. The subdivision does not change the environmental assessment

of the IS/MND. Further, the City Council certified the IS/MND for this project. The City Council further finds that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the IS/MND. As such, the City Council finds that Tentative Subdivision Map 2023-03 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

3. Subdivision Findings. The City Council determines that none of the findings required by the City's Subdivision Ordinance and the California Subdivision Map Act Section 66474 that require the City to deny approval of a tentative map apply to this project, or that findings regarding flood protection cannot be made. To the contrary, the City Council finds, as follows:

    a. The proposed map is consistent with the applicable General Plan, Subdivision Ordinance, Specific Plan, and the Subdivision Map Act. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, Tentative Subdivision Map 2023-03 is consistent with all local planning documents including the General Plan, Subdivision Ordinance, and Zoning Ordinance, and the Subdivision Map Act.

    b. The design or improvement of the proposed land division is consistent with applicable general plan and specific plans. Tentative Subdivision Map 2023-03 is consistent with the intended land uses, density, and development standards outlined in the General Plan. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the subdivision is consistent with the density and land use designated by the General Plan, as well as circulation, pedestrian accessibility, and other design or improvement requirements of the General Plan. There is no specific plan applicable to the site.

    c. That the site is physically suitable for the proposed type of development. Tentative Subdivision Map 2023-03 would subdivide "Parcel 1" of the Tentative Parcel Map 2024-01 to create 172 parcels to support single-family uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, land characteristics, including topography, soil conditions, drainage patterns, ingress/egress and access points, and utility availability are appropriate and can accommodate future development without significant challenges or modifications.

    d. That the site is physically suitable for the proposed density of development. Tentative Subdivision Map 2023-03 would subdivide "Parcel 1" of the Tentative Parcel Map 2024-01 to create 172 parcels. The lot areas will conform to the standards of development as defined by

the Zoning Ordinance for the applicable development zone districts. Future development will be subject to compliance with applicable development standards, including allowable density and intensity. Compliance with these standards would be ensured through the entitlement review process.

e. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level.

f. The design of the subdivision and type of improvements being required are not likely to cause serious public health problems. All improvements shall be required by the City and shall include sewer, water, underground power, telephone, gas, concrete curbs, gutters, sidewalks, permanent street pavement, and streetlights. The project will be tied into existing municipal water, sewer, and storm drain systems through the extension of existing systems. Sanitary sewer service would be provided through connection to the existing trunk sewer main in First Street at the east-west street along the southern boundary of the site. Domestic water service would also be provided through a connection point at the same location. A drainage basin is proposed on-site in Outlot D of the subdivision on a portion of the parcel identified as APN 020-120-03S. The basin was adequately sized to accommodate stormwater runoff from the site. Associated electric, natural gas, telecommunications, and solid waste services are provided by private companies and will serve the project site as needed. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the design of the subdivision and type of improvements being required are not likely to cause serious public health problems.

g. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. There are no public easements encumbering the property. Upon development, all modifications made to the existing public improvements fronting the parcels will be required to meet current City standards.

h. That the proposed design provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision pursuant to Government Code Section 66473.1. As feasible, the project has attempted to take advantage of passive or natural cooling opportunities in subdivision design. Appropriate consideration was given to the local climate, while ensuring that heating and cooling opportunities did not result in the reduction

of allowable densities or the percentage of a lot that may be occupied as contemplated by Government Code section 66473.1.

4. Approved with Conditions. Based on the aforementioned findings, the City Council adopts a resolution to approve Tentative Subdivision Map 2023-03 (Exhibit '1'), subject to the conditions set forth in Exhibit '2' (Tentative Subdivision Map 2023-03 conditions of approval) attached hereto.

5. Effective Date of Resolution. This Resolution shall become effective immediately after the City Council approves Rezone 2023-03 and said ordinance adopting the same then becomes effective.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 22nd day of October 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

Exhibit '1': Tentative Subdivision Map 2023-03
Exhibit '2': Tentative Subdivision Map No. 2023-03 Conditional of Approval

Exhibit '1'

Tentative Subdivision Map 2023-03

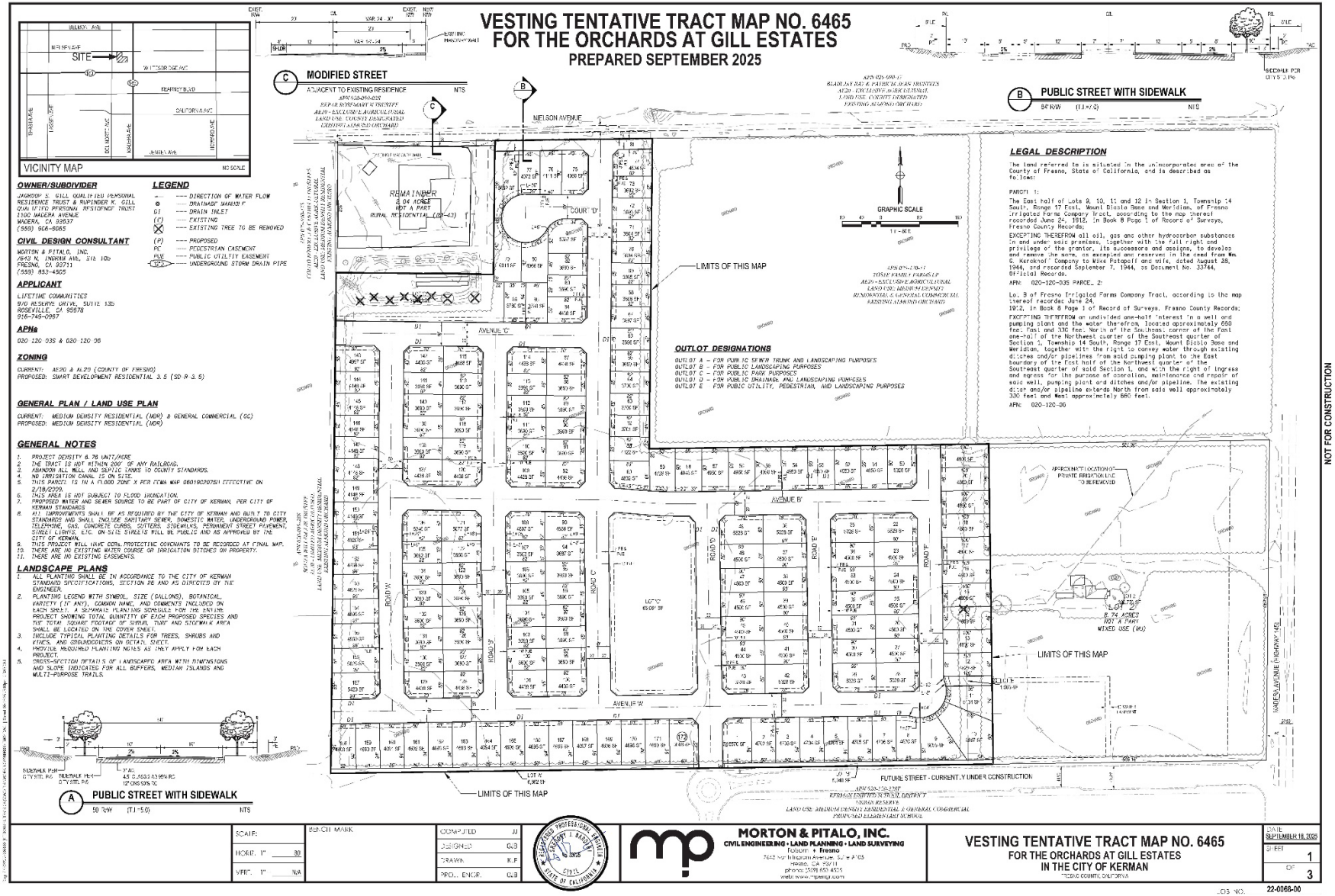


Exhibit '2'

Conditions of Approval
Tentative Subdivision Map No. 2023-03
The Orchards at Gill Estates Residential Subdivision

Community Development Department Conditions of Approval

1. Project approval is conditioned upon applicant's acceptance of the conditions of approval contained herein.

2. The applicant shall obtain express written approval of the Community Development Director for a deferment, modification, or waiver of any conditions of approval.

3. The applicant shall relay all conditions of approval for this project to all subsequent purchasers of individual lots, if applicable, or to subsequent purchasers of this entire subdivision.

4. All conditions of approval shall be the sole financial responsibility of the applicant, except where otherwise specified in the conditions of approval listed herein, via a separate development agreement, or as mandated by statutes.

5. The applicant shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program prepared for this development.

6. It shall be the responsibility of the applicant to ensure that all required approvals, permits, and/or inspections from any entity having jurisdiction, are obtained prior to issuance of final occupancy for any lot.

7. For the lots designated for single-family within the smart development combining district, the applicant shall apply for a Development Plan Review Permit to ensure a comprehensive development of superior quality than which might otherwise occur from more traditional development. The Development Plan Review Permit shall be approved prior to the issuance of any building permit.

8. For the lot designated for mixed-use, any proposed development will be required to go through the development review process and obtain approvals for development separately.

9. The applicant shall obtain City approval in advance for any temporary or permanent subdivision signs through the sign review process, in accordance with the City's Zoning Code.

10. No more than two of the same unit type (floor layout and exterior materials package) shall be repeated side by side. When two of the same units are repeated side by side, they shall be different colors. These identical provisions may be waived by the Community Development Director on a specific lot basis within the project when the size or configuration of a lot would otherwise prevent compliance with the above requirements or any other siting or setback/yard requirements. If such a waiver is requested, the applicant and the Community Development Director shall work together to ensure that any siting of units not in compliance with the above requirements shall be of different materials and elevations in order to minimize any adverse visual impacts.

11. A right-to-farm covenant, approved as to legal form by the City Attorney, shall be recorded prior to the recording of the Final Map. The covenant shall be disclosed to all future homebuyers.

12. All landscaping (public planter/park strips, open space areas, outlots, typical lot plans, etc.) shall conform to the California Model Water Efficient Landscape Ordinance (MWELO) and all other applicable City standards. Preliminary landscape plans for all landscape areas shall be submitted for review and approval by the Community Development Department prior to the submittal of construction documents for review and approval.

13. All residential lots shall provide an all-weather surface and path for the movement and storage of trash toters. The path shall lead from the street to within the fenced side yard of each lot.

14. The applicant shall dedicate an approximately 1.54-acre neighborhood park (Outlot ‘C’) for public purposes. The park shall be developed with landscaping (trees and shrubs), spacious turf area, shade structure to accommodate a minimum of four (4) picnic tables, ADA compliant amenities, and a playground area for children. The development of the park will require a conditional use permit. A site plan, landscaping plan, and information on all structures, equipment, and materials to be provided shall be submitted for review and approval by the Parks and Recreation Department as part of the conditional use permit approval process.

Engineering Division Conditions of Approval

The conditions of development approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Section 66020(d) of the Government Code, these conditions constitute written notice of such fees, and a description of the dedications, reservations and other exactions. The applicant is hereby notified that the 90-day protest period commences from the date of approval of the development. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exactions contained in this notice, complying with all the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

A. General

1. Obtain express written approval of the City Engineer for a deferment, modification, or waiver of any engineering conditions of approval.

2. The conditions given herein are for the entire development. Additional requirements for individual phases may be necessary pending review by the City Engineer.

3. Comply with all applicable conditions set forth in Title 16 of the Kerman Municipal Code (Subdivisions).

4. Pay all applicable development impact fees (DIFs) prior to final inspection or certificate of occupancy, whichever comes first. The City may require payment of DIFs at an earlier time if it is determined that any of the provisions of Government Code Section 66007(b)(1) are satisfied. DIF rates shall be those in effect at the time of final map approval. If all development impact fees are not paid within two years of the date the final map is recorded, then those outstanding fees will have to be paid at the rate in effect at the time of collection. The applicant may be eligible for fee credits or fee reimbursements for over-sizing of facilities or construction of other eligible facilities included in the City of Kerman's Impact Fee Study. The City Engineer will determine the type and extent of improvements that are eligible for fee credits or reimbursements. For any improvements deemed eligible for fee credits or reimbursements, the applicant shall submit itemized quantity and unit costs for each item, including backup documentation (i.e. contracts, invoices, payments, etc.), for review and approval by the City Engineer prior to acceptance of the improvements by the City.

5. Provide security in a sum to be determined by the City Engineer, prior to release of development permits, for the guarantee of improvements construction and against claims that may arise from contractors and material vendors.

6. Provide security in a sum to be determined by the City Engineer, prior to final acceptance of the off-site improvements by the City, for the guarantee and warranty of the improvements for a period of one (1) year following the completion and acceptance thereof by the City Council.

7. Provide a soils report or a waiver of soils report for approval by the City Engineer with the first submittal of the improvement plans.

8. Obtain and comply with encroachment permits from affected jurisdictions for all work performed within their rights-of-way and easements.

9. Comply with all the requirements of the local utility, gas, electric, telephone, cable, and other communication companies (Utilities). It shall be the responsibility of the applicant to notify Utilities to remove or relocate poles where necessary. The City will not accept first submittal of improvement plans without proof that the applicant has provided the improvement plans to the Utilities.

10. Underground all existing overhead and any new utility facilities located along the frontage of the development.

11. Contact the United States Postal Service and address all requirements for the location and type of mailboxes to be installed. The location of the facilities shall be approved by the City Engineer prior to approval of improvement plans or any construction. Applicant shall submit a copy of the Method of Delivery Agreement (MODA) to the City.

12. Install all improvements within public right-of-way and easements in accordance with affected jurisdictions standards, specifications, master plans, and record drawings.

13. Provide and pay for all compaction testing required by the City Engineer. Compaction test locations and depths shall be established by the City Engineer. Compaction test results shall be submitted in a format acceptable to the City Engineer, for review and approval.

14. Maintain the construction site, and any public streets fronting the site, clear of any construction or landscaping debris. The site shall not be used as a storage area for equipment, materials, or other items.

15. Remove all existing structures, trees, shrubs, etc., that are within or encroaching on existing or proposed rights-of-way or easements. Existing street improvements shall be preserved, at the discretion of the City Engineer.

16. Provide clean-up, street sweeping, and dust control during the construction of the development to the satisfaction of the City Engineer and Public Works Director. A deposit of $5,000.00 shall be submitted to the City to guarantee compliance. At any time, applicant is deemed to be non-compliant by the City Engineer or Public Works Director, the City may draw from said deposit to pay for necessary activities to bring the site into compliance.

17. Maintain pedestrian and vehicular access to all surrounding properties and buildings to the satisfaction of the City of Kerman Police Department, North Central Fire Protection District, and City Engineer. For developments occurring in phases, the applicant shall submit a schedule showing the sequence of development within the area covered by the tentative map.

18. Assume responsibility for all contractor's actions during the course of any work occurring on the site. Designate, in writing before starting work, an authorized representative who shall have complete authority to represent and to act for the applicant. Said authorized representative shall be present while work is in progress. During periods when work is suspended, arrangements acceptable to the City Engineer shall be made for any emergency work which may be required. When the applicant or his authorized representative is not present for any part of the work where it may be necessary to give directions, orders may be given by the City Engineer which shall be received and obeyed by the person(s) in charge of the particular work in reference to which the orders are given. Whenever orders are given to the applicant 's representative or superintendent or foreman to do work required for the convenience and safety of the general public, such work shall be done at the applicant's expense.

19. Install monuments at all section corners, quarter section corners, all street centerline intersection points, angle points, and beginning of curves and end of curves on streets adjacent to or within the development prior to final acceptance of the development. Any existing section corner or property corner monuments damaged or destroyed by the development shall be reset to the satisfaction of the City Engineer. A licensed land surveyor or civil engineer licensed to perform land surveying shall certify the placement of all required monumentation prior to final acceptance. Within five days after the final setting of all monuments has been completed, the engineer or surveyor shall give written notice to the City Engineer that the final monuments have been set. Upon payment to the engineer or surveyor for setting the final monuments, the applicant shall present the City Engineer evidence of the payment and receipt thereof by the engineer or surveyor.

B. Maps and Plans

1. Contact the City Engineer to set up a Pre-Submittal Meeting prior to the initial submittal of the improvement plans. The Applicant 's engineer is required to attend.

2. Comply with the City's Final Map and Improvement Plans Checklists in preparation of final map(s) and construction documents.

3. Submit a 18" x 26" final map, prepared by a registered civil engineer or licensed land surveyor, and adhering to Subdivision Map Act requirements and City of Kerman Municipal Code. The final map shall be drawn at a scale of 1"=100' and include the current filing fee, closure calculations, preliminary title report dated within 90 days of submittal, legal descriptions and drawings of required dedications. Upon approval of the final map, applicant shall submit a reproducible/electronic copy (PDF) to the City Engineer.

4. Submit a set of 24" x 36" construction plans prepared by a licensed Civil Engineer for review and approval of all required improvements prior to the release of any development permits. The plans shall include a site grading and drainage plan, landscaping and irrigation plans, and on-site and off-site utilities plan, if applicable, showing locations and sizes of storm drain, sewer and water mains, laterals, manholes, meters, valves, hydrants, etc.

5. Submit a reproducible/electronic copy (PDF) and two (2) black line copies of the approved set of construction plans, and two (2) bound sets of the approved construction specifications, if any, prior to beginning any construction, or within ten (10) calendar days of approval.

6. Submit Pad Certification(s) prior to issuance of building permits.

7. Submit a PDF file of the approved set of construction plans revised to reflect all field revisions and marked "AS-BUILT" prior to City acceptance of the improvements.

8. Submit a copy of the recorded map to the County Surveyor's Office pursuant to Section 66466(f) of the Subdivision Map Act and Section 8774.5(a) of the Professional Land Surveyors Act

C. Dedications and Street Improvements

1. Provide right-of-way acquisition or dedicate free and clear of all encumbrances and improve the following streets to City standards:

   a) Nielsen Avenue

      i) Dedicate right-of-way and easements, along development frontage, in accordance with City Standard P-1, to achieve a Collector street half width of 42' south of center/section.

      ii) Dedicate right-of-way and easements, along Remainder Parcel (TPM 2024-01) frontage, to achieve a modified street half width varying from 24' to 30' south of center/section.

      iii) Relinquish all direct vehicular access from all single-family residential lots backing or siding onto this street.

      iv) Construct improvements south of center/section line, along development frontage, in accordance with City Standard P-1 for a Collector Street. Improvements shall include, but not be limited to, curb and gutter, sidewalk, curb ramps, streetlights, landscaped median island, landscaping, irrigation, and permanent paving. North of center/section line, construct half-width landscaped median island, and 12' westbound travel lane.

      v) Construct improvements south of center/section line along the Remainder Parcel (TPM 2024-01) frontage. Improvements shall include, but not be limited to, curb and gutter, sidewalk, curb ramps, streetlights, median island (geometry and construction to be approved by the City Engineer during improvement plan review process), and permanent paving. North of center/section line, construct 12' travel lane and 4' paved shoulder.

vi) Re-construct Nielsen, from the east end of the development to State Route 145, to provide one 12’ travel lane and 4’ paved shoulders in each direction.

vii) Construct transitional paving as required.

b) East-West Street adjacent to the South

i) Relinquish all direct vehicular access from all single-family residential lots backing or siding onto this street.

c) 50’ Interior Residential Streets

i) Dedicate right-of-way and easements, in accordance with City Standard P-1.

ii) Construct improvements including curb and gutter, sidewalk, drive approaches, curb ramps, streetlights, landscaping and irrigation, and permanent paving.

iii) Relinquish vehicular access to future mixed-use development east of the proposed development (Lot 2 of TPM 2024-01).

d) Madera Avenue (State Route 145)

i) Harvest Elementary Road (east-west street along southern boundary of the development) Intersection: Complete the Intersection Safety and Operational Assessment Process (ISOAP) process in accordance with Caltrans comment letter dated March 27, 2025. For any improvements required as a result of the ISOAP, comply with the developments Fair Share contribution recommendation included in the Traffic Impact Analysis dated May 21, 2025.

ii) For information, the future development of the mixed-use lot to the east of the proposed development (Lot 2 of TPM 2024-01) will be required to construct frontage improvements along Madera Avenue (SR 145). Lane configuration, shoulder, curb and gutter, sidewalk, lighting, etc. should match the roadway configuration directly to the south. Improvement requirements will be included in the conditions of approval for future entitlements for development of the mixed-use lot.

2. Dedicate a 10’ public utility easement along all streets and all other locations requested by utility companies. Alternate widths must be approved in writing by all utility companies and a copy of said written approval shall be submitted to the City Engineer.

3. Obtain "R Value" tests in quantity sufficient to represent all street areas, and have street structural sections designed by a registered civil engineer based on these "R Value" tests. These designs shall be compared to the minimum section given below and approved by the City Engineer.

Street Designation	Minimum Section
Residential Street	2” HMA/4” AB, CL II/6” CNS
Collector Street	3” HMA/6” AB, CL II/6” CNS

4. Install standard barricades with reflectors at ends of streets abutting undeveloped property and any other locations to be specified by the City Engineer.

5. Install 2”x6” redwood header boards prior to street paving, at the end of any permanent pavement abutting undeveloped property.

6. Install temporary paved cul-de-sacs at the end of any dead-end streets, planned for future extension, longer than 150’. A 40’ radius shall be provided to allow turnaround of emergency equipment.

7. Provide for all striping, stenciling, pavement markers, delineators and signage required of all street improvements within the development. All traffic signs and street name signs shall be installed in accordance with City Standards and the CA MUTCD (latest edition). A striping and signage plan shall be included with the construction plans and submitted for review and approval by the City Engineer.

8. Provide corner cut-offs at all street intersections. Corner cut-offs shall be sufficient to provide for sight distances and accommodate curb ramps.

9. Repair/replace any broken or buckled curb, gutter, and/or sidewalk along the site frontage in kind to the satisfaction of the Public Works Department.

10. Provide street names consistent with existing street alignments, where applicable. Where existing street alignments do not exist, proposed street names shall be submitted for review by the Community Development Director. Names matching existing county roads or city streets must maintain the current suffix. When deemed practical, entry streets, cul-de-sacs, and courts should utilize the name of the nearest street. All street names shall be approved by the Community Development Director.

11. Subdivision signage shall comply with applicable Building & Fire Code and Section 17.30.070 of the Kerman Municipal Code.

D. Sanitary Sewer

1. Identify and abandon all existing septic systems per City Standards and any other governing regulations.

2. Dedicate a minimum 15’ wide easement for all onsite sewer mains not located in dedicated rights-of-way. Wider easements may be required for sewer mains that are oversize, trunk, deep, or any other condition per the discretion of the City Engineer.

3. Dedicate Outlot A for public sewer purposes. Surface with crushed rock or other material per City Engineer’s requirements.

4. Connect to the nearest 18” sanitary sewer main available to serve the development, located at the northern dead end of First Street at the intersection with Harvest Elementary Road (east-west street adjacent to the southern boundary of the development). The applicant ’s engineer shall be responsible for verifying the size, location, and elevations of existing improvements. Any alternative routing of sewer service must be approved by the City Engineer and supported by appropriate calculations.

5. Install sanitary sewer mains of the size and in the locations indicated below. The applicant ’s engineer shall be responsible for verifying the size, location, and elevations of existing improvements.

    a) Interior Streets: Minimum of 8” sewer mains throughout development.
    b) Avenue ‘B’ and Roads ‘C’ and ‘D’: Install ”12" sewer main alignment between Nielsen Avenue and the northern dead end of First Street at the intersection with Harvest Elementary Road (east-west street adjacent to the southern boundary of the development).

6. Install one (1) 4” sewer service house branch to each lot within the development in accordance with City Standards. Additionally, install sanitary sewer main services to existing parcels’ property lines, not currently served, and fronting the proposed sanitary sewer main improvements.

E. Water

1. Identify and abandon all existing water wells per City Standards and any other governing regulations.

2. Dedicate a 10’ wide easement for all onsite water mains, hydrants, blow-offs, and water meters not located in dedicated rights-of-way. Alternative easement widths may be required at the discretion of the City Engineer.

3. Connect to the nearest 12” water main available to serve the development, located at the northern dead end of First Street at the intersection with Harvest Elementary Road (east-west street adjacent to the southern boundary of the development). Connect to the water main in Harvest Elementary Road (east-west street adjacent to the southern boundary of the development) as a second point of connection. The applicant ’s engineer shall be responsible for verifying the size, location, and elevations of existing improvements.

4. Install water mains of the sizes and in the locations indicated below and provide an adequately looped water system, consisting of at minimum two connection points. The applicant ’s engineer shall be responsible for verifying the size, location, and elevations of existing improvements.

    a) Nielsen Avenue: 12” water main along the development and Remainder Parcel (Tentative Parcel Map 2024-01) frontage.
    b) Interior Streets: Minimum of 8” water mains throughout development.

c) Mixed-use Lot: Install 8" water main within easement on the mixed-use lot (Lot 2 of TPM 2024-01) along eastern side of development, west through Outlot E, and connect to water main in Road 'F'.

5. Install water services, size as necessary, to each lot within the development in accordance with City Standards. Water services shall be grouped at property lines. Additionally, install water services to existing parcels' property lines, not currently served and fronting the proposed water main improvements.

6. Install landscape water service(s), size as necessary to each public landscape area within the development in accordance with City Standards.

7. Install one (1) water sampling station in accordance with City Standards. The location shall be determined by the City Engineer.

8. Install fire services in accordance with North Central Fire Protection District requirements and City Standards. Fire services shall include a detector check.

9. Install fire hydrants at locations approved by the North Central Fire Protection District (NCFPD). Fire hydrants and curbs shall be painted as directed by the NCFPD. Documentation of NCFPD approval of fire hydrant locations must be submitted prior to approval of the improvement plans.

10. Do not perform water service connection to the City of Kerman water system until a bacteriological report has been accepted by the City Engineer.

F. Grading and Drainage

1. Provide a temporary on-site retention basin for storm water disposal. The size and design shall be in accordance with the requirements of the City Engineer and may change based on design calculations and access requirements for maintenance. Sizing calculations shall be provided on the grading plan. The owner of the property on which the temporary basin is to be constructed shall be responsible for maintenance, unless otherwise approved via the required temporary basin covenant. The temporary basin is solely for the convenience of the development.

2. Backfill the temporary basin within ninety (90) days after notice by the City that the permanent facility is available, and the temporary basin is no longer needed. In the event the owner fails to backfill said basin, the City may cause the basin to be backfilled. A lien to cover the cost of work will be placed on the property on which the basin is located. A covenant stating these requirements shall be prepared and recorded, as a condition precedent to the recordation of the final map, on the lot on which the basin is to be located.

3. Install storm drain pipes of the sizes and in the locations indicated below. The applicant's engineer shall be responsible for verifying the size, location, and elevations of existing improvements.

a) Interior Streets: The minimum size of storm drain pipes shall be 15" diameter. Pipe sizing shall be supported by the required H&H calculations.
b) Avenue 'C' and Road 'C': 30" storm drain in accordance with the City's Storm Drain Master Plan.

4. Submit hydrologic and hydraulic calculations (H&H) for any proposed storm drain system and submit with the grading plan for review and approval by the City Engineer. Form of H&H calculations shall be approved by the City Engineer prior to submittal.

5. Install masonry block walls in accordance with City Standards, with a minimum height of 6 feet above finished grade on the high side, and of a design, material, and color approved by the Community Development Director at the following locations:

   a) Nielsen Avenue: along the development frontage.

   b) South Property Line: from the western limit to the eastern limit of the subdivision.

   c) East Property Line Abutting Mixed-Use Lot (Lot 2 of TPM 2024-01): from the southern limit to the northern limit of the subdivision.

6. Masonry block walls that retain more than 12" and/or are taller than 6 feet shall be designed by a registered civil engineer.

7. Show grade differentials between lots and adjacent properties and address in conformance with City Standards. Any retaining walls required shall be concrete/masonry construction. All retaining walls shall be designed by a registered civil engineer.

8. Submit a copy of Storm Water Pollution Prevention Plan with Notice of Intent, or Construction Rainfall Erosivity Waiver, if applicable, prior to issuance of Grading Permit. The City is not a designated MS4 area and is regulated under the Construction General Permit Order 2022-0057-DWQ (CGP). Comply with all requirements of the NPDES General Permit, if applicable. Plans for these requirements shall be included in the construction plan set and shall be submitted to and approved by the City Engineer.

9. Submit a copy of the San Joaquin Valley Air Pollution Control District (SJVAPCD) Dust Control Plan or Construction Notification Form, if applicable, prior to issuance of a grading permit. The Project shall comply with all rules, regulations and conditions of approval imposed by the District. The applicant shall maintain a program of dust control to prevent air pollution as well as discomfort or damage to adjacent and surrounding properties. The applicant shall follow all requirements and recommendations made by the San Joaquin Valley Air Pollution Control District for dust and emission reduction.

G. <u>Landscaping and Irrigation</u>

1. Provide landscaping and irrigation as required herein. The landscaping and irrigation shall be installed in public right-of-way, easements, and all other areas reserved for public landscaping. Plans for the required landscaping and irrigation systems shall be prepared by

an appropriately qualified professional and conform to the City of Kerman Standard Drawings and Specifications, Street Median Landscape Master Plan and the California Model Water Efficiency Ordinance. A preliminary landscape plan for all public areas shall be submitted to the Community Development Department for review and approval prior to submittal of construction documents. Public landscaping and irrigation shall be installed in the following locations:

a) Nielsen Avenue: along the development frontage from back of curb to masonry wall.

b) Outlots B, D, and E

2. Install all landscape improvements prior to final inspection of 50% of the development's building permits.

3. Request annexation to the City's Landscaping and Lighting District (LLD). The property owner acknowledges and agrees that such request serves as a petition pursuant to California State Proposition 218 and no further election will be required for the establishment of the initial assessment. The assessment for each lot must be obtained from the City for the tax year following the recordation of the final map. The property owner shall consent to the first-year assessment and annual increases per the provisions of the LLD. The property owner/applicant shall notify all potential lot buyers before they actually purchase a lot that this subdivision is a part of a LLD. Said notification shall be in a manner approved by the City. The property owner/applicant shall supply all necessary assessment diagrams and other pertinent materials for the LLD, as requested by the City.

H. Agricultural Irrigation/Surface Water Conveyance Facilities

1. Contact and comply with all requirements of the Fresno Irrigation District (FID). This may include, but not be limited to, dedicating easements, piping or relocating any existing FID canals or ditches, replacing any existing irrigation piping, concrete lining or improving any existing canals, construction or reconstruction of any canals, culverts, and bridge crossings. Plans for these requirements and improvements shall be included in the previously required set of construction plans and submitted to and approved by FID prior to the release of any development permits or recording of the final map. If an FID or private irrigation line is to be abandoned, the applicant shall provide waivers from all downstream users.

2. Identify all existing onsite agricultural irrigation systems either onsite or within public rights-of-way, whether FID or privately owned prior to any construction activity on the site. Service to all downstream users of irrigation water shall be maintained at all times through preservation of existing facilities or, if the existing facilities are required to be relocated, the relocation and replacement of the existing facilities. It is the intent that downstream users not bear any burden as a result of the development. Therefore, the applicant shall bear all costs related to modification, relocation, or repair of any existing irrigation facilities resulting from or necessitated by the development. The applicant shall identify on the construction plans all existing irrigations systems and their disposition (abandonment, repair, relocation, and or piping) for approval by the City Engineer. The applicant shall

consult with the FID for any additional requirements for lines to be abandoned, relocated, or piped. The applicant shall provide waivers from all users in order to abandon or modify any irrigation systems or for any service interruptions resulting from development activities.

3. Indicate on construction drawings the depth, location and type of material of any existing FID or privately owned irrigation lines along the proposed or existing street rights-of-way or onsite. Any existing canals or ditches shall be piped. The material of the existing pipe shall be upgraded to the proper class of rubber gasket pipe at all locations unless otherwise approved by FID and the City Engineer.

Other Agency and Department Conditions

A. Caltrans

1. Madera Avenue (SR 145) and Harvest Elementary Road (east-west street along southern boundary of the development) Intersection: Complete the Intersection Safety and Operational Assessment Process (ISOAP) to evaluate proposed traffic control and design geometrics.

2. Comply with alternative transportation policies:
a) Pedestrian walkways should link this project to transit facilities, bicycle pathways, and other walkways in the surrounding area.
b) Connections to local and regional bicycle pathways should be coordinated to encourage further use of bicycles for commuter and recreational purposes.

B. Fresno Irrigation District (FID)

1. For informational purposes, Houghton West No. 94 runs westerly along the north side of Nielsen Avenue, crosses Madera Avenue (SR 145) 1,300 feet northeast of the subject property, crosses Del Norte Avenue approximately 600 feet northwest of the subject property, and crosses Siskiyou Avenue approximately 1,900 feet northwest of the subject property. For any street and/or utility improvements along Nielsen Avenue and/or Madera Avenue (SR 145), or otherwise in the vicinity of the Houghton West No. 94, FID must review and approve the improvement plans.

2. For informational purposes, FID's Whitmore runs southwesterly approximately 250 feet northeast of the subject property. For any street and/or utility improvements in the vicinity of this pipeline, FID must review and approve the improvement plans.

3. For informational purposes, a private pipeline known as the Whitmore No. 346 runs southwesterly traversing the subject property. FID does not own, operate, or maintain this pipeline. FID's records indicate this line is active and shall need to be treated as such. FID can supply a list of known users upon request to obtain consent to abandon/remove the subject pipeline within the subject property.

C. Fresno Local Agency Formation Commission (LAFCo)

1. The applicant will be required to submit the appropriate application materials including fees to LAFCo for reorganization. These materials are enumerated on LAFCo's website (www.fresnolafco.org) through the Applications and Documents tab under "Items Necessary for a Complete Application". The current fee schedule for changes of organization/reorganization (annexation) of 21-40 acres is $9,600.

2. Annexation of full rights of way contiguous to parcel boundaries should be presumed in the reorganization's legal description and map.

D. Kerman Unified School District (KUSD)

1. Pay applicable school fees at the rate in affect at the time of collection. School fees shall be paid prior to issuance of building permits and proof of such payment shall be submitted to the City of Kerman Building Division.

E. Mid Valley Disposal

1. Each single-family unit shall require three (3) carts, which must be stored in the garage or elsewhere on the property until service day.

F. North Central Fire Protection District (NCFPD)

1. The project shall comply with the requirements of the North Central Fire Protection District Operational Policy 403.002.

2. Provide all weather access to the development prior to the delivery of combustible material to the site and maintain during all phases of construction to the satisfaction of NCFPD. Alternative or phased fire access requires prior approval by NCFPD.

G. PG&E

1. The final map shall contain a statement setting forth dedications and offers to dedicate interests in real property for public utility purposes. If the offer of dedication has terminated, or the City declines to accept it, the applicant/developer may be required to provide an easement in gross satisfactory to PG&E. The following language is recommended to be expressly stated for the offer to dedicate Public Utility Easements (PUEs):
I/We the undersigned, as Owner(s) of the land shown hereon, do hereby state that I/we am/are the only person(s) whose consent is necessary to pass clear title to said land and do hereby consent to the preparation and recordation of this map and offer for dedication and do hereby dedicate for public uses the Public Utility Easements (PUEs) shown on this map for public utility purposes including electric, gas, communication facilities and all other public utility purposes; together with any and all appurtenances thereto, including the right from time to time to trim and to cut down and clear away or otherwise control any trees or brush. The PUEs hereby offered for dedication are to be kept open and free of buildings, structures and wells of any kind.

H. San Joaquin Valley Air Pollution Control District (SJVAPCD)

1. Prior to issuance of grading permits or commencement of construction activities, whichever comes first, the applicant/developer shall provide the City with evidence from the San Joaquin Valley Air Pollution Control District of an approved Dust Control Plan or Construction Notification form under Regulation VIII – Fugitive Dust PM10 Prohibitions. The development may be subject to other rules including, but not limited to, Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). The developer will be required to carry out measures of applicable SJVAPCD Rules and Regulations as noted in their comment letter dated March 26, 2024.

Attachment 'K'

RESOLUTION NO. 25-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN INITIATING ANNEXATION OF TWO (2) PARCELS IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS (APNS) 020-120-06 (19.82 ACRES) AND 020-120-03S (20 ACRES), TOTALING APPROXIMATELY 40 ACRES LOCATED ON THE SOUTH SIDE OF WEST NIELSEN AVENUE BETWEEN NORTH MADERA AVENUE AND NORTH DEL NORTE AVENUE (ANNEXATION 2023-03)

WHEREAS, the City of Kerman desires to initiate proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code; and

WHEREAS, Government Code section 56654 provides that "[a] proposal for a change of organization or a reorganization may be made by the adoption of a resolution of application by the legislative body of an affected local agency . . . [;]" and

WHEREAS, the specific changes of organization requested consists of an annexation into the City of Kerman and detachment from the County of Fresno and the Kings River Conservation District of the parcels identified as APNs 020-120-06 and 020-120-03S ("project site"); and

WHEREAS, a map of the boundaries of the territory is set forth in Exhibit '1' attached hereto and by this reference incorporated herein; and

WHEREAS, the affected territory proposed to be changed is inhabited, and on this day contains 5 registered voters, according to information received from the County Elections Office; and

WHEREAS, the proposed annexation area is inside the Sphere of Influence of the City of Kerman; and

WHEREAS, the City has an agreement with the County of Fresno to comply with Revenue and Tax Code Section 99 regarding property tax revenue transfer upon annexation, which memorandum of understanding includes standards of annexations; and

WHEREAS, the City does not propose any specific term and conditions for the proposed reorganization; and

WHEREAS, the reasons for this proposed annexation is to facilitate future residential and commercial development; and

WHEREAS, approval of the project would require approval of General Plan Amendment 2023-02, Rezone 2023-03, Tentative Parcel Map 2024-01, Tentative Subdivision Map 2023-03, and Annexation 2023-03; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project and the project is in compliance with CEQA; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project at a special meeting on September 22, 2025, and adopted a resolution with a recommendation to the City Council to initiate Annexation 2023-03; and

WHEREAS, all prerequisites for the initiation of proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, have been met; and

WHEREAS, after due consideration of all the items before it, the City Council now desires to adopt this Resolution to initiate annexation proceedings for the affected territory as set forth in Exhibit '1'.

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

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. CEQA. The City Council concurrently certified the IS/MND (SCH No. 2025060904) for the project. The IS/MND identified the annexation of the project site. The annexation does not change the environmental assessment of the IS/MND. Further, the City Council certified the IS/MND for this project. The City Council further finds that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the IS/MND. As such, the City Council finds Annexation 2023-03 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

3. General Plan Consistency. The City Council finds that the annexation is consistent with the goals, objectives, and policies of the City of Kerman 2040 General Plan, as amended by General Plan Amendment 2023-02. In this regard, the City Council finds that public necessity, convenience, general welfare, or good zoning practices justify annexation of the project site. Specifically, the annexation and pre-zoning change is consistent with the General Plan goals and policies, any

operative plan, or adopted policy including LU-3.2 Urban Form; LU-3.3 Prevent Sprawl Development; and LU-3.4 Leapfrog Development as described below and implements the planned residential and commercial land uses for the project site.

a. General Plan Policy LU-3.2 Urban Form: The project site is outside City limits but is within the City's Sphere of Influence. The project requires annexation and therefore would result in a change in City limits. The project as proposed would meet the considerations of General Plan Policy LU-3.2 Urban Form. Specifically, the project would facilitate future residential units which would help meet the city's residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing. The project would also facilitate open space (Outlot C) and recreational facilities (pedestrian trail) meeting several community needs. The project would not result in obstacles to growth because future development would be able to connect to City services. The project would also result in infrastructure improvements, including roadway and circulation improvements. Lastly, the project would facilitate future commercial uses through mixed-uses which would serve the city's economic development needs. Lastly, the project would facilitate future commercial uses which would serve the city's economic development needs. Based on these considerations, the project as proposed maintains growth management controls and is consistent with General Plan Policy LU-3.2.

b. General Plan Policy LU-3.3 Prevent Sprawl Development: The project site is contiguous to existing and approved development within City Limits. Thus, the project does not encourage sprawl and is therefore consistent with General Plan Policy LU-3-3.

c. General Plan Policy LU-3.4 Leapfrog Development: The project site is contiguous to existing urban development and thus would not constitute leapfrog development.

4. Findings for Annexation. The City Council finds, as follows:

a. The proposed annexation is within the City's adopted Sphere of Influence. The project site is outside City limits but is within the City's Sphere of Influence. The project requires annexation and therefore would result in a change in City limits. The project as proposed would meet the considerations of General Plan Policy LU-3.2 Urban Form, which sets the City's growth management control measures. Specifically, the project would facilitate future residential units which would help meet the city's residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing. The project would also facilitate open space (Outlot C) meeting community needs. The project would not result in obstacles to growth because future development would be able to connect to City services. The project would also result in infrastructure improvements, including roadway and circulation improvements. Lastly, the project would facilitate future commercial uses through mixed-use development which would serve the city's economic development needs. Based on these considerations, the project as proposed maintains growth management controls and is consistent with General Plan Policy LU-3.2.

b. The proposal must be consistent with city general and specific plans, including adopted goals and policies. The project would facilitate future residential and commercial development within an area with existing and planned residential, commercial, recreational, and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-1.4 (Limit Residential Development Along Highways), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development), LU-4.5 (Right-to-Farm Disclosure), and LU-5.4 (New Incompatible Land Uses). There are no specific plans applicable to the proposed project.

c. Pursuant to CEQA, the proposal must mitigate any significant adverse effect on continuing agricultural operations on adjacent properties, to the extent reasonable and consistent with the applicable general and specific plan. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, Tentative Parcel Map, and Tentative Subdivision Map, and has prepared an Initial Study and Mitigated Negative Declaration (SCH No. 2025060904) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level.

d. At least 25% of the area proposed for annexation has an approved tentative subdivision map(s) (single-family residential) and an approved site plan (for uses besides single-family). The proposed annexation would meet this condition whereby at least 25% of the proposed annexation area will include an approved tentative map for single-family use.

e. The annexation is to fulfill the city's Regional Housing Needs Allocation (RHNA) obligation which otherwise cannot be accommodated on lands currently within the city's incorporated boundary. The project would facilitate future residential uses which would assist the City with fulfilling the city's RHNA obligation within the City's 6th Cycle Housing Element Update.

f. The proposal would not create islands. Boundaries must ultimately minimize creation of peninsulas and corridors, or other distortion of boundaries. The proposed annexation area would not create islands. New boundaries would not create any peninsulas or corridors.

5. Approval of Initiation of Reorganization. Based on the information provided above, the City Council of the City of Kerman approves a resolution to initiate annexation and reorganization of the project site that is not within the City limits, by adopting a resolution of application requesting the Local Agency Formation Commission of Fresno County to initiate proceedings for the change of organization of territory as described in Exhibit '1', in the manner provided by the Cortese-

Knox-Hertzberg Local Government Reorganization Act of 2000. The City Council authorizes and directs the City Manager to take all necessary steps to effectuate and initiate such reorganization proceedings, and to support Developer's processing of the same at Developer's sole cost and expense.

6. Effective Date of Resolution. This Resolution shall become effective immediately after the City Council approves of Rezone 2023-03 and said ordinance adopting the same then becomes effective. If said ordinance does not become effective within 65 days of the adoption of this Resolution, or the ordinance is not otherwise adopted by the City Council, then Annexation 2023-03 shall be returned to the City Council for further consideration and a final decision.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 22nd day of October 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

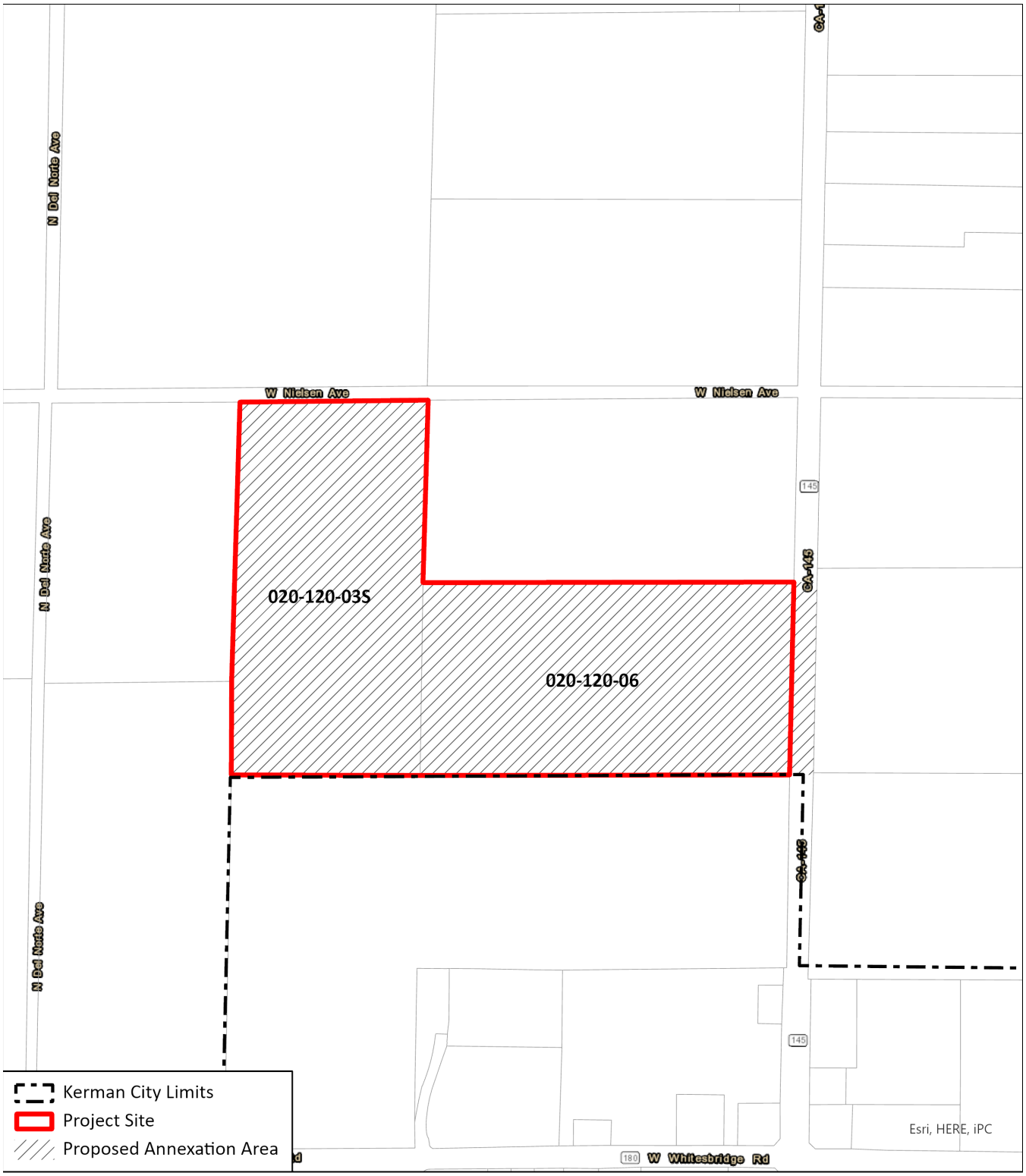
ATTEST:

Josie Camacho
City Clerk

Exhibit '1': Annexation 2023-03

Exhibit '1'

Annexation 2023-03



Map Created 8/5/2025

CITY OF KERMAN - GILL ORCHARDS ESTATES

STAFF REPORT

MEETING DATE: October 22, 2025

PRESENTER: Jerry Jones, Community Development Director

SUBJECT: Ordinance Amending Chapter 15.04 of Title 15 of the Kerman Municipal Code to Adopt the 2025 California Building Standards Code By Reference (JJ)

RECOMMENDATION: City Council introduce Ordinance Amending Chapter 15.04 of Title 15 of the Kerman Municipal Code to Adopt the 2025 California Building Standards Code by Reference, waive full reading, and set the date for the required public hearing for November 12, 2025.

EXECUTIVE SUMMARY:

Every three years, the California Building Standards Commission (BSC), a State agency, adopts updated codes for the design and construction of buildings and structures within the State, known as the California Title 24 Building Standards Code, also referred to as the California Building Standards Code, Building Code, and simply Title 24. State law mandates that local governments enforce these regulations or enforce local ordinances containing qualified, reasonably necessary, and generally more restrictive building standards than those provided in the California Building Standards Code (CBSC). The 2025 CBSC was published by the BSC on July 1, 2025. As a result of the BSC action, each local government agency may adopt this new code, with local amendments if desired, by January 1, 2026. If no local action is taken by this date, then the State's Code in its entirety is applicable to the agency's jurisdiction when processing permit applications. Adoption of the 2025 CBSC by reference allows future amendments to the CBSC to be included automatically rather than having to amend the City's Municipal Code each time there is an amendment to the CBSC.

The 2025 California Building Standards Code, Title 24, California Code of Regulations, includes the following parts:

- Part 1 – California Administrative Code
- Part 2 – California Building Code
- Part 2.5 – California Residential Building Code
- Part 3 – California Electrical Code
- Part 4 – California Mechanical Code
- Part 5 – California Plumbing Code
- Part 6 – California Energy Code
- Part 7 – California Wildland-Urban Interface Code
- Part 8 – California Historical Building Code
- Part 9 – California Fire Code
- Part 10 – California Existing Building Code
- Part 11 – California Green Building Standards Code
- Part 12 – California Reference Standards Code

The 2025 CBSC can be accessed via the following link: https://www.dgs.ca.gov/BSC/Codes. All construction and development projects submitted to the City on or after January 1, 2026 will be required to comply with the 2025 CBSC.

FISCAL IMPACT:

Hard copies of the 2025 CBSC must be available in the Building Division for staff and public review and have already been procured. Costs associated with procurement of the 2025 CBSC are accounted for as part of the 2025-2026 Fiscal Year Budget.

ENVIRONMENTAL REVIEW:

The adoption of this ordinance is exempt from further CEQA review under the common sense rule (Section 15061(b)(3)), as there is not a reasonable possibility that the adoption of the 2025 CBSC may have a significant adverse impact on the environment.

ATTACHMENTS:

A. Proposed Ordinance

Attachment 'A'

ORDINANCE NO. 25-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KERMAN AMENDING CHAPTER 15.04 OF TITLE 15 OF THE KERMAN MUNICIPAL CODE TO ADOPT THE 2025 CALIFORNIA BUILDING STANDARDS CODE BY REFERENCE

THE CITY COUNCIL OF THE CITY OF KERMAN DOES ORDAIN AS FOLLOWS:

Section 1. Amendment. Section 15.04.010 of Chapter 15.04 of the Kerman Municipal Code is hereby amended to read as follows:

15.04.010 California Building Code adopted.

The City of Kerman hereby adopts the California Title 24 Building Standards Code (California Building Standards Code) by reference. The California Building Standards Code is marked accordingly and is on file in the office of the Building Division of the City of Kerman. In particular, the following are hereby adopted:

A. 2025 California Administrative Code--CCR Title 24, Part 1, as published by the International Code Council;

B. 2025 California Building Code--CCR Title 24, Part 2, (Volume 1 & 2) and including Chapter 1, Division II Scope and Administration and Appendix H – Signs, Appendix I – Patio Covers, Appendix J – Grading, and Appendix Q – Emergency Housing, as published by the International Code Council;

C. 2025 California Residential Code--CCR Title 24, Part 2.5, including Chapter 1, Division II Scope and Administration and all Appendices excepting Appendix AB – Permit Fees, as published by the International Code Council;

D. 2025 California Electrical Code--CCR Title 24, Part 3, including Article 89 and Annex H, as published by the National Fire Protection Association;

E. 2025 California Mechanical Code--CCR Title 24, Part 4, including Chapter 1, Division II Administration and all Appendices, as published by the International Association of Plumbing and Mechanical Officials;

F. 2025 California Plumbing Code--CCR Title 24, Part 5 including Chapter 1, Division II Administration and all Appendices, as published by the International Association of Plumbing and Mechanical Officials;

G. 2025 California Energy Code--CCR Title 24, Part 6 and all Appendices, as published by the International Code Council;

H. 2025 California Wildland-Urban Interface Code – CCR Title 24, Part 7, as published by the international Code Council;

I. 2025 California Historical Building Code--CCR Title 24, Part 8, including Appendix A, as published by the International Code Council;

J. 2025 California Fire Code--CCR Title 24, Part 9 including Chapter 1, Division II Administration, including all Appendices, as published by the International Code Council;

K. 2025 California Existing Building Code--CCR Title 24, Part 10 including Chapter 1, Division II Administration, and all Appendices, as published by the International Code Council;

L. 2025 California Green Building Standards Code--CCR Title 24, Part 11, as published by the International Code Council;

M. 2025 California Referenced Standards Code, including all Appendices, as published by the International Code Council;

Section 2. Severability. The City Council declares that the provisions of this Ordinance are severable. If, for any reason, any sentence, paragraph, or section of this ordinance is determined by a court of competent Jurisdiction to be invalid, such determination will not affect the validity of the remaining portions of this Ordinance.

Section 3. CEQA. The City Council finds this project is exempt pursuant to California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) as there is not a reasonable possibility that the amendments may have a significant adverse impact on the environment as i) California law mandates that on January 1, 2026, all portions of the 2025 California Code of Regulations Title 24 will be effective within the City regardless of whether the City takes any action, which regulations thereby serves as a baseline for the purposes of CEQA; ii) previously approved amendments to said regulations that are being carried forward without change also constitute the existing environmental baseline, and it will not add any additional significant adverse impact to the environment to continue to use said amendments; iii) to the extent that previously approved amendments are modified, said modifications are primarily related to the administration of said regulations, and such ministerial processes will not result in a significant, adverse impact to the environment; and iv) any remaining proposed amendments, additions, or deletions will not result in a significant, adverse impact to the environment given the environmental baseline. As such, no further analysis is required under CEQA.

Section 4. Publication. This Ordinance shall be published in accordance with the provisions of Government Code Section 36933.

Section 5. Effective Date. This Ordinance shall become effective January 1, 2026.

The foregoing ordinance was introduced at a regular meeting of the City of Kerman City Council held on the 22nd day of October 2025, and was passed and adopted at a regular meeting of the City of Kerman City Council held on the 12th day of November 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing ordinance is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

_____
Josie Camacho
City Clerk

STAFF REPORT

MEETING DATE: October 22, 2025

PRESENTER: Theresa Johnson, Community Services Director

SUBJECT: Consideration of Professional Services Agreement with els Architecture and Urban Design regarding the Kerman Area Multi-Generational Resiliency Center (TJ)

RECOMMENDATION: Council by motion adopt a resolution approving the Kerman Area Multi-Generational Resiliency Center Architectural Design Services Agreement with els Architecture and Urban Design regarding the Kerman Area Multi-Generational Resiliency Center located at 15100 W. Kearney Blvd. for $1,228,725.00 and authorize the City Manager to execute the agreement.

DISCUSSION:

In November of 2023, the City received a $7,250,000.00 grant award from the California Department of Food and Agriculture to construct the Kerman Area Multi-Generational Resiliency Center. This award was just a portion of the total estimated project cost of $16,383,000.00. The City continued to seek additional grant funding from the Strategic Growth Council Community Resiliency Centers Program and, in April 2024, received word that the City was not selected for this funding. Staff continued to seek other funding sources, including applying for Congressional direct funding from the 13th Congressional District. At the same time, staff began seeking alternative funding sources, including loans. The City ultimately started working with municipal financial advisor Fieldman, Rolapp & Associates Inc., to identify additional financing to advance this project and protect this grant award.

As work continued in the background with Fieldman, Rolapp & Associates, staff released the Request for Proposals for architectural design services for the Kerman Area Multi-Generational Resiliency Center project on May 14, 2025. Due to the high volume of requests for information, the proposal due date was extended by one week from 4:00 p.m. on Wednesday, June 18, 2025, to 4:00 p.m. on Wednesday, June 25, 2025.

At closing, 18 proposals were received. To confirm that all requested materials were included in the proposal, staff conducted a preliminary review. After that, Community Services Director Theresa Johnson and Administrative Assistants Arlene Villarreal and Marisol Camacho conducted a formal review of the proposals.

Company		Score	Company		Score
1	**els Architecture and Urban Design**	**86**	10	Shah Kawasaki Architects	76
2	**Sera Design and Architecture, Inc.**	**85**	11	NJA Architecture	76
3	**The Taylor Group Architects**	**83**	12	Indigo Hammond + Playle Architects, LLP	76
4	Paul Halajian Architects	81	13	Lionakis	72
5	WMB Architects	81	14	Hedron	72
6	LDA Partners Designers & Architects	81	15	Entero Architects	67
7	PBK	78	16	Salazar Architect	65
8	Studio Pear	77	17	Klassen & Smith	62
9	SVA Architects, Inc.	77	18	Integrated Designs by SOMAM, Inc	57

Upon completion of the scoring, the top three candidates — els Architecture and Urban Design, Sera Design and Architecture, Inc., and The Taylor Group Architects — were invited to participate in an in-person interview on Wednesday, August 27, at the Kerman Community Center. The interview panel consisted of Director Theresa Johnson, Administrative Assistant Arlene Villarreal, City Manager John Jansons, and Parks and Recreation Commission Chairperson Lora Nehring.

At the conclusion of the interviews, it was evident that els Architecture and Urban Design was the top firm to proceed with for this project. With 10 years+ experience in design, community engagement, and operational strategies, the firm demonstrated the ability to develop a cohesive project that will serve the multi-generational needs of Kerman, both in daily life and in times of crisis. els's relevant experience with community center projects that focused on resiliency strategies includes the Millbrae Community Center, East Oakland Community Center, Gilroy Civic Master Plan, Cesar Chavez Community Center, Pleasanton Firehouse Arts Center, YMCA Design Services, Berkley High School Joint Community Center, Emergency Interim Housing, Orange Memorial Community Recreation Center, Tice Creek Senior Recreation Center and the Veterans Memorial Senior and Community Center, which upon completion in 2025 will serve as a multi-generational center and emergency shelter with a strong focus on resilient strategies.

The proposed fee submitted by the top three is as follows.

Els Architecture & Urban Design $1,228,752
Sera Design and Architecture, Inc. $1,434,560
The Taylor Group Architects $1,143,000

While els had the highest score, they ranked second with their proposed fee. However, due to their experience and relevant knowledge with multi-generational resiliency projects, staff remain confident in recommending els Architecture & Urban Design for the Kerman Aera Multi-Generational Resiliency Center project.

FISCAL IMPACT:

The City can fund the architecture services with funds secured through the recent sale of Lease Revenue Bonds.

ATTACHMENTS:

A. Resolution w/Exhibits

Attachment 'A'

RESOLUTION NO. 25-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING KERMAN AREA MULTI-GENERATIONAL RESILIENCY CENTER ARCHITECTURAL DESIGN SERVICES AGREEMENT WITH els ARCHITECTURE & URBAN DESIGN REGARDING THE KERMAN AREA MULTI-GENERATIONAL RESISLENCY CENTER LOCATED AT 15101 W. KEARNEY BLVD.

WHEREAS, the invitation to submit proposals for architectural services for design work, construction drawings, and bid documents for the Kerman Area Multi-Generational Community Resiliency Center was published in the Kerman News on May 21, 2025, and posted to the City of Kerman website Bids/RFP/RFQ subscription page; and

WHEREAS, the project will design a 15,400 square foot addition to the existing 11,618 square feet Kerman Community Center to create the Kerman Area Multi-Generational Resiliency Center, located at 15101 West Kearney Boulevard, Kerman; and

WHEREAS, 18 proposals were received on Wednesday, June 25, 2025, at 4:00 pm, and three advanced to the final interview phase; and

WHEREAS, els Architecture & Urban Design has presented a proposal that is responsive to the specific needs of the City and is uniquely qualified, with experience in multi-generational and resiliency center projects; and

WHEREAS, the City thoroughly reviewed all the proposals and now recommends approval of an agreement with els Architecture & Urban Design.

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

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

SECTION 2. The City Council approves the Kerman Area Multi-Generational Resiliency Center Architectural Design Services Agreement attached hereto as **Exhibit 'A'** and incorporated by reference.

SECTION 3. The City Manager is authorized to sign the Agreement on behalf of the City of Kerman.

SECTION 4. This resolution is effective upon its adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 22nd day of October 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

_____
Josie Camacho
City Clerk

Exhibit 'A'

AGREEMENT FOR KERMAN AREA MULTI-GENERATIONAL RESILIENCY CENTER ARCHITECTURAL DESIGN SERVICES BETWEEN THE CITY OF KERMAN AND ELS ACHITECTURE AND URBAN DESIGN

This Agreement for Kerman Area Multi-Generational Resiliency Center Architectural Design Services ("Agreement") is made and entered into by and between the City of Kerman, a California municipal corporation (hereinafter referred to as "CITY") and els Architecture and Urban Design (hereinafter referred to as "CONSULTANT").

RECITALS

WHEREAS, CITY seeks a qualified consultant to provide Architectural Design Services for the Kerman Area Multi-Generational Resiliency Center.

WHEREAS, CITY has engaged in a competitive Requests for Proposals process.

WHEREAS, CONSULTANT warrants that it is specially trained, experienced, expert, and competent to perform such services and hereby represents that it desires to and is professionally and legally capable of performing the services called for by this Agreement.

WHEREAS, the CITY desires to have CONSULTANT perform services described in this Agreement and CONSULTANT desires to perform those services.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals which are part of this Agreement and the terms and conditions hereinafter contained, it is mutually agreed as follows:

1. Scope of Services. CONSULTANT shall perform to the satisfaction of CITY, services as requested by CITY as specifically set forth in **Exhibit "A",** which is attached hereto and hereafter referred as the "Kerman Area Multi-Generational Resiliency Center Scope of Work"

2. Term of Agreement. This Agreement shall be effective from October 22, 2025 to June 30, 2027 subject to any earlier termination in accordance with this Agreement.

3. Compensation. CONSULTANT'S sole compensation for satisfactory performance of all services required or rendered pursuant to this Agreement shall be at the rate and schedules attached hereto as **Exhibit "B"** and shall not exceed $1,228,725.00.

4. Termination.

    a) Termination for Convenience. Either party may terminate this Agreement at any time by giving notice of such termination (including the effective termination

date) at least thirty (30) calendar days before the effective date of such termination.

b) Termination for Cause. If for any cause either party fails to fulfill in a timely and proper manner its obligations under this Agreement (the "breaching party"), the other party (the "terminating party") shall have the right to terminate the Agreement by giving not less than five (5) working days' written notice to the breaching party of the intent to terminate and specifying the effective date thereof. The terminating party shall, however, provide the breaching party with a detailed statement of the grounds for termination. This statement shall include, as appropriate, references to specific provisions of this Agreement, dates, dollar amounts and other information relevant to the decision to terminate for cause.

c) In the event of termination, all finished or unfinished documents, reports, or other materials prepared by CONSULTANT under this Agreement shall become CITY's property. CONSULTANT shall be entitled to receive compensation for all satisfactory work completed prior to the effective date of termination.

d) This Agreement shall terminate without any liability of CITY to CONSULTANT upon: (i) CONSULTANT's filing for protection under the federal bankruptcy laws, or any bankruptcy petition or petition for receiver commenced by a third party against CONSULTANT; or (ii) CITY's non-appropriation of funds sufficient to meet its obligations hereunder during any CITY fiscal year of this Agreement.

e) Immediately upon any termination of this Agreement, CONSULTANT shall: (i) immediately stop all work hereunder; (ii) immediately cause any and all of its subcontractors to cease work; and (iii) return to CITY any and all unearned payments and all properties and materials in the possession of CONSULTANT that are owned by CITY. Subject to the terms of this Agreement, CONSULTANT shall be paid compensation for services satisfactorily performed prior to the effective date of termination. CONSULTANT shall not be paid for any work or services performed or costs incurred which reasonably could have been avoided.

f) Upon any termination of the Agreement, CITY may (i) exercise any right, remedy (in contract, law or equity), or privilege which may be available to it under applicable laws of the State of California or any other applicable law; (ii) proceed by appropriate court action to enforce the terms of the Agreement; and/or (iii) recover all direct, indirect, consequential, economic, and incidental damages for the breach of the Agreement. If it is determined that CITY improperly terminated this Agreement for default, such termination shall be deemed a termination for convenience.

g)

h) Notice of termination shall be mailed as follows:

CITY:

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

CONSULTANT:

els Architecture and Urban Design
2040 Addison Street
Berkley, CA 94704

5. Indemnification. To the furthest extent allowed by law, CONSULTANT agrees to indemnify, hold harmless, and defend, City and each of its officers, officials, employees, agents, and volunteers from and against all claims, demands, costs, or liability, and expenses including attorney's fees arising out of the performance of the work described in this Agreement, caused in whole or in part by the sole negligence, recklessness, or willful misconduct of CONSULTANT, its principals, officers, employees, agents, or volunteers in the performance of this Agreement or anyone for whose acts any of them may be liable excluding, however, such claims, demands, loss, damages, or arising from City's sole negligence or willful acts.

6. Insurance.

   a) Throughout the life of this Agreement, CONSULTANT shall pay for and maintain in full force and effect all insurance as required in **Exhibit "C"** or as may be authorized, and any additional insurance as may be required, in writing by City Manager or his or her designee at any time and in her sole discretion.
   b) If at any time during the life of the Agreement or any extension, CONSULTANT or any of its subcontractors fail to maintain any required insurance in full force and effect, all services and work under this Agreement shall be discontinued immediately, and all payments due or that become due to CONSULTANT shall be withheld until notice is received by CITY that the required insurance has been restored to full force and effect and that the premiums therefore have been paid for a period satisfactory to CITY. Any failure to maintain the required insurance shall be sufficient cause for CITY to terminate this Agreement. No action taken by CITY pursuant to this section shall in any way relieve CONSULTANT of its responsibilities under this Agreement. This phrase "fail to maintain any required insurance" shall include, without limitation, notification received by CITY that an insurer has commenced proceedings, or has had proceedings commenced against it, indicating that the insurer is insolvent.

7. Nondiscrimination. To the extent required by controlling federal, state, and local law, CONSULTANT shall not employ discriminatory practices in the provision of services,

employment of personnel, or in any other respect on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, status as a disabled veteran, or veteran of the Vietnam era.

8. Independent Contractor.

a) In the furnishing of the services provided for herein, CONSULTANT is acting solely as an independent contractor. Neither CONSULTANT, nor any of its officers, agents, or employees shall be deemed an officer, agent, employee, joint venture, partner, or associate of CITY for any purpose. CITY shall have no right to control or supervise or direct the manner or method by which CONSULTANT shall perform its work and functions. However, CITY shall retain the right to administer this Agreement so as to verify that CONSULTANT is performing its obligations in accordance with the terms and conditions thereof.

b) Because of its status as an independent contractor, CONSULTANT and its officers, agents, and employees shall have absolutely no right to employment rights and benefits available to CITY employees. CONSULTANT shall be solely liable and responsible for all payroll and tax withholding and for providing to, or on behalf of, its employees all employee benefits including, without limitation, health, welfare, and retirement benefits. In addition, together with its other obligations under this Agreement, CONSULTANT shall be solely responsible, indemnify, defend, and save CITY harmless from all matters relating to employment and tax withholding for and payment of CONSULTANT'S employees, including, without limitation, (i) compliance with Social Security and unemployment insurance withholding, payment of workers compensation benefits, and all other laws and regulations governing matters of employee withholding, taxes and payment; and (ii) any claim of right or interest in CITY employment benefits, entitlements, programs and/or funds offered employees of CITY whether arising by reason of any common law, de facto, leased, or co-employee rights or other theory. It is acknowledged that during the term of this Agreement, CONSULTANT may be providing services to others unrelated to CITY or to this Agreement.

9. Notices. Any notice required or intended to be given to either party under the terms of this Agreement shall be in writing and shall be deemed to be duly given if delivered personally, transmitted by facsimile followed by telephone confirmation of receipt, or sent by United States registered or certified mail, with postage prepaid, return receipt requested, addressed to the party which notice is to be given at the party's address set forth on the signature page of this Agreement or at such other address as the parties may from time to time designate by written notice. Notices served by United States mail in the manner above described shall be deemed sufficiently served or given at the time of mailing thereof.

10. Assignment. This Agreement is personal to CONSULTANT and there shall be no

assignment by CONSULTANT of its rights of obligations under this Agreement without the prior written approval of the City Manager or her designee.

11. Compliance with Law. In providing the services required under this Agreement, CONSULTANT shall at all times comply with all applicable laws of the United States, the State of California, and CITY, and with all applicable regulations promulgated by federal, state, regional, or local administrative and regulatory agencies, now in force and as they may be enacted, issued, or amended during the term of this Agreement.

12. Waiver. The waiver by either party of a breach by the other of any provision of this Agreement shall not constitute a continuing waiver or a waiver of any subsequent breach of either the same or a different provision of this Agreement. No provisions of this Agreement may be waived unless in writing and signed by all parties to this Agreement. Waiver of any one provision herein shall not be deemed to be a waiver of any other provision herein.

13. Governing Law and Venue. This Agreement shall be governed by, and construed and enforced in accordance with, the laws of the State of California, excluding, however, any conflict of laws rule which would apply the law of another jurisdiction. Venue for purposes of the filing of any action regarding enforcement or interpretation of this Agreement and any rights and duties hereunder shall be Fresno County, California.

14. Headings. The section headings in this Agreement are for convenience and reference only and shall not be construed or held in any way to explain, modify, or add to the interpretation or meaning of the provisions of this Agreement.

15. Severability. The provisions of this Agreement are severable. The invalidity or unenforceability of any one provision in this Agreement shall not affect the other provisions.

16. Interpretation. The parties acknowledge that this Agreement in its final form is the result of the combined efforts of the parties and that, should any provision of this Agreement be found to be ambiguous in any way, such ambiguity shall not be resolved by construing this Agreement in favor of or against either party, but rather by construing the terms in accordance with their generally accepted meaning.

17. Attorneys' Fees. If either party is required to commence any proceeding or legal action to enforce or interpret any term, covenant, or condition of this Agreement, the prevailing party in such proceeding or action shall be entitled to recover from the other party its reasonable attorneys' fees and legal expenses.

18. Exhibits. Each exhibit and attachment referenced in this Agreement is, by the reference, incorporated into and made a part of this Agreement.

19. Precedence of Documents. In the event of any conflict between the body of this Agreement and any Exhibit or Attachment hereto, the terms and conditions of the body of this

Agreement shall control and take precedence over the terms and conditions expressed within the Exhibit or Attachment. Furthermore, any terms or conditions contained within any Exhibit or Attachment hereto which purport to modify the allocation of risk between the parties, provided for within the body of this Agreement, and shall be null and void.

20. Cumulative Remedies. No remedy or election hereunder shall be deemed exclusive but shall, wherever possible, be cumulative with all other remedies at law or in equity.

21. No Third-Party Beneficiaries. The rights, interests, duties and obligations defined within this Agreement are intended for the specific parties hereto as identified in the preamble of this Agreement. Notwithstanding anything stated to the contrary n this Agreement, it is not intended that any rights or interests in this Agreement benefit or flow to the interest of any third parties.

IN WITNESS WHEREOF, the parties have executed this Architectural Design Services Agreement as follows:

CITY OF KERMAN
A municipal corporation

_____
John Jansons, City Manager
Date: October __, 2025

els Architecture and Urban Design

_____
Kim-Van Truong, President/CEO
Date: October __, 2025

ATTEST:

_____
Josie Camacho, City Clerk
Date: October __, 2025

APPROVED AS TO FORM

_____
Hilda Cantu Montoy, City Attorney
Date: _____

els+ architecture urban design

June 25, 2025

Ms. Theresa Johnson, CPRP, Community Services Director
City of Kerman
tjohnson@cityofkerman.org

Ms. Josie Camacho
City Clerk
City of Kerman
850 S. Medera Avenue
Kerman, CA 93630

Subject: Cost Proposal for Architectural Design Services for Kerman Area Multi-Generational Community Resiliency Center

Dear Ms. Johnson, Ms. Camacho, and the Selection Committee,

ELS Architecture and Urban Design (ELS) is pleased to propose this fee for professional services for the Kerman Area Multi-Generational Community Resiliency Center (KAMGCRC). This proposal includes our assumptions; our lump sum, not-to-exceed fee amount; our description of reimbursable expenses; our list of potential additional services; and our list of exclusions and provisions.

ASSUMPTIONS

PROJECT SCOPE

As stated in the RFP, release dated May 14, 2025, and as further described in Addendum 1, dated June 12, 2025, and Addendum 2, dated June 17, 2025.

PROJECT BUDGET

$16.383MM

DESIGN SCHEDULE

As proposed in our response to the RFP.

CONSULTANT TEAM

As proposed in our response to the RFP.

PROFESSIONAL DESIGN FEES

We are proposing a Lump Sum Not-to-Exceed Fee, to be invoiced monthly, on a percentage-complete basis. Our lump sum amount is **$1,228,725.00** (ONE MILLION, TWO HUNDRED, TWENTY-EIGHT THOUSAND, SEVEN HUNDRED AND TWENTY-FIVE DOLLARS AND ZERO CENTS). Reimbursable expenses are in addition to our Lump Sum Fee. Our fee is broken as follows.

○ Community Engagement, Programming, and Concept Design		$ 122,872.50
○ Schematic Design Phase	(30%)	$ 184,308.75
○ Design Development Phase	(60%)	$ 294,894.00
○ Construction Documents Phase	(90% and 100%)	$ 294,894.00
○ Bidding		$ 36,861.75
○ Construction Administration		$ 294,894.00
Total Fees		$1,228,725.00

REIMBURSABLE EXPENSES

A reimbursable expenses budget for the scope outlined above is recommended at **5%** of the Total Not-To-Exceed Professional Design Fee for all tasks. Reimbursables shall be billed at cost times 1.1 and shall include actual expenditures made in the interest of the project, in the following categories:

1. Expense of transportation and living expenses in connection with out-of-town travel.
2. Reproduction, mounting and photography.
3. Postage, shipping, and delivery.
4. Fees paid for securing approval of authorities having jurisdiction over the project.
5. Professional renderings and models as requested by the Client.

ADDITIONAL SERVICES

1. Negotiating entitlement agreements, variances with city agencies, and design review approval submittals and presentations are to be provided as an additional service.
2. LEED or WELL documentation and certification effort.
3. Providing professional renderings or models, and ELS effort required to coordinate with special rendering or model-making consultants. ELS will provide, as part of their basic services, two renderings of the project.
4. Building code variances or modifications, if required, will be provided as an additional service.
5. Grant Writing and Grant Application Preparation.

EXCLUSIONS/PROVISIONS

The following items of work are excluded from our services:

1. Removal of hazardous materials, including any related documentation work, as these services are not covered by our professional practice insurance policy.
2. Site, boundary, utility, and topographic survey, as these services are not covered by our professional practice insurance policy.
3. Geotechnical analysis and soils report, as these services are not covered by our professional practice insurance policy.
4. Seismic analysis of the existing structure.
5. Obtaining and paying for construction permits.

6. ADA and/or access compliance survey of existing conditions.

Unless otherwise provided, ELS and its Consultants shall have no responsibility for the discovery, presences, handling, removal, or disposal of, or exposure of persons to, hazardous materials in any form at the Project site, including but not limited to asbestos, asbestos products, polychlorinated biphenyl (PCB), or other toxic substances.

We look forward to participating in these steps of your process. Should you have any questions, or require any additional information regarding our fees, please contact Kim-Van Truong, our team's contact at ktruong@elsarch.com or 510.685.2355.

Respectfully Submitted,
ELS ARCHITECTURE AND URBAN DESIGN

Kim-Van Truong, AIA, LEED AP BD+C, Assoc. DBIA
President/CEO
Principal-in-Charge

Clarence D. Mamuyac, Jr., FAIA, LEED AP BD+C
Chairman
Principal for Community Design & Engagement

Attachments:

- ELS Hourly Rate Schedule

ELS RATE AND EXPENSE SCHEDULE

HOURLY BILLING RATES BY CLASSIFICATION

PRINCIPALS	$ 230.00–400.00
ASSOCIATE PRINCIPALS	$ 175.00–225.00
ASSOCIATES	$ 160.00–185.00
PROFESSIONAL STAFF	$ 90.00–160.00
TECHNICAL/SUPPORT STAFF	$ 85.00–160.00

Rates are subject to revision on January 1st of each year in accordance with cost of living adjustments. Individual billing rates and/or classifications may change during the year to reflect a change in status and/or merit salary adjustments.

REIMBURSABLE EXPENSES

Reimbursable expenses shall be billed at cost times 1.1 and shall include actual expenditures made in the interest of the project, in the following categories:

1. Outside consultants
2. Expense of transportation and living expenses in connection with out-of-town travel, as authorized by the Client (international flights shall be business class)
3. Long distance communications and facsimiles
4. Reproduction and photography
5. Postage, shipping, and delivery
6. Fees paid for securing approval of authorities having jurisdiction over the project
7. Professional renderings and models as requested by the Client

MISCELLANEOUS PROVISIONS

Invoices will be submitted monthly and are due upon receipt. Invoices more than 60 days overdue will be subject to a handling charge of 1.5 percent per month. If the Owner fails to make payment when due, the Architect may, at its option, upon seven days written notice to the Owner, suspend performance of services.

Architect's services may be terminated by either party upon seven days' written notice. In the event of termination that is not the fault of the Architect, the Architect shall be compensated for services performed and expenses incurred prior to termination.

Unless otherwise provided, the Architect and its Consultants shall have no responsibility for the discovery, presences, handling, removal or disposal of, or exposure of persons to, hazardous materials in any form at the Project site, including but not limited to asbestos, asbestos products, polychlorinated biphenyl (PCB), or other toxic substances.

EXHIBIT 'C'

INSURANCE REQUIREMENTS

CONSULTANT shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the CONSULTANT, its agents, representatives, or employees.

MINIMUM SCOPE AND LIMIT OF INSURANCE
Coverage shall be at least as broad as:

1. **Commercial General Liability** (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis for bodily injury and property damage, including products-completed operations, personal injury and advertising injury, with limits no less than $1,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. **Automobile Liability:** Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if CONSULTANT has no owned autos, Code 8 (hired) and 9 (non-owned), with limit no less than **$1,000,000** per accident for bodily injury and property damage.
3. **Workers' Compensation** insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than $1,000,000 per accident for bodily injury or disease.
   (Not required if CONSULTANT provides written verification it has no employees)
4. **Professional Liability** (Errors and Omissions) Insurance appropriates to the CONSULTANT's profession, with limit no less than $1,000,000 per occurrence or claim, $2,000,000 aggregate.

   If the CONSULTANT maintains higher limits than the minimums shown above, the Entity requires and shall be entitled to coverage for the higher limits maintained by the contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the Entity.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status The CITY, its officers, officials, employees, and volunteers are to be covered as additional insureds on the auto policy with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the CONSULTANT; and on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the CONSULTANT including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the CONSULTANT's insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 20 37 forms if later revisions used).

Primary Coverage For any claims related to this contract, the CONSULTANT's insurance coverage shall be primary insurance as respects the CITY, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the CITY, its officers, officials, employees, or volunteers shall be excess of the CONSULTANT's insurance and shall not contribute with it.

Notice of Cancellation Each insurance policy required above shall state that **coverage shall not be canceled, except with notice to the Entity.**

Waiver of Subrogation CONSULTANT hereby grants to CITY a waiver of any right to subrogation which any insurer of said CONSULTANT may acquire against the CITY by virtue of the payment of any loss under such insurance. CONSULTANT agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the CITY has received a waiver of subrogation endorsement from the insurer.

Deductibles and Self-Insured Retentions Any deductibles or self-insured retentions must be declared to and approved by the CITY. The CITY may require the CONSULTANT to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.

Acceptability of Insurers Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the CITY.

Claims Made Policies If any of the required policies provide coverage on a claims-made basis:

1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.
3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the CONSULTANT must purchase "extended reporting" coverage for a minimum of five (5) years after completion of contract work.

Verification of Coverage CONSULTANT shall furnish the CITY with original certificates and amendatory endorsements, or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the CITY before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the CONSULTANT's obligation to provide them. The CITY reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Subcontractors CONSULTANT shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and CONSULTANT shall ensure that CITY is an additional insured on insurance required from subcontractors.

Special Risks or Circumstances CITY reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

STAFF REPORT

MEETING DATE: October 22, 2025

PRESENTER: Josefina Alvarez, Finance Director

SUBJECT: Consideration of Updated Ordinance Relating to Purchasing System and Repeal of Resolutions 89-06, 97-06, 08-57, 14-64 and 15-49 Regarding Surplus Property (JA)

RECOMMENDATION: Council by motion (i) waive the full reading and introduce ordinance repealing Chapters 3.20 and adopting new Chapter 3.20 relating to the City's purchasing system and (ii) adopt resolution repealing Resolution Nos. 89-06, 97-06, 08-57, 14-64 and 15-49 regarding Surplus Property.

EXECUTIVE SUMMARY:

The City of Kerman Municipal Code Chapter 3.20 Purchasing System was last reviewed and updated in 2021. While retaining the basic framework of the current ordinance, the purpose of the proposed ordinance is to enhance the efficiency of the City's purchasing procedures and to reflect contemporary purchasing guidelines. The proposed ordinance updates position titles in the ordinance and legal thresholds for purchases to conform to state law. It provides clearer distinctions for the procurement of goods and materials, public works construction projects, and requests for proposals/qualifications. A new section has been added regarding surplus property. The proposed ordinance creates efficiencies for implementation of the procurement system. It promotes maximum value and economy for the City through fair and competitive procedures.

DISCUSSION:

The basic framework of the proposed ordinance is the same as the current one. However, staff have updated various sections to make them clearer. For example, thresholds for the purchase of goods and supplies are very different than thresholds for public contracts. The ordinance has been crafted so that staff can easily navigate the procedures for the different kinds of contracts. For example, an emergency equipment purchase is different than the awarding an emergency construction contract. The monetary thresholds are also different and have been updated consistent with state law. Another example is the use of RFPs. State law mandates that RFPs be used for certain services but not others. The proposed ordinance clarifies such instances. The proposed ordinance also adds provisions for the disposal of surplus property and updates provisions for procurement through cooperative agreements and piggyback contracts.

The proposed ordinance creates a more efficient procurement process and helps to facilitate fairness, objectivity, accountability, and transparency in purchasing. At the same time, the ordinance strives to ensure that the City obtains high quality equipment, goods, and services

at a cost that provides the best value to the City, while encouraging competition among bidders and proposers.

FISCAL IMPACT:

The ordinance will create efficiencies resulting in reduced staffing costs.

ATTACHMENTS:

A. Proposed Ordinance
B. Resolution

Attachment 'A'

ORDINANCE NO. 25-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KERMAN REPEALING CHAPTER 3.20 OF TITLE 3 OF THE KERMAN MUNICIPAL CODE AND ADDING NEW CHAPTER 3.20 TO TITLE 3 OF THE KERMAN MUNICIPAL CODE RELATING TO THE CITY'S PURCHASING SYSTEM

The City Council of the City of Kerman does ordain as follows:

SECTION 1. Chapter 3.20 of Title 3 of the Kerman Municipal Code is hereby repealed.

SECTION 2. Title 3 "Revenue and Finance" of the Kerman Municipal Code is amended by adding new Chapter 3.20 relating to the City's Purchasing System to read as follows:

Chapter 3.20

PURCHASING SYSTEM

Sections:

3.20.010 Purpose and Implementation.
3.20.020 Expenditure Authority.
3.20.030 Designation and Responsibility of Purchasing Officer.
3.20.040 Purchasing Amount Authority and Signature.
3.20.050 Purchases for Materials, Supplies, and Equipment.
3.20.060 Procedures for Public Projects.
3.20.070 Cooperative Purchasing Agreements and Piggyback Purchases.
3.20.080 Prevailing Wages and Public Works Projects.
3.20.090 Requests for Proposals and Requests for Qualifications.
3.20.100 Standing Supply Purchase Agreements and Master Service Agreements.
3.20.110 Conflict of Interest.
3.20.120 Credit Card Purchasing Policy.
3.20.130 Surplus Supplies and Equipment.

3.20.010 Purpose and Implementation.

A. Title. This chapter shall be known as the City of Kerman Purchasing Ordinance ("Purchasing Ordinance"). It is also referenced herein as "chapter." The purpose of this Purchasing Ordinance is to establish efficient procedures for the purchase of supplies, equipment, and services at the lowest possible cost commensurate with quality needed, to exercise positive financial control over purchases, to define purchasing authority, and to assure the quality of purchases.

B. Compliance with Laws. The adoption of this purchasing ordinance is intended to meet the

requirements of state law including but not limited to the following: (1) Government Code Sections 54201 to 54205 regarding the purchase of supplies and equipment; (2) Public Contract Code Sections 20160 to 20174 regarding city public works construction projects; (3) Public Contract Code Sections 22000 to 22045 regarding the Uniform Public Construction Cost Accounting Act; (4) Government Code Section 4526 regarding professional services; (5) Labor Code requirements for prevailing wages; and (6) other applicable laws.

C. Superseding Procurement Requirements. The procurement requirements under this purchasing ordinance shall be followed. However, in the event stricter procurements are required by state or federal law or by a state or federal funding source, those requirements shall be met to ensure funding compliance.

D. Administrative Purchasing Policy. The city's purchasing functions shall be governed by this purchasing ordinance and by the city's administrative purchasing policy which shall be established by the city manager, both as may be amended from time to time. The administrative purchasing policy shall be consistent with this ordinance. The administrative purchasing policy may supplement and amplify the provisions of this ordinance and will contain administrative requirements, responsibilities, and updated best practices to meet the city's needs.

3.20.020 Expenditure Authority.

Purchase and contract expenditures must be authorized in the city's annual budget or pursuant to amendment to the annual budget approved by the city council.

3.20.030 Designation and Responsibility of Purchasing Officer.

A. Designation. The City Manager shall be designated as the Purchasing Officer. The City Manager may delegate his or her authority as Purchasing Officer to another city employee. Such designation must be made in writing and specifically delegate to that person the responsibility of purchasing officer under this chapter.

B. Purchasing Officer Authority. The Purchasing Officer shall have authority to:

1. Purchase or contract for supplies, equipment and services required by city in accordance with purchasing procedures prescribed by this purchasing ordinance, the administrative purchasing policy, and any requirement as shall be prescribed by state or federal funding agencies.

2. Negotiate and recommend execution of contracts for the purchase of supplies, equipment, and services at least expense to the city.

3. Act to procure for the city the needed quality in supplies, equipment, and services at least expense to the city.

4. Discourage uniform bidding and endeavor to obtain as full and open competition as possible on purchases.

5. Prepare and recommend to the city council revisions and amendments to the purchasing ordinance.

6. Prescribe and maintain the forms as are necessary to the operation of the purchasing ordinance and other laws.

7. Supervise the inspection of all supplies, equipment and services purchased to ensure conformance with specifications.

8. Maintain a bidders list, vendors catalog file, and records needed for the efficient operation of the purchasing system.

9. Require that department heads verify and ensure purchases are made in accordance with the purchasing system and with state or federal funding sources. (Ord. 21-03 §3, 2021).

3.20.040 Purchasing Amount Authority and Signature.

A. City Manager. Purchases and contracts of less than thirty thousand dollars ($30,000) may be awarded and signed by the City Manager unless the City Council expressly reserves approval on a particular purchase or contract or the City Manager requests Council approval.

B. City Council. If the amount of any purchase or contract is thirty thousand dollars ($30,000) or more, the contract shall be awarded by the City Council and signed by the Mayor unless a resolution authorizes the city manager to sign the contract.

3.20.050 Purchases for Materials, Supplies, and Equipment.

A. Procedures for Specific Amounts. The following procedures shall be followed when purchasing or leasing materials, supplies, or equipment:

$0 to $1,000--The purchasing officer shall ensure that the city pays fair prices and receives commensurate value for amounts expended.
$1,001 to $10,000--Price quotes must be solicited, either verbally or in writing, from a minimum of three vendors, if available. The low price quote must be confirmed in writing.
$10,001 to $75,000--Written specifications describing the delivery schedule, materials, supplies, and equipment must be prepared. Price quotes must be solicited in writing from a minimum of three vendors, if available. The low price quote must be confirmed in writing.
$75,000 or higher--Informal bidding requirements which will include: (i) written specifications describing the delivery schedule, materials, supplies, and equipment; (ii)

published notice in the newspaper at least 10 days before bid opening; (iii) posted notice on city's website; (iv) solicitation of sealed bids from prospective suppliers whose names are on a bidders' list maintained by the Purchasing Officer.

B. Factors for Award. The City is not required to award to the lowest bidder in purchases of over ten thousand ($10,000) or more as other factors may be considered. The City may award to the best qualified vendor. In determining "best qualified vendor" as used in this section 3.20.50, consideration is to be given to quality and performance of the goods and supplies, equipment or materials to be purchased or nonprofessional services to be provided by the vendor. Criteria for determining best qualified vendor includes, but is not limited to, the following:

1. The cost or best value of the goods and supplies, equipment, or materials;

2. The ability, capacity, and skill of the vendor to perform the contract and to provide the goods and supplies, equipment, or materials requested;

3. The ability of vendor to provide the goods and supplies, equipment, or materials, promptly or within the time specified and without delay; and

4. The quality of vendor's performance on previous purchases or contracts by city.

C. Purchase Order or Contract Required. Purchases of supplies, equipment, and services of ten thousand dollars or more shall be made only by written purchase order or contract.

D. Standing Supply Purchase Agreements.

Standing supply purchase agreements may be entered into with specific vendors for purchase of repetitive-use goods, materials, equipment, and/or supplies. The standing supply purchase agreements will be subject to the informal bidding procedures in Section 3.20.050A except that factors other than low price may be considered pursuant to Section 3.20.050B.

E. Sole-Source Purchases of Materials, Supplies, Equipment.

In the event that there is one, and only one, source for a product in excess of one thousand dollars ($1,000), a sole-source contract may be used. When a department head wishes to make a sole-source purchase, he or she must make the findings set forth below and file such certification with the finance department. If the purchase exceeds the purchasing officer's monetary authority to contract, a resolution making the findings set forth below must be submitted with the staff's request for award of a contract. In order to establish a legal basis for a sole-source exception, the following statements and findings must be made:

1. A statement describing every unique or specialized feature of the product in question;

2. A statement of the department head's efforts to locate all possible suppliers of such product;

3. A statement that, in spite of its efforts, the department head has been able to locate only one supplier of the product in question;

4. A statement that indicates the ultimate cost of the product and the process used to determine the cost of the product; and

5. A finding that it is, therefore, proper for the city to dispense with a competitive bidding requirement and to authorize the city to purchase the product in question under the sole-source exception.

F. Emergency Purchases. In the case of an emergency, the Purchasing Officer may determine to proceed with the immediate purchase of goods, and supplies, equipment, or materials. The term "emergency" means a sudden, unexpected occurrence that poses a clear and imminent danger requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential services.

1. If the dollar amount is within the City Manager's authority, the Purchasing Officer shall promptly file in the Finance Department a signed declaration showing that emergency conditions existed and created the necessity for such action, together with an itemized account of all expenditures. A copy of such declaration shall be transmitted to the City Council.

2. If the dollar amount is above the City Manager's authority, the Purchasing Officer shall at the next regular meeting of the City Council seek ratification of the purchase by resolution which includes the emergency conditions which existed and the immediate need to take action together with an itemized account of all expenditures.

3.20.060 Procedures for Public Projects.

A. Uniform Public Construction Cost Accounting Act Adopted. The City Council of the City of Kerman, California hereby affirms the prior election to adopt the California Uniform Public Construction Cost Accounting Act (California Public Contract Code Section 22000 *et seq*.) for the purpose of prescribing regulations governing contracts awarded by the City for public projects as defined in this section 3.20.060. However, nothing contained herein shall preclude the City from utilizing more restrictive procedures if and when required by federal or state law, or when federal or state funds are part of the contract to be awarded and the funding agency requires more restrictive procedures.

B. Definitions of Terms. As used in this section, the words, terms, and phrases shall have the following meanings, as defined in Public Contract Code Section 22002, unless otherwise apparent from the context:

1. "Facility" means any plant, building, structure, ground facility, real property, street, highway, or other public works improvement.

2. "Maintenance work" includes all of the following:
   a. Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.
   b. Minor repainting.
   c. Resurfacing of streets and highways at less than one inch.
   d. Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.
   e. Work performed to keep, operate, and maintain city-owned water and water systems.

3. "Public project" means any of the following:
   a. Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.
   b. Painting or repainting any publicly owned, leased, or operated facility.
   c. "Public project" does not include maintenance work, as defined above.
   d. Furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers.

C. Dollar Amount of Public Project Determines Process to Be Used. The dollar amount thresholds provided in this section shall automatically adjust upon the effectiveness of any adjustment notification by the State Controller in accordance with Public Contract Code Section 22020 *et seq*., without the necessity of amending this section or any subdivision herein to reflect any such adjustment.

1. Public projects of seventy-five thousand dollars ($75,000) or less may be performed by city employees by force account, by negotiated contract, or by purchase order.

2. Public projects of two hundred twenty thousand dollars ($220,000) or less may be let to contract by informal bidding procedures as set forth in subsection D of this section.

3. Public projects of more than two hundred twenty thousand ($220,000) dollars shall, except as otherwise provided in this section, be let to contract by formal bidding procedure as set forth in subsection D of this section.

D. Procedures to Be Used for Contracts Regarding Public Projects Dependent on Dollar Amount

1. No Bidding Required. Per Public Contract Code Section 22032, public projects of

seventy-five thousand dollars ($75,000) or less may be performed by the employees of the city by force account, by negotiated contract, or by purchase order consistent with the procedures in Section 3.20.050(A). Contracts exceeding thirty thousand ($30,000) shall be submitted to the City Council for award.

2. Informal Bidding Procedures. Public works projects of two hundred twenty thousand dollars ($220,000) or less per subsection (C)(2) of this section shall be awarded to the lowest responsive and responsible bidder in accordance with the Uniform Construction Cost Accounting Act, Section 22034 et seq. of the Public Contract Code, as follows:

   a. Contractors List. A list of qualified contractors shall be developed and maintained in accordance with the provisions of Section 22034 of the Public Contract Code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.

   b. Notice Inviting Informal Bids. A notice inviting informal bids shall be prepared, which shall describe the project in general terms, describe how to obtain more detailed information about the project, and state the time and place for the submission of bids. The notice shall be mailed, not less than ten days before bids are due, to either all the contractors on the contractors list for the category of work to be bid, or to all construction trade journals specified in the California Public Contract Code Section 22036, or both, unless the product or service delivery is proprietary.

   c. The informal bids for public projects shall be awarded by the city council and signed by the Mayor or by City Council designee.

   d. If all bids received are in excess of two hundred thousand dollars ($220,000), the City Council may, by adoption of a resolution of four-fifths vote, award the contract, at two hundred twelve thousand five hundred dollars ($225,000) or less, to the lowest responsible bidder, if it determines the cost estimate of the City was reasonable.

3. Formal Bidding Procedures. Public work projects of more than two hundred twenty thousand dollars ($220,000) shall be awarded pursuant to formal bidding procedures to the lowest responsive and responsible bidder in accordance with, but not limited to, the procedures set forth below. The bid package will typically include the following:

   a. Notice inviting bids. Setting the time and place for receiving and opening of sealed bids and describing the contract/project.

   b. Instructions to bidders. Identifying the contract documents to be considered, the availability of information, any scheduled pre-bid meetings, bid protest procedures, and any other procedures to be followed for bids to be

considered.

c. Publication of notice inviting bids. The notice shall be published at least fourteen calendar days prior to bid opening in a newspaper of general circulation or otherwise comply with the requirements of Cal. Public Contract Code Section 22037. The notice shall also be sent electronically, if available, and mailed to all construction trade journals specified in Public Contract Code Section 22036, at least fifteen days prior to bid opening. The notice inviting bids shall include all of the following:

i. The proposal form.
ii. Submission of sealed bids.
iii. A public bid opening.
iv. Award to the lowest, responsive and responsible bidder.
v. City reservation in notice inviting bids of the right to reject any or all bids and to waive minor irregularities.
vi. Award and execution of a written contract.
vii. Reference to applicable state or federally funded project requirements.
viii. Bid security.
ix. Performance and payment bonds.
x. Listing of subcontractors.

E. Authority to Prepare and Issue Notice Inviting Bids. The city engineer is authorized to prepare and issue notices inviting bids and to establish such additional bidding procedures as are consistent with those stated herein.

F. Prohibition Against Splitting or Separating Projects. It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of this purchasing ordinance requiring work to be done by contract after competitive bidding. Under Public Contract Code Section 22033, "It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of this article requiring work to be done by contract after competitive bidding."

G. Limitation on specifications by brand or trade names. Specifications in Notices Inviting Bids for brand or trade names is prohibited under Public Contract Code Section 3400. However, this prohibition may not apply if the City makes a finding that is described in the invitation for bids or request for proposals that a particular material, product, thing, or service is designated by specific brand or trade name for any of the purposes set forth in Public Contract Code Section 3400.

H. City Council Authority to Reject, Readvertise, or Otherwise Award.

1. In its discretion, the City Council may reject any and all bids presented under the informal and formal bidding procedures described above for public projects, if the city, prior to rejecting all bids, furnishes a written notice to the apparent low

bidder. The notice shall inform the bidder of the city's intent to reject the bid and shall be mailed at least two business days prior to the council meeting at which the city intends to reject the bid. If after the first invitation for bids all bids are rejected, after reevaluating its cost estimates of the project, the city shall have the option of either of the following:

a. Abandoning the project or readvertising for bids in the manner described in this section.

b. By passage of a resolution by a four-fifths vote of the city council declaring that the project can be performed more economically by the employees of the city, the city may have the project done by force account without further complying with this section.

2. If the contract is awarded, it shall be awarded to the lowest responsive and responsible bidder. If two or more bids are the same and the lowest, the city may accept the one it chooses.

3. If no bids are received through the informal or formal bidding procedures described above, the project may be performed by employees of the city by force account or by informal bidding procedures set forth above.

I. Emergencies Regarding Public Projects.

The term "emergency" as used in this section means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

1. In case of an emergency regarding a public project which requires competitive bidding, the City Council may pass a resolution by a four-fifths vote of its members declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property. The resolution shall specify that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

2. In the event consideration of the emergency action cannot await the City Council's determination due to the serious nature of the emergency, the City Council by a four-fifths vote hereby delegates to the city manager the authority to order any action pursuant to paragraph (1) of subdivision I of Section 3.20.060. Such action is to be taken by the City Manager's declaration which shall describe the emergency and specify that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.
3. If the city manager orders any action specified in paragraph (1) of subdivision (a), that person shall report to the City Council, at its next meeting required pursuant to this section, the reasons justifying why the emergency did not permit a delay resulting from a competitive solicitation for bids and why the action was necessary to respond to the

emergency.

4. Any action taken by the City Council as specified in this section shall be reviewed by the City Council at its next regular meeting and, except as specified below, at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action.

5. If City Manager orders any action specified in this section, the City Council shall initially review the emergency action not later than seven (7) days after the action, or at its next regular meeting if that meeting will occur not later than fourteen (14) days after the action, and at least at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action

6. When the City Council reviews the emergency action pursuant to paragraph (4) or (5), it shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts.

J. Written Contracts Required. All contracts for public projects shall be in writing; all amendments to contracts shall be in writing. The City Manager shall work with the City Attorney to ensure that the contract includes language protecting the city's interest and language required by law. This language shall include, but is not limited to: specified term, scope of services, termination language, insurance, warranties, indemnification, non-collusion, contractor license, security, bonds, liquidated damages, change orders, retention, delays, claims process, prevailing wages, and compliance with applicable laws.

K. Change Order Limits. The award of contracts for public projects shall include a recommended contingency amount not to exceed fifteen percent (15%). Any change order must be reasonably related to the scope of the original contract and based on post-award information that requires modification based on unforeseen conditions or by mutual agreement of the parties. Any change order which results in a total contract amount greater than the limits in this provision shall require city council approval.

3.20.070 Cooperative Purchasing Agreements and Piggyback Purchases.

A. Cooperative Purchasing. The city, through the Purchasing Officer, may purchase supplies, equipment, or services (other than public projects as defined in this ordinance) through a joint powers or other cooperative purchasing program with any local, county, state, or federal public entity or entities, or any association of public agencies, including the California League of Cities, the California State Association of Counties, and the National Conference of Mayors, provided that:

1. The selected bidder was selected in compliance with the competitive bidding or proposal process requirements of any participating entity or association; and

2. The Purchasing Officer determines that the competitive bidding or proposal process utilized is similar to that contained in this Ordinance; and

3. The Purchasing Officer determines that, as a result of cooperative purchasing, the price of the supplies, equipment, or services is likely to be lower than it would be if purchased directly by the city pursuant to this Ordinance.

B. Piggyback Purchasing. The city may utilize the purchasing practice commonly referred to as "piggyback" purchasing. The city, through the Purchasing Officer, may purchase supplies, equipment, or services without complying with the bidding or proposal procedures in this Ordinance from any supplier who offers the supplies, equipment, or services at the same or better price, terms, and/or conditions as the supplier previously offered to another city or other public agency as the lowest bidder pursuant to the competitive bidding or proposal process required by that city or other public agency, provided that:

1. The competitive bidding or proposal process required by that city or other public agency is similar to that contained in this Ordinance; and

2. The competitive bidding or proposal process required by that city or other public agency included all known bidders; and

3. The supplier's bid or proposal was for like or greater quantities, and a like or greater quality, of supplies, equipment, or services.

C. Information Technology Goods and Services. In accordance with Cal. Public Contract Code § 10299, the city, through the Purchasing Officer may, without formal or informal bidding, contract with suppliers who have been awarded contracts by governmental entities for the purchase of goods, information technology, and services under the competitive process in Cal. Public Contract Code §§ 12100 to 12113. Such contracts typically take the form of master agreements, price schedules, or multiple award schedules. The city may make these purchases directly from the vendors or the state may provide assistance to the city in making these acquisitions.

3.20.80 Prevailing Wages and Public Works Projects.

A. Under Labor Code Section 1771, all work performed under contract for "public works" projects of more than one thousand dollars shall be subject to prevailing wages. The Labor Code defines the term "public works project" more broadly than the Public Contract Code and Section 3.20.060. There may be instances in which bidding is not required but payment of prevailing wages is required.

B. For the purpose of determining prevailing wages, the term "Public works project," means:

1. Construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part from city funds. For purposes of this

subsection (B)(1), “construction” includes work performed during the design and preconstruction phases of construction, including, but not limited to, inspection and land surveying work. For purposes of this subsection (B)(1), “installation” includes, but is not limited to, the assembly and disassembly of freestanding and affixed modular office systems.

2. The laying of carpet done under a building lease-maintenance contract and paid for out of public funds.

3. Street, sewer, or other improvement work done under the direction and supervision of the city.

4. Hauling refuse from a public works site to an outside disposal location.

5. Maintenance work, including routine, recurring, and usual work for the preservation of a city-owned or operated facility, and landscape maintenance work per Labor Code Section 1771.

C. Prevailing wage requirements do not apply to work performed by the city with its own forces.

D. The City Manager is authorized to establish guidelines for implementing prevailing wages requirements that are consistent with this section and with the Labor Code.

E. The City Manager shall designate a person to comply with the contractor registration requirements on all contracts requiring prevailing wages.

3.20.090 Requests for Proposals and Requests For Qualifications.

Procurements under a Request for Proposal (RFP) or Request for Qualifications (RFQ) are appropriate for services that are not subject to legal public bidding requirements and are not public projects as defined in Section 3.20.060. Such procurements may include consulting services, professional services, maintenance services, and other services as described in this section.

A. Use of RFP or RFQ. If a state or federal funding source requires an RFP or RFQ process, the city shall comply with said process to secure funding. If there are no statutory or funding condition requirements that specify use of an RFP or RFQ, selection is based on the nature of the procurement. For example, an RFP is the preferred option for project-based procurement where the specific scope of services is known in advance and one of the primary criteria will be the best lump sum price for providing services (although experience and qualifications may also be considered). An RFQ is often preferable for ongoing or on-call professional or consulting services where there is not a single, defined project and the qualifications and experience of the consultant are the primary criteria (although hourly rates may also be considered).

B. RFP/RFQ Required By Law or Funding Source.

1. Architectural and Engineering Services. Per Cal. Gov't Code § 4529.12, all architectural and engineering services shall be procured pursuant to a fair, competitive selection process. Therefore, an RFP/RFQ process must be followed. The term "architectural and engineering services" includes all architectural, landscape architectural, environmental, engineering, land surveying, and construction project management services (see Cal. Gov't Code § 4529.10).

2. Funding Source Requirement. The city shall comply with county, state, or federal funding source requirements for use of an RFP/RFQ.

C. Other RFPs and RFQs.

1. Professional/Consultant Services. The city may contract with any specially trained and experienced persons, firms or corporations for special services and advice in financial, economic, accounting, legal or administrative services. Selection shall be on the basis of demonstrated competence, on the professional qualifications necessary for the satisfactory performance of the services required, and at a fair and reasonable price to the city. To obtain the best competitive value for services, the city may employ an RFP or RFQ process dependent on nature of the services, complexity, estimated cost, and immediate needs as determined by the City Manager.

2. Master Service Agreements. Master service agreements may be entered into with specific vendors for support services on an "as needed" basis pursuant to an RFP process

3.20.100 Standing supply purchase agreements and master service agreements.

A. Standing supply purchase agreements may be entered into with specific vendors for purchase of repetitive-use goods, materials, equipment, and/or supplies common to one or several departments. The standing supply purchase agreements will be subject to the informal bidding procedures in Section 3.20.060D except that factors other than low price may be considered.

B. Master service agreements may be entered into with specific vendors for support services on an "as needed" basis. The master service agreements will be subject to a request for proposal process as set forth in the city's administrative purchasing policy.

3.20.110 Conflict of interest.

No person shall recommend, participate in any contract evaluation, selection, purchase, or lease which would constitute a conflict of interest defined in the city conflict of interest code or applicable state law.

3.20.120 Credit Card Purchasing Policy.

A. Credit Card Policy.

1. This section shall be deemed the city's credit card purchasing policy.
2. The finance director shall be responsible for the city's credit card issuance, accounting, monitoring, retrieval, and for general oversight of compliance with this credit card use policy.
3. Credit cards may be used for the purchase of goods and services that are for the official business of the city when standard accounts payable procedures cannot be utilized. Examples include fuel purchases, travel-related expenses, conference registration fees, and purchases wherein vendor requires immediate payment and the purchase is immediately necessary for city business.
4. City credit cards may be used only by those authorized and only for the purchase of goods or services for the official business of the city.
5. Purchases made via the credit card must comply with the city's purchasing and expenditure policies. The card in no way changes such policies.
6. The finance department will follow established accounts payable internal control procedures for approval, documentation, and payment of credit card charges.
7. Unauthorized use of a city credit card shall result in disciplinary measures to the fullest extent of the law.

B. Procedures.

1. Issuance of Credit Cards.
   a. Credit cards may be issued to the City Manager, Finance Director, Police Chief, Lieutenant, Community Services Director, Community Development Director, Public Works Director, Human Resources Manager, and City Clerk. Only one card will be issued in an individual's name. Cards are nontransferable. It is understood that each individual issued a credit card may designate support staff to process credit card purchases.
   b. The Finance Director may authorize credit card purchases of up to two thousand five hundred dollars. Contracts and purchases in excess of that amount which have been authorized by the finance director may be paid with credit cards if specifically authorized by City Manager. The authorized credit limit of each credit card issued by the city shall not exceed five thousand dollars.
2. Card Holder Responsibilities and Liability.
   a. Each credit card holder must comply with the following requirements:
      i. Ensure the card is used only for legitimate city business purposes.
      ii. Maintain the card in a secure location at all times.
      iii. Not allow other individuals to use the card.
      iv. Adhere to city purchase limits and restrictions as set forth in this chapter and as required by the City Manager.

v. Submit documentation to the finance director including sales slips, register receipts, and/or credit card slips and other documentation detailing the goods or services purchased, the cost of the goods or services, the date of the purchase and the official business for which it was purchased. Such documentation shall be submitted within five days of purchase.

vi. Attempt to resolve disputes related to billing errors with a vendor directly or in conjunction with the finance department.

vii. Ensure that the appropriate credit is issued for disputed items or billing errors on a subsequent credit card statement.

viii. Immediately report a lost or stolen card to the card issuer and notify the finance director of the lost or stolen card at the first opportunity available.

ix. Return the card to the finance director upon termination of employment with the city.

b. Card Holder Liability. The credit card is a corporate charge card that will not affect the card holder's personal credit; however, it is the card holder's responsibility to ensure that the card is used within stated guidelines, policies, and procedures of the city. Failure to comply with program guidelines may result in the permanent revocation of the card, charge-back of an improper or unsupported transaction to the card holder for reimbursement to the city, notification of the situation to management, and further disciplinary measures, which may include termination.

3.20.130. Surplus Supplies and Equipment

A. Definitions.

1. "Surplus city property" means supplies or equipment belonging to the city which are no longer used or which have become obsolete or worn out or which are otherwise of no further use.

2. "Immediate family" includes spouses, registered domestic partners, parents, children, siblings, grandchildren, grandparents, uncles, aunts, nieces, and nephews by blood or marriage.

B. Duty to report surplus equipment and supplies. Departments shall submit to the Purchasing Officer, at such times and in such forms as prescribed, reports listing all available surplus city property. The Purchasing Officer shall have authority to exchange for, or trade in, such property on new supplies and equipment in accordance with this chapter.

C. Disposal required. The Purchasing Officer shall determine if any surplus city property can be used by any department of the city. If such supplies or equipment cannot be used or

are unsuitable for city use, the purchasing officer shall, in the manner provided in this section, dispose of such supplies and equipment that cannot be exchanged for or traded in on new equipment or supplies.

D. Manner of disposal.

1. If the surplus city property which is not required for city use has been assigned an estimated market value of less than one thousand dollars by the purchasing officer, it may be disposed on the open market without advertising for bids.

2. If the surplus city property which is not required for city use has been assigned an estimated market value of one thousand dollars or more by the Purchasing Officer, the purchasing officer shall dispose of the property:

   a. Through the solicitation of sealed bids, with the award going to the highest responsive, responsible bidder. All notices shall be published by the Purchasing Officer in a commercially reasonable manner, using any appropriate mediums of printed or electronic commerce which, in the opinion of the Purchasing Officer, are likely to ensure an optimum bidding process;

   b. Through participation in an auction;

   c. Through consignment of items to a vendor to sell on behalf of the city. The Purchasing Officer shall enter into an agreement with the vendor that has the potential of generating the most market interest and, therefore, the highest net proceeds for the city. The consignment vendor shall, at its expense, advertise the item(s) for sale, in accordance with subsection (B)(1) of this section, and shall accept offers on behalf of the city, with the city having final acceptance authority;

   d. Through a negotiated agreement with another public agency, public safety organization, government agency or other nonprofit agency which may have limited funds, and an expressed need for such item(s).

3. The amount received for any property sold pursuant to this chapter shall be deposited in the city's general fund or internal service fund as deemed appropriate by the Finance Director.

E. City personnel and immediate family members prohibited from purchasing. No city officer or employee or any member of the immediate of a city officer or employee shall purchase surplus city property sold in accordance with this chapter.

SECTION 3. **CEQA**. A preliminary environmental assessment has been performed for this project pursuant the California Environmental and Quality Act (CEQA). The City Council finds and determines with certainty that, pursuant to

CEQA Guidelines Section 15061(b)(3), there is no possibility that this project may have a significant, adverse, impact on the environment. This is because this project involves purely procedural policies with no impacts on the environment. Therefore, this project is not subject to CEQA.

SECTION 4. **Severability**. If any section, subsection, phrase, or clause of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. **Publication**. This ordinance shall be published in accordance with the provisions of Government Code Section 36933.

SECTION 6. **Effective Date**. This ordinance shall become effective thirty (30) days after the date of adoption.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Kerman on the 22nd day of October 2025, and was passed and adopted at a regular meeting of the City Council of the City of Kerman on _____, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing ordinance is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

_____
Josie Camacho
City Clerk

Attachment 'B'

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
REPEALING RESOLUTIONS RELATING TO SURPLUS PROPERTY

WHEREAS, the City Council has previously adopted Resolution Nos. 89-06, 97-06, 08-57, 14-64 and 15-49 relating to surplus property; and

WHEREAS, staff recommends and the Council agrees that prior resolutions regarding surplus property should be repealed as surplus property rules will now be included in the City's Purchasing Ordinance.

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

1. The foregoing recitals are incorporated by reference.

2. Resolution Nos. 89-06, 97-06, 08-57, 14-64 and 15-49 are hereby repealed.

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 22nd day of October, 2025 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

_____
Josie Camacho
City Clerk