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Gary Yep – Mayor  
Doug Wilcox – Mayor Pro Tem  
Raj Dhaliwal – Council Member  
Nathan Fox – Council Member  
Bill Nijjer – Council Member

**AGENDA**  
**KERMAN CITY COUNCIL**  
**REGULAR MEETING**  
**Kerman City Hall**  
**850 S. Madera Avenue**  
**Wednesday, November 5, 2014**  
**6:30 PM**

AGENDA PACKET AVAILABLE FOR  
REVIEW 72 HOURS PRIOR TO  
THE CITY COUNCIL MEETING AT  
THE CITY CLERK'S OFFICE AND  
ON THE CITY WEBSITE  
ITEMS RECEIVED AT THE  
MEETING WILL BE AVAILABLE  
FOR REVIEW AT THE CITY  
CLERK'S OFFICE

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ALL MEETING ATTENDEES ARE ADVISED THAT ALL PAGERS, CELLULAR TELEPHONES AND ANY OTHER COMMUNICATION DEVICES SHOULD BE POWERED OFF UPON ENTERING THE COUNCIL CHAMBERS, AS THESE DEVICES INTERFERE WITH OUR AUDIO EQUIPMENT.

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### OPENING CEREMONIES

- Welcome – Mayor Gary Yep
- Call to Order
- Roll Call
- Invocation

*At this time the Council wishes to provide anyone an opportunity to give a brief invocation or inspirational thought. In accordance with law, we would request this opportunity not be used to recruit converts, to advance anyone, or to disparage any other faith or belief. If no one steps forward, we will observe a moment of silence so that we may all focus our thoughts on how best to serve our community.*

- Pledge of Allegiance – City Clerk

### 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.*

#### 1. PRESENTATIONS/CEREMONIAL MATTERS

- A. Introduction and Swearing-In of Level I Reserve Officer Nathan Moon (JLB)

### REQUEST TO ADDRESS COUNCIL

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

2. 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

RECOMMENDATION: Council approve minutes as presented.

ATTACHMENTS: [October 15, 2014](#)

B. SUBJECT: Payroll

1. Payroll Report: September 28, 2014 - October 11, 2014: \$123,827.55; Other: \$919.84; Overtime: \$5,156.48; Standby: \$1,012.86; Comp Time Earned: 41.25

2. Payroll Report: October 12, 2014 - October 25, 2014: \$121,564.50; Retro Pay: \$314.00; Other: \$2174.48; Overtime: \$2,175.46; Standby: 1,098.34; Comp Time Earned: 15.75

RECOMMENDATION: Council approve payroll as presented.

ATTACHMENTS: [Payroll/Overtime Report](#)

C. SUBJECT: Warrants

1. Nos. 5136: \$118.03; 5196: \$38.134; 5200-5307: \$414,159.46;

2. Excepting: Kerman News: #5288 - \$105.00  
Valley Food Center: #5136 - \$118.03, #5196 - \$38.13,  
#5237 - \$101.09, #5300 - \$54.51

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

ATTACHMENTS: [Accounts Payable](#)

D. SUBJECT: Resolution Approving Updated Purchasing Policy for the City of Kerman (TJ)

RECOMMENDATION: Council by motion adopt resolution approving updated Purchasing Policy for the City of Kerman.

ATTACHMENTS: [Staff Report - Purchasing Policy](#)

- E. SUBJECT: Resolution Approving Ninth Amendment to the Fresno Council of Governments' Joint Powers Agreement (LP)

RECOMMENDATION: Council by motion adopt resolution approving the ninth amendment to the Fresno Council of Governments' Joint Powers Agreement.

ATTACHMENTS: [Staff Report - COG JPA Amendment](#)

- F. SUBJECT: Monthly Investment Report Ending September 30, 2014 (TJ)

RECOMMENDATION: Council by motion accept the Monthly Investment Report as presented.

ATTACHMENTS: [Investment Report](#)

3. PUBLIC HEARINGS

None

4. DEPARTMENT REPORTS

- A. SUBJECT: Amendment to PPA with Borrego Solar for Expansion of Solar Array at Wastewater Treatment Plant (LP)

RECOMMENDATION: Council by motion consider approving amendment to PPA with Borrego Solar to expand solar array at wastewater treatment plant and authorize the City Manager to execute the agreement.

ATTACHMENTS: [Staff Report - First Amendment to PPA with Borrego Solar](#)

- B. SUBJECT: Resolution Appointing City Engineer and City Surveyor (GH)

RECOMMENDATION: Council by motion adopts resolution appointing Jerry Jones as City Engineer and David Horn as City Surveyor.

ATTACHMENTS: [Staff Report - Appointment of City Engineer](#)

5. CITY MANAGER/STAFF COMMUNICATIONS

6. MAYOR/COUNCIL REPORTS

7. CLOSED SESSION

None

8. ADJOURNMENT

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In compliance with the American with Disabilities Act (ADA), if you need special assistance to participate at this meeting, please contact the City Clerk at (559) 846-9380. Notification of 48 hours prior to the meeting will enable the City Clerk to make reasonable arrangement to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically handicapped.

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**AGENDA**  
**KERMAN CITY COUNCIL**  
**REGULAR MEETING**  
**Kerman City Hall**  
**850 S. Madera Avenue**  
**Wednesday, October 15, 2014**  
**6:30 PM**

Gary Yep – Mayor  
 Doug Wilcox – Mayor Pro Tem  
 Raj Dhaliwal – Council Member  
 Nathan Fox – Council Member  
 Bill Nijjer – Council Member

Present: Mayor Yep (GY), Dhaliwal (RD), Fox (NF), Nijjer (BN), Wilcox (DW)  
 Absent: None  
 Also Present: City Manager/Planning & Development Director Patlan, City Attorney Blum, Chief of Police, Community Services Director, Finance Director, Public Works Director, City Engineer

Voting: Yes,  
 No, Absent  
 (Abstain if  
 needed)

**OPENING CEREMONIES**

- Welcome – Mayor Gary Yep
- Call to Order
- Roll Call
- Invocation
- Pledge of Allegiance – City Clerk

6:33 p.m.  
 All present  
 except  
 DW/NF

Performed

**AGENDA APPROVAL/ADDITIONS/DELETIONS**

Approved  
 RD/BN (3-0-2)  
 DW/NF

**1. PRESENTATIONS/CEREMONIAL MATTERS**

None

**REQUEST TO ADDRESS COUNCIL**

Alejandria  
 Valdivia

**2. CONSENT CALENDAR**

Approved  
 excepting  
 5136/5196  
 RD/BN (3-0-2)  
 DW/NF

**A. SUBJECT: Minutes**

**RECOMMENDATION**: Council approve minutes as presented.

**B. SUBJECT: Payroll**

Payroll Report: September 14-27, 2014: \$123,011.86; Retro Pay: \$100.84;  
 Overtime: \$6,326.17; Standby: \$1,099.53; Comp Time Earned: 7.50

**RECOMMENDATION**: Council approve payroll as presented.

**C. SUBJECT: Warrants**

1. Nos. 5104-5199: \$294,820.37
2. Excepting: VFC: #5136 - \$118.03; #5196 - \$38.13

Continued to  
 next meeting

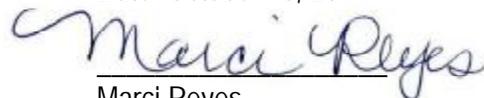
**RECOMMENDATION**: Council approve warrants and electronic bank transfers as presented. (Pursuant to Government Code 37208)

3. PUBLIC HEARINGS	None
4. DEPARTMENT REPORTS	
A. <u>SUBJECT</u> : Resolution Opposing Prop 47 Safe Neighborhood Schools Act (JLB)	6:45 p.m. DW arrived.
<u>RECOMMENDATION</u> : Council by motion adopt resolution opposing Prop 47 Safe Neighborhood School Act.	Approved position opposing BN/RD (4-0-1) NF Res 14-60
B. <u>SUBJECT</u> : Presentation of Hero Program (LP)	
<u>RECOMMENDATION</u> : Council receive report on Hero Program and consider by motion adoption of resolution approving an Amendment to the Western Riverside Council of Governments (WRCOG) Joint Powers Agreement to add Kerman as an Associate Member in order to authorize the City's participation in the California HERO Program.	Approved DW/BN (4-0-1) NF Res 14-61
C. <u>SUBJECT</u> : Draft Amended Purchasing Policy (TJ)	
<u>RECOMMENDATION</u> : Council to provide input on draft amended Purchasing Policy and direct staff to present policy for adoption at the November 5, 2014 meeting.	Item to be brought back for approval November 5.
5. CITY MANAGER/STAFF COMMUNICATIONS	
6. MAYOR/COUNCIL REPORTS	
A. Kerman Ag Expo - Thursday, October 30, 7:30 a.m. Community Center	
7. CLOSED SESSION	None
COUNCIL RECONVENE FROM CLOSED SESSION & REPORT ANY ACTION TAKEN	
8. ADJOURNMENT	Approved 7:13 p.m. RD/BN (4-0-1) NF

MINUTES CERTIFICATION

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

Date: October 16, 2014



Marci Reyes  
City Clerk

# CITY OF KERMAN PAYROLL REPORT

Agenda Item 4.B.1

PAY PERIOD: September 28, 2014 - October 11, 2014

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME		STANDBY		GROSS SALARY	COMP TIME EARNED
			HOURS	AMOUNT	HOURS	AMOUNT		
<b><u>ADMINISTRATION</u></b>								
414 Patlan, Luis	\$ 4,664.77	\$ -	-	\$ -	-	\$ -	\$ 4,664.77	
15 Gonzalez, Diana	\$ 1,864.15	\$ -	-	\$ -	-	\$ -	\$ 1,864.15	
332 Alvarez, Josefina	\$ 1,689.69	\$ -	-	\$ -	-	\$ -	\$ 1,689.69	6.00
350 Jones, Toni	\$ 2,897.54	\$ -	-	\$ -	-	\$ -	\$ 2,897.54	
375 Reyes, Marcia	\$ 2,463.23	\$ -	-	\$ -	-	\$ -	\$ 2,463.23	
435 Nazaroff, Helen	\$ 1,846.62	\$ -	-	\$ -	-	\$ -	\$ 1,846.62	
518 Garza, Amy	\$ 240.00	\$ -	-	\$ -	-	\$ -	\$ 240.00	
<b>TOTAL</b>	<b>\$ 15,666.00</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 15,666.00</b>	<b>6.00</b>

<b><u>REC/SOCIAL</u></b>								
11 Gallegos, Philip	\$ 3,734.77	\$ -	-	\$ -	-	\$ -	\$ 3,734.77	
35 Arredondo, Barbara	\$ 1,526.77	\$ -	-	\$ -	-	\$ -	\$ 1,526.77	
97 Gonzalez, Jose Felix	\$ 1,599.69	\$ -	-	\$ -	-	\$ -	\$ 1,599.69	
237 Salvador, Mark	\$ 1,883.08	\$ -	-	\$ -	-	\$ -	\$ 1,883.08	
292 Silva, Jessica	\$ 536.50	\$ -	-	\$ -	-	\$ -	\$ 536.50	
405 Sidhu, Nirmal	\$ 1,465.38	\$ -	-	\$ -	-	\$ -	\$ 1,465.38	
361 Lujan, Vanessa	\$ 225.50	\$ -	-	\$ -	-	\$ -	\$ 225.50	
517 Johnson, Theresa	\$ 1,587.23	\$ -	-	\$ -	-	\$ -	\$ 1,587.23	
388 Arredondo, Michelle	\$ 145.00	\$ -	-	\$ -	-	\$ -	\$ 145.00	
447 Gonzalez, Devonna	\$ 65.63	\$ -	-	\$ -	-	\$ -	\$ 65.63	
497 Arredondo, Raquel	\$ 300.00	\$ -	-	\$ -	-	\$ -	\$ 300.00	
498 Ayala, Adrien	\$ 36.00	\$ -	-	\$ -	-	\$ -	\$ 36.00	
502 Gallegos, Yenifer	\$ 308.25	\$ -	-	\$ -	-	\$ -	\$ 308.25	
506 Rangel, Jose A	\$ 216.00	\$ -	-	\$ -	-	\$ -	\$ 216.00	
513 Jeanna Burdine-Slave	\$ 1,511.54	\$ -	-	\$ -	-	\$ -	\$ 1,511.54	
515 Figueroa, Rita	\$ 380.00	\$ -	-	\$ -	-	\$ -	\$ 380.00	
516 Villarreal, Arlene	\$ 335.00	\$ -	-	\$ -	-	\$ -	\$ 335.00	
<b>TOTAL</b>	<b>\$ 15,856.34</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 15,856.34</b>	<b>0.00</b>

<b><u>POLICE</u></b>								
29 Rodrigues, Mary	\$ 1,759.38	\$ -	-	\$ -	-	\$ -	\$ 1,759.38	
59 Madruga, Ron	\$ 3,114.46	\$ -	20.00	\$ 1,167.92	-	\$ -	\$ 4,282.38	
69 Chapman, Tom	\$ 2,413.38	\$ -	1.00	\$ 45.25	-	\$ -	\$ 2,458.64	
101 Cubillos, Teresa	\$ 1,520.31	\$ -	-	\$ -	-	\$ -	\$ 1,520.31	
245 Barbosa, Isaias	\$ 2,311.85	\$ -	1.00	\$ 43.35	-	\$ -	\$ 2,355.19	
291 Ramirez, Donald	\$ 1,493.54	\$ -	-	\$ -	-	\$ -	\$ 1,493.54	
343 Davis, Jeff	\$ 2,825.08	\$ -	4.00	\$ 211.88	-	\$ -	\$ 3,036.96	3
354 Ness, Lee	\$ 2,046.00	\$ -	-	\$ -	-	\$ -	\$ 2,046.00	
363 Barcoma, Wilbert	\$ 2,690.77	\$ -	-	\$ -	-	\$ -	\$ 2,690.77	
369 Ramer, Joseph	\$ 1,493.54	\$ -	-	\$ -	-	\$ -	\$ 1,493.54	
402 Nevis, James	\$ 2,300.77	\$ -	-	\$ -	-	\$ -	\$ 2,300.77	
423 Magallon, Peter	\$ 2,413.43	\$ -	12.00	\$ 543.02	-	\$ -	\$ 2,956.45	4.5
425 Belding, Jeff	\$ 2,357.08	\$ -	6.00	\$ 265.17	-	\$ -	\$ 2,622.25	
442 Antuna, Eric	\$ 2,112.63	\$ -	4.00	\$ 203.56	8.00	\$ 53.45	\$ 2,369.64	
458 Nelson, Christopher J	\$ 3,114.46	\$ -	4.00	\$ 233.58	-	\$ -	\$ 3,348.05	
468 Tiwana, Manpreet	\$ 1,957.92	\$ -	20.50	\$ 942.25	-	\$ -	\$ 2,900.18	
474 Blohm, Joseph	\$ 4,047.23	\$ -	-	\$ -	-	\$ -	\$ 4,047.23	

# CITY OF KERMAN PAYROLL REPORT

Agenda Item 4.B.1

PAY PERIOD: September 28, 2014 - October 11, 2014

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME		STANDBY		GROSS SALARY	COMP TIME EARNED
			HOURS	AMOUNT	HOURS	AMOUNT		
476 Rodriguez, Erika	\$ 1,902.46	\$ -	3.00	\$ 107.01	-	\$ -	\$ 2,009.48	
479 Attkisson, Joseph	\$ 3,466.56	\$ -	-	\$ -	-	\$ -	\$ 3,466.56	
485 Lehman, Dustin	\$ 1,767.23	\$ -	-	\$ -	-	\$ -	\$ 1,767.23	15
487 Antuna, Miguel	\$ 870.00	\$ -	-	\$ -	-	\$ -	\$ 870.00	4.5
501 Ledezma, Linda	\$ 1,199.54	\$ -	-	\$ -	-	\$ -	\$ 1,199.54	
504 Labetiaux, EJ Medina	\$ 1,767.23	\$ -	-	\$ -	-	\$ -	\$ 1,767.23	
512 Seroka, Dylan	\$ 1,020.00	\$ -	-	\$ -	-	\$ -	\$ 1,020.00	
533 Dueck, Loren	\$ 960.00	\$ -	(4.00)	\$ (72.00)	-	\$ -	\$ 888.00	
536 Chacon, Anthony	\$ 960.00	\$ -	3.00	\$ 54.00	-	\$ -	\$ 1,014.00	
<b>TOTAL:</b>	<b>\$ 53,884.84</b>	<b>\$ -</b>	<b>74.50</b>	<b>\$ 3,745.00</b>	<b>8.00</b>	<b>\$ 53.45</b>	<b>\$ 57,683.30</b>	<b>27.00</b>
<b><u>PUBLIC WORKS</u></b>								
8 Gonzales, Ruben	\$ 2,011.38	\$ -	-	\$ -	-	\$ -	\$ 2,011.38	
20 Rodriguez, Joe	\$ 1,964.77	\$ -	-	\$ -	-	\$ -	\$ 1,964.77	
25 Prieto, Ruben	\$ 1,762.15	\$ -	-	\$ -	-	\$ -	\$ 1,762.15	
26 Gruce, Robert	\$ 2,478.00	\$ -	-	\$ -	-	\$ -	\$ 2,478.00	
27 Hearld, Douglas	\$ 542.94	\$ -	-	\$ -	-	\$ -	\$ 542.94	
87 Madruga, Lydia	\$ 1,964.77	\$ -	-	\$ -	-	\$ -	\$ 1,964.77	
134 Ramirez, Manuel	\$ 1,830.92	\$ -	-	\$ -	-	\$ -	\$ 1,830.92	
172 Chavez, Fernando M.	\$ 444.03	\$ -	-	\$ -	-	\$ -	\$ 444.03	
290 Gastelum, Humberto	\$ 1,924.15	\$ -	-	\$ -	-	\$ -	\$ 1,924.15	
298 Barajas, Michael	\$ 1,871.08	\$ -	-	\$ -	-	\$ -	\$ 1,871.08	
322 Castro, Joseph	\$ 1,785.69	\$ 100.00	-	\$ -	-	\$ -	\$ 1,885.69	
349 Arechiga, Pastor	\$ 1,639.38	\$ 819.84	-	\$ -	-	\$ -	\$ 2,459.22	
378 Sanchez, Daniel	\$ 1,465.38	\$ -	17.00	\$ 503.73	22.50	\$ 412.14	\$ 2,381.25	
389 Zapata, Domingo	\$ 1,945.85	\$ -	5.00	\$ 206.75	22.50	\$ 547.27	\$ 2,699.86	7.50
329 Moore, Ken	\$ 3,853.85	\$ -	-	\$ -	-	\$ -	\$ 3,853.85	
460 Vallejo, Edward	\$ 1,992.55	\$ -	-	\$ -	-	\$ -	\$ 1,992.55	0.75
486 Palacios, Jesus	\$ 580.00	\$ -	-	\$ -	-	\$ -	\$ 580.00	
522 Isaak, Denise	\$ 1,396.62	\$ -	-	\$ -	-	\$ -	\$ 1,396.62	
531 Duarte, Leonardo	\$ 580.00	\$ -	-	\$ -	-	\$ -	\$ 580.00	
534 Tinoco, Alfonso	\$ 580.00	\$ -	-	\$ -	-	\$ -	\$ 580.00	
535 Garcia, Carlos Jr	\$ 590.00	\$ -	-	\$ -	-	\$ -	\$ 590.00	
<b>TOTAL</b>	<b>\$ 33,203.53</b>	<b>\$ 919.84</b>	<b>\$ 22.00</b>	<b>\$ 710.47</b>	<b>\$ 45.00</b>	<b>\$ 959.41</b>	<b>\$ 35,793.25</b>	<b>8.25</b>
<b><u>PLANNING</u></b>								
37 Pimentel, Olivia	\$ 2,199.23	\$ -	17.00	\$ 701.00	-	\$ -	\$ 2,900.24	
234 Kufis, Chris	\$ 2,392.62	\$ -	-	\$ -	-	\$ -	\$ 2,392.62	
<b>TOTAL</b>	<b>\$ 4,591.85</b>	<b>\$ -</b>	<b>17.00</b>	<b>\$ 701.00</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 5,292.85</b>	<b>0.00</b>

# CITY OF KERMAN PAYROLL REPORT

Agenda Item 4.B.1

PAY PERIOD: September 28, 2014 - October 11, 2014

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME HOURS	OVERTIME AMOUNT	STANDBY HOURS	STANDBY AMOUNT	GROSS SALARY	COMP TIME EARNED
	<u>PLANNING</u>		<u>COUNCIL</u>					
Epperson, R	\$	-		Dhaliwal			\$ 125.00	
Lopez, M	\$	-		Wilcox			\$ 125.00	
Bandy, R	\$	-		Yep			\$ 125.00	
Harris, J	\$	-		Fox			\$ 125.00	
Meigoza, G	\$	-		Nijjer			\$ 125.00	
Nehring, K	\$	-						
Kehler, E	\$	-						
Wettlaufer, K	\$	-						
<b>Total</b>	<b>\$</b>	<b>-</b>		<b>Total</b>			<b>\$ 625.00</b>	
<b>GRAND TOTAL:</b>	<b>\$123,827.55</b>	<b>\$919.84</b>	<b>113.50</b>	<b>\$5,156.48</b>	<b>53.00</b>	<b>\$1,012.86</b>	<b>\$130,916.73</b>	<b>41.25</b>

**CITY OF KERMAN  
OVERTIME SUPPLEMENTAL PAYROLL REPORT**

**PAY PERIOD 09/28/14-10/11/14**

**POLICE DEPARTMENT**

<b>Overtime Categories - Number of Hours</b>							
<b>Regular Overtime</b>	<b>Court</b>	<b>Shift Coverage</b>	<b>SID</b>	<b>Detail</b>	<b>Avoid the 21 Grant</b>	<b>Special Events</b>	<b>Total</b>
15	3	51.5					69.5

(see notes below for overtime description)

**DOUBLE TIME: (Sunday)**

						5	5
						Sub Total	74.5

**PUBLIC WORKS DEPARTMENT**

<b>Overtime Categories - Number of Hours</b>						
<b>Water Service</b>	<b>Sewer Emergencies</b>	<b>Animal Control</b>	<b>Special Events</b>	<b>Other or Call Back</b>	<b>On Call Duties</b>	<b>Total</b>
4	3	1		4	4	16

(see notes below for overtime description)

**DOUBLE TIME: (Sunday)**

	2				4	6	
						Sub Total	22.0

**COMMUNITY SERVICES DEPARTMENT**

<b>Overtime Categories - Number of Hours</b>			<b>Total</b>
<b>Regular Overtime</b>	<b>After Hour Event</b>		
			0
			Sub Total
			0

**FINANCE / PLANNING DEPARTMENTS**

<b>Overtime Categories - Number of Hours</b>					
<b>Regular Overtime</b>	<b>Utility Billing</b>	<b>Payroll</b>	<b>Dog Clinic</b>	<b>Year End Audit</b>	<b>Total</b>
17					17
					Sub Total
					17

**Total Hours (All Departments) 113.5**

**POLICE DEPARTMENT:**

**Regular Overtime** – 8 hrs for staff meeting, 5 hrs for report writing with trainee, 2 hrs late reports/late arrests, 5 hrs DT for Punjabi Sports event at KHS.

**Court** – 3 hrs for court

**Shift Coverage** – 51.50 hrs for shift coverage due to officer on medical leave, vacations, calling in sick, and or training

**Special Investigation Division (SID)** – Special police action is required such as a search warrant, surveillance, and other crime patterns, etc.

**Training** – Officers instructing or attending classes. Overtime may occur when officers cover the shift of those in training.

**Grant** – Officers conducting Special Enforcement Control. Avoid the 21, Click It or Ticket, and Special Project, The City gets reimbursed for overtime through the Grant Programs

**Special Events** - Occurs when officers are needed for events such as Harvest Festival, 3rd of July, Parades, etc

**PUBLIC WORKS DEPARTMENT:**

**Water Service** - Includes 4 hrs overtime for shut-off and turn-on of service, all water related emergencies

**Sewer Emergencies** - 3 hrs OT & 2 hrs DT. SCADA problems/Sewer emergencies (SCADA controls pumps, wells and sewer, lift stations, all sewer and storm drain related issues)

**Animal Control** - 1 hr OT. Vicious or dead animals. (not normally used for stray animals)

**Special Events** - Harvest Festival, Pageantry of Lights, National Night Out Water Conservation booth, Portuguese Parade, 3rd of July, including set up and clean up

**Other** - 4 hrs OT. 3 alarms, and restocking Lions Park restroom

**Call Back** - Any emergencies where additional employees are called to assist

**On-Call Duties** - 4 hrs OT and 4 hrs DT for reading and recording flow meters on wells and sewer plant, feed and clean kennels, verify WWTP running effectively, etc. OT is for two weekends and/or any holidays

**COMMUNITY SERVICES DEPARTMENT**

**Regular Overtime** – On occasion, but very rare due to the amount of part-time employees

**After Hour Event** – Occurs only if a full-time employee would have to stay for clean-up or as a facility attendant

**FINANCE / PLANNING DEPARTMENTS**

**Regular Overtime** - 17 hours OT for Springbrook Planning conversion

**Utility Billing** - Completed on the 1st of each month.

**Payroll** - Completed bi-weekly

**Dog Clinic** - Once a year clinic held after business hours

**Year-End Audit** - Completed over a period of time at the end of each fiscal year.

# CITY OF KERMAN PAYROLL REPORT

Agenda Item 4.B.1

PAY PERIOD: October 12, 2014 - October 25, 2014

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME		STANDBY		GROSS SALARY	COMP TIME EARNED
			HOURS	AMOUNT	HOURS	AMOUNT		
<b><u>ADMINISTRATION</u></b>								
414 Patlan, Luis	\$ 4,664.77	\$ -	-	\$ -	-	\$ -	\$ 4,664.77	
15 Gonzalez, Diana	\$ 1,864.15	\$ -	-	\$ -	-	\$ -	\$ 1,864.15	
332 Alvarez, Josefina	\$ 1,689.69	\$ -	5.00	\$ 158.41	-	\$ -	\$ 1,848.10	
350 Jones, Toni	\$ 2,897.54	\$ -	-	\$ -	-	\$ -	\$ 2,897.54	
375 Reyes, Marcia	\$ 2,463.23	\$ -	-	\$ -	-	\$ -	\$ 2,463.23	
435 Nazarov, Helen	\$ 1,846.62	\$ -	-	\$ -	-	\$ -	\$ 1,846.62	
518 Garza, Amy	\$ 168.00	\$ -	-	\$ -	-	\$ -	\$ 168.00	
<b>TOTAL</b>	<b>\$ 15,594.00</b>	<b>\$ -</b>	<b>5.00</b>	<b>\$ 158.41</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 15,752.41</b>	<b>0.00</b>
<b><u>REC/SOCIAL</u></b>								
11 Gallegos, Philip	\$ 3,734.77	\$ -	-	\$ -	-	\$ -	\$ 3,734.77	
35 Arredondo, Barbara	\$ 1,526.77	\$ -	-	\$ -	-	\$ -	\$ 1,526.77	
97 Gonzalez, Jose Felix	\$ 1,599.69	\$ -	-	\$ -	-	\$ -	\$ 1,599.69	
237 Salvador, Mark	\$ 1,883.08	\$ -	-	\$ -	-	\$ -	\$ 1,883.08	
292 Silva, Jessica	\$ 425.38	\$ 314.00	-	\$ -	-	\$ -	\$ 739.38	
405 Sidhu, Nirmal	\$ 1,465.38	\$ -	-	\$ -	-	\$ -	\$ 1,465.38	
361 Lujan, Vanessa	\$ 467.50	\$ -	-	\$ -	-	\$ -	\$ 467.50	
517 Johnson, Theresa	\$ 1,587.23	\$ -	-	\$ -	-	\$ -	\$ 1,587.23	
388 Arredondo, Michelle	\$ 92.50	\$ -	-	\$ -	-	\$ -	\$ 92.50	
497 Arredondo, Raquel	\$ 385.00	\$ -	-	\$ -	-	\$ -	\$ 385.00	
498 Ayala, Adrien	\$ 42.75	\$ -	-	\$ -	-	\$ -	\$ 42.75	
502 Gallegos, Yenifer	\$ 303.75	\$ -	-	\$ -	-	\$ -	\$ 303.75	
506 Rangel, Jose A	\$ 357.75	\$ -	-	\$ -	-	\$ -	\$ 357.75	
513 Jeanna Burdine-Slave	\$ 1,511.54	\$ -	-	\$ -	-	\$ -	\$ 1,511.54	
515 Figueroa, Rita	\$ 380.00	\$ -	-	\$ -	-	\$ -	\$ 380.00	
516 Villarreal, Arlene	\$ 260.00	\$ -	-	\$ -	-	\$ -	\$ 260.00	
<b>TOTAL</b>	<b>\$ 16,086.09</b>	<b>\$ 314.00</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 16,400.09</b>	<b>0.00</b>
<b><u>POLICE</u></b>								
29 Rodrigues, Mary	\$ 1,759.38	\$ -	-	\$ -	-	\$ -	\$ 1,759.38	
59 Madruga, Ron	\$ 3,114.46	\$ -	-	\$ -	-	\$ -	\$ 3,114.46	
69 Chapman, Tom	\$ 2,413.38	\$ -	-	\$ -	-	\$ -	\$ 2,413.38	
101 Cubillos, Teresa	\$ 3,040.62	\$ -	-	\$ -	-	\$ -	\$ 3,040.62	
245 Barbosa, Isaias	\$ 2,311.85	\$ -	-	\$ -	-	\$ -	\$ 2,311.85	2.25
291 Ramirez, Donald	\$ 1,493.54	\$ -	-	\$ -	-	\$ -	\$ 1,493.54	
343 Davis, Jeff	\$ 2,825.08	\$ -	-	\$ -	-	\$ -	\$ 2,825.08	
354 Ness, Lee	\$ 2,046.00	\$ -	5.00	\$ 191.81	-	\$ -	\$ 2,237.81	
363 Barcoma, Wilbert	\$ 2,690.77	\$ -	3.00	\$ 151.36	-	\$ -	\$ 2,842.13	
369 Ramer, Joseph	\$ 1,493.54	\$ -	-	\$ -	-	\$ -	\$ 1,493.54	
402 Nevis, James	\$ 2,300.77	\$ -	4.00	\$ 172.56	-	\$ -	\$ 2,473.33	
423 Magallon, Peter	\$ 2,413.43	\$ -	-	\$ -	-	\$ -	\$ 2,413.43	1.5
425 Belding, Jeff	\$ 2,357.08	\$ -	-	\$ -	-	\$ -	\$ 2,357.08	
442 Antuna, Eric	\$ 2,138.07	\$ -	-	\$ -	-	\$ -	\$ 2,138.07	
458 Nelson, Christopher J	\$ 3,114.46	\$ -	-	\$ -	-	\$ -	\$ 3,114.46	
468 Tiwana, Manpreet	\$ 1,957.92	\$ -	4.00	\$ 146.84	-	\$ -	\$ 2,104.77	
474 Blohm, Joseph	\$ 4,047.23	\$ -	-	\$ -	-	\$ -	\$ 4,047.23	
476 Rodriguez, Erika	\$ 1,902.46	\$ -	9.50	\$ 338.88	-	\$ -	\$ 2,241.34	

**CITY OF KERMAN  
PAYROLL REPORT**

*Agenda Item 4.B.1*

**PAY PERIOD: October 12, 2014 - October 25, 2014**

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME		STANDBY		GROSS SALARY	COMP TIME EARNED
			HOURS	AMOUNT	HOURS	AMOUNT		
485 Lehman, Dustin	\$ 1,767.23	\$ -	-	\$ -	-	\$ -	\$ 1,767.23	
487 Antuna, Miguel	\$ 1,035.00	\$ -	-	\$ -	-	\$ -	\$ 1,035.00	
501 Ledezma, Linda	\$ 1,199.54	\$ -	-	\$ -	-	\$ -	\$ 1,199.54	12
504 Labetiaux, EJ Medina	\$ 1,767.23	\$ -	-	\$ -	-	\$ -	\$ 1,767.23	
512 Seroka, Dylan	\$ 720.00	\$ -	-	\$ -	-	\$ -	\$ 720.00	
533 Dueck, Loren	\$ 960.00	\$ -	4.00	\$ 72.00	-	\$ -	\$ 1,032.00	
536 Chacon, Anthony	\$ 720.00	\$ -	-	\$ -	-	\$ -	\$ 720.00	
<b>TOTAL:</b>	<b>\$ 51,589.04</b>	<b>\$ -</b>	<b>29.50</b>	<b>\$ 1,073.45</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 52,662.48</b>	<b>15.75</b>

**PUBLIC WORKS**

8 Gonzales, Ruben	\$ 2,011.38	\$ -	-	\$ -	-	\$ -	\$ 2,011.38	
20 Rodriguez, Joe	\$ 1,964.77	\$ -	-	\$ -	-	\$ -	\$ 1,964.77	
25 Prieto, Ruben	\$ 1,762.15	\$ -	-	\$ -	-	\$ -	\$ 1,762.15	
26 Gruce, Robert	\$ 2,478.00	\$1,239.06	-	\$ -	-	\$ -	\$ 3,717.06	
27 Hearld, Douglas	\$ 542.94	\$ -	-	\$ -	-	\$ -	\$ 542.94	
87 Madruga, Lydia	\$ 1,964.77	\$ -	-	\$ -	-	\$ -	\$ 1,964.77	
134 Ramirez, Manuel	\$ 1,830.92	\$ -	1.00	\$ 34.33	-	\$ -	\$ 1,865.25	
172 Chavez, Fernando M.	\$ 444.03	\$ -	-	\$ -	-	\$ -	\$ 444.03	
290 Gastelum, Humberto	\$ 1,924.15	\$ -	-	\$ -	-	\$ -	\$ 1,924.15	
298 Barajas, Michael	\$ 1,871.08	\$ 935.42	16.00	\$ 619.79	23.00	\$ 537.93	\$ 3,964.23	
322 Castro, Joseph	\$ 1,785.69	\$ -	-	\$ -	-	\$ -	\$ 1,785.69	
349 Arechiga, Pastor	\$ 1,639.38	\$ -	-	\$ -	-	\$ -	\$ 1,639.38	
378 Sanchez, Daniel	\$ 1,465.38	\$ -	-	\$ -	-	\$ -	\$ 1,465.38	
389 Zapata, Domingo	\$ 1,945.85	\$ -	-	\$ -	-	\$ -	\$ 1,945.85	
329 Moore, Ken	\$ 3,853.85	\$ -	-	\$ -	-	\$ -	\$ 3,853.85	
460 Vallejo, Edward	\$ 1,992.55	\$ -	3.00	\$ 124.53	22.50	\$ 560.41	\$ 2,677.49	
486 Palacios, Jesus	\$ 580.00	\$ -	-	\$ -	-	\$ -	\$ 580.00	
522 Isaak, Denise	\$ 1,396.62	\$ -	-	\$ -	-	\$ -	\$ 1,396.62	
531 Duarte, Leonardo	\$ 580.00	\$ -	-	\$ -	-	\$ -	\$ 580.00	
534 Tinoco, Alfonso	\$ 580.00	\$ -	-	\$ -	-	\$ -	\$ 580.00	
535 Garcia, Carlos Jr	\$ 590.00	\$ -	-	\$ -	-	\$ -	\$ 590.00	
<b>TOTAL</b>	<b>\$ 33,203.53</b>	<b>\$2,174.48</b>	<b>20.00</b>	<b>\$ 778.66</b>	<b>\$ 45.50</b>	<b>\$1,098.34</b>	<b>\$ 37,255.00</b>	<b>\$ -</b>

**PLANNING**

37 Pimentel, Olivia	\$ 2,199.23	\$ -	4.00	\$ 164.94	-	\$ -	\$ 2,364.17	
234 Kufis, Chris	\$ 2,392.62	\$ -	-	\$ -	-	\$ -	\$ 2,392.62	
<b>TOTAL</b>	<b>\$ 4,591.85</b>	<b>\$ -</b>	<b>4.00</b>	<b>\$ 164.94</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 4,756.79</b>	<b>0.00</b>

**PLANNING**

Epperson, R	\$ -	Dhaliwal	\$ 125.00
Lopez, M	\$ -	Wilcox	\$ 125.00
Bandy, R	\$ -	Yep	\$ 125.00
Harris, J	\$ -	Fox	
Melgoza, G	\$ -	Nijjer	\$ 125.00
Nehring, K	\$ -		
Kehler, E	\$ -		
Wettlaufer, K	\$ -		
<b>Total</b>	<b>\$ -</b>	<b>Total</b>	<b>\$ 500.00</b>

<b>GRAND TOTAL:</b>	<b>\$121,564.50</b>	<b>\$2,488.48</b>	<b>58.50</b>	<b>\$2,175.46</b>	<b>45.50</b>	<b>\$1,098.34</b>	<b>\$127,326.78</b>	<b>15.75</b>
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**CITY OF KERMAN  
OVERTIME SUPPLEMENTAL PAYROLL REPORT**

**PAY PERIOD 10/12/14-10/25/14**

**POLICE DEPARTMENT**

Overtime Categories - Number of Hours							
Regular Overtime	Court	Shift Coverage	SID	Detail	Avoid the 21 Grant	Special Events	Total
11		18.5					29.5
(see notes below for overtime description)							
<b>DOUBLE TIME: (Sunday)</b>							0
						Sub Total	29.5

**PUBLIC WORKS DEPARTMENT**

Overtime Categories - Number of Hours							
Water Service	Sewer Emergencies	Animal Control	Special Events	Other or Call Back	On Call Duties	Total	
4	2			5	4	15	
(see notes below for overtime description)							
<b>DOUBLE TIME: (Sunday)</b>							5
						Sub Total	20.0

**COMMUNITY SERVICES DEPARTMENT**

Overtime Categories - Number of Hours			Total
Regular Overtime	After Hour Event		
			0
			Sub Total
			0

**FINANCE / PLANNING DEPARTMENTS**

Overtime Categories - Number of Hours					Total
Regular Overtime	Utility Billing	Payroll	Dog Clinic	Year End Audit	
4	5				9
					Sub Total
					9
<b>Total Hours (All Departments)</b>					<b>58.5</b>

**POLICE DEPARTMENT:**

**Regular Overtime** – 3 hrs late arrest, 8 hrs late reports

**Court** – Officer attending court proceedings.

**Shift Coverage** – 18.5 hrs shift coverage due to officers in training, sick, medical leave, and on vacation.

**Special Investigation Division (SID)** – Special police action is required such as a search warrant, surveillance, and other crime patterns, etc.

**Training** – Officers instructing or attending classes. Overtime may occur when officers cover the shift of those in training.

**Grant** – Officers conducting Special Enforcement Control. Avoid the 21, Click It or Ticket, and Special Project. The City gets reimbursed for overtime through the Grant Programs.

**Special Events** - Occurs when officers are needed for events such as Harvest Festival, 3rd of July, Parades, etc.

**PUBLIC WORKS DEPARTMENT:**

**Water Service** - Includes 4 hrs overtime for shut-off and turn-on of service, all water related emergencies.

**Sewer Emergencies** - 2 hrs overtime SCADA problems/Sewer emergencies (SCADA controls pumps, wells and sewer, lift stations, all sewer and storm drain

**Animal Control** - Vicious or dead animals. (not normally used for stray animals)

**Special Events** - Harvest Festival, Pageantry of Lights, National Night Out Water Conservation booth, Portuguese Parade, 3rd of July, including set up and clean up.

**Other** - 5 hrs overtime and 1 hr double time - Lock Gate, 4 Alarm Calls, Check Concrete

**Call Back** - Any emergencies where additional employees are called to assist.

**On-Call Duties** 4 hours overtime and 4 hours double time for reading and recording flow meters on wells and sewer plant, feed and clean kennels, verify WWTP running effectively, etc. OT is for two weekends. and/or any holidays

**COMMUNITY SERVICES DEPARTMENT**

**Regular Overtime** – On occasion, but very rare due to the amount of part-time employees.

**After Hour Event** – Occurs only if a full-time employee would have to stay for clean-up or as a facility attendant.

**FINANCE / PLANNING DEPARTMENTS**

**Regular Overtime** - 4 hours OT for Springbrook Planning conversion.

**Utility Billing** - 5 hours OT for Springbrook UB conversion.

**Payroll** - Completed bi-weekly.

**Dog Clinic** - Once a year clinic held after business hours

**Year-End Audit** - Completed over a period of time at the end of each fiscal year.

# Accounts Payable

## Checks by Date - Detail by Check Date

User: dgonzalez  
 Printed: 10/29/2014 3:07 PM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
5136	10392	VALLEY FOOD CENTER	10/01/2014	
	091614	CS-SENIOR CENTER EVENT SUPPLIES-ME		27.55
	091714	REC-SUPPLIES FOR HACIENDA HEIGHTS		8.61
	091814	REC-CPRS MEMBERSHIP LUNCH ORDER		95.00
	091814	REC-OVERPAYMENT FOR LUNCH ORDER		-25.00
	091914	REC-TEEN SCENE CONCESSION SUPPLIES		11.87
Total for Check Number 5136:				118.03
Total for 10/1/2014:				118.03
Report Total (1 checks):				118.03

# Accounts Payable

## Checks by Date - Detail by Check Date

User: dgonzalez  
Printed: 10/29/2014 3:08 PM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
5196	10392	VALLEY FOOD CENTER	10/08/2014	
	092314	CS-SENIOR CENTER SODAS		18.15
	092414	CS-SENIOR CENTER COFFEE SUPPLIES		19.98
			Total for Check Number 5196:	38.13
			Total for 10/8/2014:	38.13
			Report Total (1 checks):	38.13

# Accounts Payable

## Checks by Date - Detail by Check Date

User: dgonzalez  
 Printed: 10/29/2014 1:32 PM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
5200	10010	ACCOUNTEMPS	10/14/2014	
	41415062	FIN-TEMP AGENCY PERSONNEL-39 HRS		33.15
	41415062	FIN-TEMP AGENCY PERSONNEL-39 HRS		232.05
	41415062	FIN-TEMP AGENCY PERSONNEL-39 HRS		198.90
	41415062	FIN-TEMP AGENCY PERSONNEL-39 HRS		165.75
	41415062	FIN-TEMP AGENCY PERSONNEL-39 HRS		33.15
	41415063	FIN-TEMP AGENCY PERSONNEL-38 HRS		32.30
	41415063	FIN-TEMP AGENCY PERSONNEL-38 HRS		193.80
	41415063	FIN-TEMP AGENCY PERSONNEL-38 HRS		161.50
	41415063	FIN-TEMP AGENCY PERSONNEL-38 HRS		32.30
	41415063	FIN-TEMP AGENCY PERSONNEL-38 HRS		226.10
Total for Check Number 5200:				1,309.00
5201	10021 0434069	ALERT O LITE STR-TYPE 1 GLASS BFAD	10/14/2014	
Total for Check Number 5201:				446.43
5202	10504 5324152349 5324153158	AUTOZONE V/E-FLASHLIGHT FOR CITY SHOP BOX V/E-BUMPER COATING FOR #1373	10/14/2014	
Total for Check Number 5202:				94.98
5203	10060 10082014	BRYANT L JOLLEY, CPA'S FIN-ACCOUNTING SERVICES	10/14/2014	
Total for Check Number 5203:				550.00
5204	10452 K082414 K082414 K100114 K100114	CITY OF FRESNO WMD WTR-LAB ANALYSIS SWR-LAB ANALYSIS WTR-LAB ANALYSIS SWR-LAB ANALYSIS	10/14/2014	
Total for Check Number 5204:				310.50
5205	10490 093014	CLAUDIA FLETCHER SMITH CS-COLOR RENDERING KERMAN INN MU	10/14/2014	
Total for Check Number 5205:				541.13
5206	10098 75870	CLEANSTREET STR-T-MONTHLY SWEEP FEE FOR SEPTEM	10/14/2014	
Total for Check Number 5206:				6,672.90
5207	10106 2414975	CONSOLIDATED EDISON SOLUTIONS SWR-SOLAR POWER 84.941 kWh 9/01-10/01	10/14/2014	
Total for Check Number 5207:				10,199.69

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 5207:	10,199.69
5208	10109 093014	COUNTY OF FRESNO PD-AUGUST 2014 PARKING ACTIVITY	10/14/2014	75.00
			Total for Check Number 5208:	75.00
5209	10119 0887254	DASH MEDICAL GLOVES PD-GLOVES (SM, M, LG, XL)	10/14/2014	204.22
			Total for Check Number 5209:	204.22
5210	10126 093014	DEPARTMENT OF CONSERVATION FIN-STRONG MOTION 3RD QUARTER 2014	10/14/2014	115.14
			Total for Check Number 5210:	115.14
5211	10140 264405 264405 264405	E & M ELECTRIC & MACHINERY INC SDO-WONDERWARE SOFTWARE MAINT. P WTR-WONDERWARE SOFTWARE MAINT. I SWR-WONDERWARE SOFTWARE MAINT. I	10/14/2014	491.90 3,267.63 3,267.63
			Total for Check Number 5211:	7,027.16
5212	10144 3008612 3008630 3008650	ELBERT DISTRIBUTING, INC V/E-HAND CLEANER-STOCK V/E-TRANSMISSION FLUID, TRANSMISSIC V/E-ADVANCE FORM MOA TRANSMISSIO	10/14/2014	28.86 313.40 290.11
			Total for Check Number 5212:	632.37
5213	10161 196641 196641 196641	FRESNO COUNTY TREASURER V/E-AUTO REP/MAINTENANCE MODEL PL V/E-HAZARDOUS WASTE GENERATOR (SC V/E-STATE OVERSITE SURCHARGE ACCT#	10/14/2014	262.00 189.00 35.00
			Total for Check Number 5213:	486.00
5214	10162 SO11937 SO11938	FRESNO COUNTY TREASURER PD-DISPATCHING SERVICE OCTOBER 2014 PD-SEPTEMBER 2014 RMS/JMS/CAD ACCE	10/14/2014	17,780.36 167.29
			Total for Check Number 5214:	17,947.65
5215	10597 10102014	Z- JORGE GRACIA PD-EVIDENCE CASH RELEASE PER SGT B,	10/14/2014	547.93
			Total for Check Number 5215:	547.93
5216	10194 D067547	HD SUPPLY WATERWORKS, LTD WTR-REINFORCE CONCRETE LID/WATER	10/14/2014	79.55
			Total for Check Number 5216:	79.55
5217	10228 41801	J'S COMMUNICATIONS, INC WTR-REPAIR RADIO AT CITY HALL	10/14/2014	206.41
			Total for Check Number 5217:	206.41
5218	10219 342795 342797	JENSEN & PILEGARD V/E-SHARPEN BLADES FOR HEDGER V E-SHARPEN BLADES FOR HEDGER	10/14/2014	64.05 43.36

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	342798	V/E-NEW HEDGER BLADES		105.78
	343623	V/E-POWER TRIM EDGER HANDLE		45.24
Total for Check Number 5218:				258.43
5219	10229 4757	JUDICIAL DATA SYSTEMS CRP PD-PARKING ACTIVITY FOR AUGUST-13 C	10/14/2014	100.00
Total for Check Number 5219:				100.00
5220	10230 100214	KENT M KAWAGOE PHD PD- PRE EMPLOYMENT PSYCHOLOGICAL	10/14/2014	1,200.00
Total for Check Number 5220:				1,200.00
5221	10598 BP14-0167	MDS CONSTRUCTION BPO-C & D REFUND	10/14/2014	1,075.00
Total for Check Number 5221:				1,075.00
5222	10286 3921-180528 3921-180573 3921-181185 3921-181372 3921-181965 3921-182193 3921-182462 3921-184167 VARIOUS	O'REILLY AUTOMOTIVE, INC WTR-MINERAL OIL FOR FIRE HYDRANTS V/E-STARTER FOR BUCKET TRUCK V/E-SOLAR BATTERY CHARGER FOR #121 V/E-FRONT BRAKES/ROTORS FOR #1451 V/E-WINDOW REGULATOR FOR #1401 STRT-ABSORBENT FOR OIL SPILL V/E-REAR BRAKES/ROTORS FOR #1466 WTR-CREDIT FOR 180528 NEVER ORDERE V/E-PARTS AND SUPPLIES <=\$50	10/14/2014	86.49 57.95 64.92 210.23 84.34 58.18 380.14 -86.49 128.92
Total for Check Number 5222:				984.68
5223	10282 731000076001	OFFICE DEPOT FIN-UB BARCODE SCANNERS	10/14/2014	531.84
Total for Check Number 5223:				531.84
5224	10289 2881141119-9 39204006660 40551668789 40551668789 49396261635 57413096900 6825025396-7	P.G.& E. CS-TRANSIT BUS FUEL-SEPTEMBER STRT-MONTHLY SERVICE 08/30-9/30 LLD-MONTHLY SERVICE 8/29-9/29 LLD-INSTALLMENT LOAN LED V/E-MONTHLY SERVICE 8/29-9/29 BPO-MONTHLY SERVICE 08/27-9/25 ADM-MONTHLY UTILITIES	10/14/2014	439.22 3,857.87 1,413.73 1,207.83 981.33 455.34 1,460.80
Total for Check Number 5224:				9,816.12
5225	10599 54063	PARADISE PRINTING WTR-CONSERVATION BROCHURES/FLYER	10/14/2014	2,437.24
Total for Check Number 5225:				2,437.24
5226	10443 151515	ROTH CRANE SERVICE SWR-CRANE-SET MOTOR AT WWTP	10/14/2014	216.00
Total for Check Number 5226:				216.00
5227	10332 10277551	SEBASTIAN PD-SEPTEMBER T-1 LINE	10/14/2014	408.51

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 5227:	408.51
5228	10335 18773	SILVA FORD MADERA V/E-DOOR HINGES FOR SHOP STOCK	10/14/2014	140.57
			Total for Check Number 5228:	140.57
5229	10337	SLUMBERGER LUMBER	10/14/2014	
	B232053	BPO-ACCT# 3115 READY MIX CONCRETE		110.38
	B233238	STRT-ACCT#3115 CONCRETE, SHOVEL-SIL		67.04
	B233690	WTR-ACCT#3115 CONCRETE, BROOM-FIRI		164.49
	B233827	STRT-ACCT#3115 REBAR, WIRE, NAILS-CN		285.93
	B234018	SWR-MISC SUPPLIES <\$50		25.28
	B234018	WTR-MISC SUPPLIES <\$50		8.42
	B234185	STRT-ACCT#3115 CONCRETE-CNG PUMP II		30.22
	C138356	BPO-ACCT#3115 MULCH, POTTING SOIL		81.07
	C138372	STRT-ACCT#3115 HALIDE & TWIST BULBS		126.55
	C139546	STRT-ACCT#3115 POST HOLE DIGGER		54.10
	C139592	STRT-ACCT#3115 FENCE POST MIX		9.38
	C139592	V/E-ACCT#3115 CASTERS FOR LATHE		68.70
	D98367	BPO-ACCT#3115 STEPLADDER, TARP-COU		93.03
	VARIOUS	SWR-MISC SUPPLIES <\$50		82.49
	VARIOUS	STRT-ACCT#3115 MISC PARTS AND SUPPLI		111.84
	VARIOUS	V/E-ACCT#3115 MISC PARTS AND SUPPLIE		102.95
	VARIOUS	LLD-ACCT# 3115 MISC PARTS AND SUPPLI		49.84
	VARIOUS	BPO-ACCT#3115 MISC PARTS AND SUPPLII		120.04
	VARIOUS	WTR-ACCT#3115 MISC PARTS AND SUPPLI		46.60
	VARIOUS	CS-ACCT# 3116 BUILDINGS- MAINTENANC		60.47
	VARIOUS	CS-PARKS-ACCT#3116 MAINTENANCE ANI		146.53
	VARIOUS	CS-COMMUNITY CENTER- ACCT# 3116MA		26.44
			Total for Check Number 5229:	1,871.79
5230	10338	SMITH AUTO	10/14/2014	
	VARIOUS	V/E-MISC PARTS AND SUPPLIES <\$50		306.15
	VARIOUS	STRT-GRS SWEEP FOR OIL SPILL-17 BAGS		110.21
			Total for Check Number 5230:	416.36
5231	10561	SOUTHERN COMPUTER WAREHOUSE	10/14/2014	
	209784	WTR-VAR-PAPER & INK-RECEIPT PRINTER		152.40
	209784	SWR-VAR-PAPER & INK-RECEIPT PRINTER		152.39
	209784	FIN-2 RECEIPT PRINTERS		1,079.93
			Total for Check Number 5231:	1,384.72
5232	10340	SPRINGBROOK SOFTWARE	10/14/2014	
	1410	FIN-ACCOUTING SOFTWARE PMT #2 OF 4		1,100.00
	1410	FIN-ACCOUTING SOFTWARE PMT #2 OF 4		4,491.25
	1410	FIN-ACCOUTING SOFTWARE PMT #2 OF 4		1,480.00
	1410	FIN-ACCOUTING SOFTWARE PMT #2 OF 4		351.00
	1410	FIN-ACCOUTING SOFTWARE PMT #2 OF 4		895.00
	1410	FIN-ACCOUTING SOFTWARE PMT #2 OF 4		682.75
	1410	FIN-ACCOUTING SOFTWARE PMT #2 OF 4		355.50
	1410	FIN-ACCOUTING SOFTWARE PMT #2 OF 4		1,413.75
	1410	FIN-ACCOUTING SOFTWARE PMT #2 OF 4		6,022.25
	1410	FIN-ACCOUTING SOFTWARE PMT #2 OF 4		5,177.25
			Total for Check Number 5232:	21,968.75

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
5233	10552 44039 44039	STEVE PATRICK A/C & REFRIGERATIC WTR-A/C MAINTENANCE REPAIR @ WWT SWR-A/C MAINTENANCE REPAIR @ WWT	10/14/2014	
				109.33
				109.33
			Total for Check Number 5233:	218.66
5234	10354 2014838	T & T PAVEMENT MARKINGS STRT-TYPE I GLASS BEADS - 500LBS	10/14/2014	
				227.27
			Total for Check Number 5234:	227.27
5235	10357 9196	TAYLOR MADE IRRIGATION SWR-STAINLESS STEEL STRAPPING/BLOW	10/14/2014	
				19.16
			Total for Check Number 5235:	19.16
5236	10391 OFF2K101286 VARIOUS VARIOUS VARIOUS VARIOUS VARIOUS	VALLEY FARM SUPPLY STORES V/E-OREGON GATOR LINE-105LB V/E-VARIOUS PARTS AND SUPPLIES <\$50 BPO-VARIOUS PARTS AND SUPPLIES <\$50 LLD-VARIOUS PARTS AND SUPPLIES <\$50 WTR-VARIOUS PARTS AND SUPPLIES <\$50 SWR-VARIOUS PARTS AND SUPPLIES <\$50	10/14/2014	
				84.08
				495.39
				186.35
				6.68
				49.56
				217.16
			Total for Check Number 5236:	1,039.22
5237	10392 062014 091214 092414 092514	VALLEY FOOD CENTER REC-PROGRAM SUPPLIES REC-PROGRAM SUPPLIES REC-HACIENDA HEIGHTS SNACK SUPPLII REC-HACIENDA HEIGHTS SNACK SUPPLII	10/14/2014	
				51.80
				16.38
				2.50
				30.41
			Total for Check Number 5237:	101.09
5238	10399 209603	VETERINARY MEDICAL CENTER AAC-5 EUTHANASIA OF ANIMALS	10/14/2014	
				94.40
			Total for Check Number 5238:	94.40
5239	10404 1121313	WELLS FARGO BANK FIN-ANNUAL. PFA ADMINISTRATION FEE	10/14/2014	
				1,500.00
			Total for Check Number 5239:	1,500.00
5240	10406 226621 44890	WEST HILLS OIL, INC V/E-DIESEL FUEL. CITY YARD 350 GALLON V/E-FUEL 9/15-9/30 - 1406.085 GALLONS	10/14/2014	
				1,311.79
				5,211.14
			Total for Check Number 5240:	6,522.93
5241	10412 76231908 76231909	XEROX CORPORATION PD-SEPTEMBER COPIER SERVICE 08/26-9/2 CS-REC DEPT COPIER-SEPTEMBER	10/14/2014	
				503.49
				253.39
			Total for Check Number 5241:	756.88
5242	10414 1 1	YARBS GRADING AND PAVING INC. STRT-2014 CONCRETE PROJECT PMT #1 STRT-CHANGE ORDER	10/14/2014	
				91,067.55
				6,854.25
			Total for Check Number 5242:	97,921.80

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for 10/14/2014:	198,657.48
ACH	10147 10172014 10172014	Employment Development Department C PR TAX DEPOSIT - 10/17/14 - SIT PAYABL C PR TAX DEPOSIT - 10/17/14 - SDI PAYABL	10/15/2014	4,076.45 1,228.28
			Total for this ACH Check for Vendor 10147:	5,304.73
ACH	10517 10152014 10152014 10152014	Federal Taxes-Payroll C PAYROLL TAX DEPOSIT 10/17/14 FIT PAY. C PAYROLL TAX DEPOSIT 10/17/14 FICA PA C PAYROLL TAX DEPOSIT 10/17/14 FICA MI	10/15/2014	14,573.33 15,920.16 3,723.22
			Total for this ACH Check for Vendor 10517:	34,216.71
ACH	10518 10172014	Kerman Police Officers Assn. C MEMBERSHIP DUES-10/17/14	10/15/2014	588.12
			Total for this ACH Check for Vendor 10518:	588.12
ACH	10519 10172014	Kerman Municipal Employees Assn. C MEMBERSHIP DUES -10/17/14	10/15/2014	180.00
			Total for this ACH Check for Vendor 10519:	180.00
ACH	10520 10142014 10142014 10142014	ICMA-RC C DEFERRED COMP - 10/14/14 C LOAN PAYMENTS C LOAN FEES	10/15/2014	1,685.33 1,581.22 -26.01
			Total for this ACH Check for Vendor 10520:	3,240.54
5243	10078 10172014	CALIFORNIA STATE DISBURSEMENT C WAGE ASSIGNMENT P/R DATE 10/17/2014	10/15/2014	257.80
			Total for Check Number 5243:	257.80
5244	10345 10172014	STATE OF CALIFORNIA C FTB TAX-WAGE GARNISHMENT P/R DAT	10/15/2014	59.26
			Total for Check Number 5244:	59.26
			Total for 10/15/2014:	43,847.16
ACH	10522 10172014 10172014 10172014	CalPERS C EMPLOYEE CONTRIBUTION EMPLOYER CONTRIBUTION ROUNDING ADJ	10/21/2014	11,898.17 7,903.89 0.06
			Total for this ACH Check for Vendor 10522:	19,802.12
5245	10010 41453916 41453916 41453916 41453916 41453916 41453917 41453917	ACCONTEMPS FIN-TEMP AGENCY PERSONNEL-37.25 FIN-TEMP AGENCY PERSONNEL-37.25 FIN-TEMP AGENCY PERSONNEL-37.25 FIN-TEMP AGENCY PERSONNEL-37.25 FIN-TEMP AGENCY PERSONNEL-37.25 FIN-TEMP AGENCY PERSONNEL-40 HRS FIN-TEMP AGENCY PERSONNEL-40 HRS	10/21/2014	31.66 221.64 189.98 158.31 31.66 34.00 238.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	41453917	FIN-TEMP AGENCY PERSONNEL-40 HRS		204.00
	41453917	FIN-TEMP AGENCY PERSONNEL-40 HRS		170.00
	41453917	FIN-TEMP AGENCY PERSONNEL-40 HRS		34.00
Total for Check Number 5245:				1,313.25
5246	10019	AFLAC	10/21/2014	
	121069	HR-OCTOBER EMPLOYEE VOLUNTARY IN		200.68
	255151	HR-AUGUST EMPLOYEE VOLUNTARY INS		200.68
Total for Check Number 5246:				401.36
5247	10061	BSK ASSOCIATES	10/21/2014	
	A419464	WTR-SIX SAMPLES FOR RADIUM TESTINC		600.00
	A422406	WTR-QUARTERLY TESTING / WELL 10		48.00
Total for Check Number 5247:				648.00
5248	10092	CENTRAL VALLEY TOXICOLOGY	10/21/2014	
	228331	PD-BLOOD TEST 14-1902		69.00
Total for Check Number 5248:				69.00
5249	10452	CITY OF FRESNO WMD	10/21/2014	
	K100814	WTR-LAB ANALYSIS		30.00
	K100814	SWR-LAB ANALYSIS		67.00
Total for Check Number 5249:				97.00
5250	10104	COMCAST	10/21/2014	
	815550021014764	TECH-TECHNOLOGY SERVICES		163.92
Total for Check Number 5250:				163.92
5251	10109	COUNTY OF FRESNO	10/21/2014	
	023-080-03P ZZ	SWR-SOLAR PROPERTY TAX		160.02
Total for Check Number 5251:				160.02
5252	10128	DEPARTMENT OF JUSTICE	10/21/2014	
	059869	PD-SEPT LIVE SCAN PRINTS		273.00
	059869	PD-SEPT LIVE SCAN PRINTS FOR APPLICA		132.00
	062546	PD-10 BLOOD ALCOHOL ANALYSIS SEPT		350.00
Total for Check Number 5252:				755.00
5253	10151	EWING IRRIGATION PRODUCTS	10/21/2014	
	389075A	LLD-REPLACE BATTERY/SOLAR/CLOCK/M		95.67
Total for Check Number 5253:				95.67
5254	10572	FRESNO CITY COLLEGE	10/21/2014	
	10775267-68	PD-REGISTRATION FOR TRAFFIC COLLISIO		218.00
Total for Check Number 5254:				218.00
5255	10175	G & K SERVICES, INC	10/21/2014	
	MISC	VAR-UNIFORMS, MATS, SUPPLIES		4.76
	MISC	VAR-UNIFORMS, MATS, SUPPLIES		38.46
	MISC	VAR-UNIFORMS, MATS, SUPPLIES		31.21
	MISC	VAR-UNIFORMS, MATS, SUPPLIES		1,283.23
	MISC	VAR-UNIFORMS, MATS, SUPPLIES		101.44

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	MISC	VAR-UNIFORMS, MATS, SUPPLIES		85.78
	MISC	VAR-UNIFORMS, MATS, SUPPLIES		2.25
	MISC	VAR-UNIFORMS, MATS, SUPPLIES		11.39
	MISC	VAR-UNIFORMS, MATS, SUPPLIES		20.01
	MISC	VAR-UNIFORMS, MATS, SUPPLIES		60.62
	MISC	VAR-UNIFORMS, MATS, SUPPLIES		14.72
	MISC	VAR-UNIFORMS, MATS, SUPPLIES		89.81
			Total for Check Number 5255:	1,743.68
5256	10205	INDEPENDENT STATIONERS	10/21/2014	
	IN-000436634	CS-DEPOSIT BAGS BATTERIES		116.87
	IN-000447807	CS-POSTERBOARD LETTERS GLUESTICK		25.49
			Total for Check Number 5256:	142.36
5257	10233	KERMAN CHAMBER OF COMMERCE	10/21/2014	
	10/17/2014	CC- SPONSORSHIP FRESNO FAIR EXHIBIT		600.00
			Total for Check Number 5257:	600.00
5258	10238	KERMAN UNIFIED SCHOOL DIST	10/21/2014	
	150045	PG&E BALLFIELD LIGHTS GOLDENROD		997.30
			Total for Check Number 5258:	997.30
5259	10259	MES VISION	10/21/2014	
	142813088101	HR-NOVEMBER VISION PREMIUM		648.02
			Total for Check Number 5259:	648.02
5260	10260	METRO UNIFORM & ACCESSORIES	10/21/2014	
	23629	PD- UNIFORM FOR RESERVE A. CHACON		233.39
	23753	PD- UNIFORM FOR RESERVE JOSEPH RAM		194.59
			Total for Check Number 5260:	427.98
5261	10261	MID VALLEY DISPOSAL, INC	10/21/2014	
	09302014	SWA-SEPTEMBER S/W CHARGES		69,666.33
	09302014	SWA-ROLL OFF/FRANCHISE FEES		-840.40
			Total for Check Number 5261:	68,825.93
5262	10282	OFFICE DEPOT	10/21/2014	
	734322997001	SWR-OFFICE SUPPLIES		16.46
	734322997001	SWR-OFFICE SUPPLIES		16.47
			Total for Check Number 5262:	32.93
5263	10289	P.G.& E.	10/21/2014	
	4647279811-8	PD-SEPT 2014 PG&E BILL 09/03/14-10/01/14		1,825.90
			Total for Check Number 5263:	1,825.90
5264	10420	SPRINT	10/21/2014	
	622685312-155	VAR-MONTHLY CELLULAR SERVICE 09/12		27.16
	622685312-155	VAR-MONTHLY CELLULAR SERVICE 09/12		27.16
	622685312-155	VAR-MONTHLY CELLULAR SERVICE 09/12		201.75
	622685312-155	VAR-MONTHLY CELLULAR SERVICE 09/12		32.98
	622685312-155	VAR-MONTHLY CELLULAR SERVICE 09/12		23.28
	622685312-155	VAR-MONTHLY CELLULAR SERVICE 09/12		50.44
	622685312-155	VAR-MONTHLY CELLULAR SERVICE 09/12		139.68

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	622685312-155	VAR-MONTHLY CELLULAR SERVICE	09/12	85.36
	622685312-155	VAR-MONTHLY CELLULAR SERVICE	09/12	77.60
	622685312-155	VAR-MONTHLY CELLULAR SERVICE	09/12	27.16
	622685312-155	VAR-MONTHLY CELLULAR SERVICE	09/12	38.80
Total for Check Number 5264:				731.37
5265	10441	TURF STAR INC.	10/21/2014	
	6869997-00	VE-BELT-72" TORO MOWER		144.98
	6869997-00	VE-ARM ASSEM 72" TORO MOWER		51.00
	6869997-00	VE-PARTS FOR 72" TORO MOWER		66.65
	6869997-00	VE-SALES TAX		21.60
	6869997-01	VE-PARTS FOR 72" TORO MOWER		18.87
	6869997-01	VE-FREIGHT/SALES TAX		10.15
Total for Check Number 5265:				313.25
5266	10412	XEROX CORPORATION	10/21/2014	
	076357428	WTR-COPIER LEASE AGREEMENT-SEP 14		139.16
	076357428	SWR-COPIER LEASE AGREEMENT-SEP 14		139.15
Total for Check Number 5266:				278.31
5267	10600	Z-JOSEPHINA ALVAREZ	10/21/2014	
	4496	CTC- FACILITY USE REFUND 10/11/14		100.00
Total for Check Number 5267:				100.00
5268	10601	Z-MIGUEL GARCIA	10/21/2014	
	44185	CTC-FACILITY USE REFUND - 10/18/14		100.00
Total for Check Number 5268:				100.00
Total for 10/21/2014:				100,490.37
5269	10010	ACCOUNTEMPS	10/29/2014	
	41518065	FIN-TEMP AGENCY PERSONNEL-29.75		25.28
	41518065	FIN-TEMP AGENCY PERSONNEL-29.75		177.01
	41518065	FIN-TEMP AGENCY PERSONNEL-29.75		151.73
	41518065	FIN-TEMP AGENCY PERSONNEL-29.75		126.44
	41518065	FIN-TEMP AGENCY PERSONNEL-29.75		25.29
	41518066	FIN-TEMP AGENCY PERSONNEL-40 HRS		34.00
	41518066	FIN-TEMP AGENCY PERSONNEL-40 HRS		238.00
	41518066	FIN-TEMP AGENCY PERSONNEL-40 HRS		204.00
	41518066	FIN-TEMP AGENCY PERSONNEL-40 HRS		170.00
	41518066	FIN-TEMP AGENCY PERSONNEL-40 HRS		34.00
Total for Check Number 5269:				1,185.75
5270	10014	ADMINISTRATIVE SOLUTIONS, INC	10/29/2014	
	10222014	HR-OCT-SEC 125 EMPLOYEE CONT.		1,698.18
Total for Check Number 5270:				1,698.18
5271	10021	ALERT O LITE	10/29/2014	
	0434333-IN	STRTC-2 PROBES-TO TEST GROUND		55.38
	0434333-IN	STRTC-2 HARD HATS- J. CASTRO, C. GARC		29.98
	0434333-IN	STRTC-2 MARKING PAINT STICK		20.49
	0434333-IN	STRTC-2 HARD HAT SHADES		19.98
	0434333-IN	STRTC-SALES TAX		10.36

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 5271:	136.19
5272	10035 2263	AQUA NATURAL SOLUTIONS SWR-MICROBE LIFT/SLUDGE AWAY	10/29/2014	491.72
			Total for Check Number 5272:	491.72
5273	10041 42036 42036 42036	AVR INC. FIN-VAR-UB ONLINE ACCESS NOV 2014 FIN-VAR-UB ONLINE ACCESS NOV 2014 FIN-VAR-UB ONLINE ACCESS NOV 2014	10/29/2014	100.00 100.00 50.00
			Total for Check Number 5273:	250.00
5274	10054 142910032428 142910032428	BLUE SHIELD OF CALIFORNIA HR-NOVEMBER MEDICAL COVERAGE HR-NOVEMBER COBRA COVERAGE	10/29/2014	23,768.88 263.81
			Total for Check Number 5274:	24,032.69
5275	10062 96415581	BSN SPORTS REC-TENNIS EQUIPMENT	10/29/2014	229.22
			Total for Check Number 5275:	229.22
5276	10602 9429554804	CEMEX INC. STRT-CONCRETE FOR CNG IMPROVEMEN	10/29/2014	1,675.32
			Total for Check Number 5276:	1,675.32
5277	10095 5331692 5331722 5332509 5332516 5332517	CHEM QUIP INC WTR-DEPOSIT REFUND/PALLETS/CARBOY WTR-CHLORINE FOR WELL SITES WTR-DEPOSIT REFUND/PALLETS/CARBOY WTR-CHLORINE FOR WELL SITES WTR-CHLORINE PUMP FOR WELL 17	10/29/2014	-860.00 1,737.77 -100.00 1,177.45 308.29
			Total for Check Number 5277:	2,263.51
5278	10452 K101514 K101514	CITY OF FRESNO WMD WTR-LAB ANALYSIS SWR-LAB ANALYSIS	10/29/2014	30.00 77.00
			Total for Check Number 5278:	107.00
5279	10103 3420205-1101842	COLONIAL LIFE HR-NOVEMBER EMPLOYEE CONTRIBUTIO	10/29/2014	637.90
			Total for Check Number 5279:	637.90
5280	10114 61693	CROWN SHORT LOAD CONCRETE CS-CONCRETE FOR KATEY'S KIDS PARK	10/29/2014	308.44
			Total for Check Number 5280:	308.44
5281	10133 SL150152	DEPARTMENT OF TRANSPORTATION STRT-SIGNALS & LIGHTING JUL-SEPT 201	10/29/2014	917.15
			Total for Check Number 5281:	917.15
5282	10524 2036157612	DUNN EDWARDS V/E HOSE FOR SPRAYER/STRT PAINTING	10/29/2014	117.97

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 5282:	117.97
5283	10154	FASTENAL COMPANY	10/29/2014	
	CAFR248774	BPO-DUCT TAPE-2		18.25
	CAFR248774	BPO-WD-40 - 3		25.87
	CAFR248774	BPO-AA ALKALINE BATTERIES - 3		0.67
	CAFR248774	LLD-LO SMK 2.5 GAL MIX - 4		22.11
	CAFR248774	BPO-SAFETY GLASSES-5		4.73
	CAFR248774	LLD- L/XL ORANGES VESTS - 5		105.48
	CAFR248774	LLD- 2X/3X ORANGE VESTS - 6		126.58
	CAFR248774	STRTC-L/XL ORANGES VESTS-1		21.09
	CAFR248774	STRTC- 9V BATTERY - 6		60.38
	CAFR248774	BPO-LO SMK 2.5 Gal Mix -6		33.17
	CAFR248774	V/E SAFETY RED MARKING PAINT - 12		32.08
	CAFR248774	BPO-CORDED EAR PLUGS-10		10.80
			Total for Check Number 5283:	461.21
5284	10168	FRESNO NETWORKS	10/29/2014	
	AT18769	TECH-MONTHLY CUSTOMER SUPPORT 09/		1,935.22
			Total for Check Number 5284:	1,935.22
5285	10183	GRAFIX SHOPPE	10/29/2014	
	96816	VE-GRAPHIC KIT #1447		298.38
			Total for Check Number 5285:	298.38
5286	10205	INDEPENDENT STATIONERS	10/29/2014	
	IN-000457477	CS-SENIOR CTR SUGAR		1.78
	IN-000468430	CS-BATTERIES		15.08
			Total for Check Number 5286:	16.86
5287	10234	KERMAN FLORAL	10/29/2014	
	8115	CC-PLANT/OFFICER MENDOZA (BABY)		67.10
			Total for Check Number 5287:	67.10
5288	10453	KERMAN NEWS	10/29/2014	
	37023	BPO-PUBLIC HEARING NOTICE 10/15/14		105.00
			Total for Check Number 5288:	105.00
5289	10271	MUNISERVICES, LLC	10/29/2014	
	35248	ADM-SUTA SERV TAX Q1R 06/30/14		322.56
			Total for Check Number 5289:	322.56
5290	10272	MUTUAL OF OMAHA	10/29/2014	
	000348885991	HR-NOV LTD INS EMPLOYEE		427.44
	000348885991	HR-NOV LTD INS EMPLOYER		427.43
	000348885991	HR-NOV LIFE INS		394.28
	000348885991	HR-VOLUNTARY LIFE		987.30
			Total for Check Number 5290:	2,236.45
5291	10282	OFFICE DEPOT	10/29/2014	
	735209855001	CS-LABEL MAKER		33.91
	735210071001	CS-TAPE RULERS SCISSORS		52.03
	735210071001	CS-DESK CALENDARS		17.53

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 5291:	103.47
5292	10283 9336214	OFFICE DEPOT CREDIT ACCOUNT CS-FOAM BOARD FOR HARVEST FLOAT	10/29/2014	95.00
			Total for Check Number 5292:	95.00
5293	10285 8052114 8059117 8063701	ONTRAC BPO-PLAN CHECK OVERNIGHT DELIVERY BPO-PLAN CHECK OVERNIGHT DELIVERY BPO-PLAN CHECK OVERNIGHT DELIVERY	10/29/2014	66.05 15.85 53.43
			Total for Check Number 5293:	135.33
5294	10605 12134	ORTIZ MOBILE AUTO BODY V/E-REPAIRS TO VEH# 1458	10/29/2014	2,373.12
			Total for Check Number 5294:	2,373.12
5295	10302 6206788690-3 6206788690-3 6206788690-3 6206788690-3 6206788690-3 6206788690-3	PG&E (FRESNO) CS-MONTHLY ELECTRICITY & GAS SVC D CS-MONTHLY ELECTRICITY & GAS SVC D CS-MONTHLY ELECTRICITY & GAS SVC D CS-COMMUNITY SERVICES CS-COMMUNITY SERVICES CS-COMMUNITY SERVICES	10/29/2014	1,745.04 369.57 2,347.48 633.55 100.00 -18.30
			Total for Check Number 5295:	5,177.34
5296	10604 8312949	S & S WORLDWIDE, INC. REC-LOCK IN/HACIENDA SUPPLIES	10/29/2014	141.18
			Total for Check Number 5296:	141.18
5297	10603 130914495	SOLENIS LLC POLYMER FOR SCREW PRESS	10/29/2014	3,789.22
			Total for Check Number 5297:	3,789.22
5298	10606 21508 21508 21508	SPECK MEDIA INC. FIN-PERF PAPER-UTILITY INVOICES FIN-PERF PAPER-UTILITY INVOICES FIN-PERF PAPER-UTILITY INVOICES	10/29/2014	169.51 214.99 28.94
			Total for Check Number 5298:	413.44
5299	10552 44334	STEVE PATRICK A/C & REFRIGERATIC BPO-CHECK A/C 942 S MADERA	10/29/2014	170.00
			Total for Check Number 5299:	170.00
5300	10392 100916 101614	VALLEY FOOD CENTER REC-HACIENDA HEIGHTS SNACK SUPPLII REC-HACIENDA HEIGHTS SNACK SUPPLII	10/29/2014	15.64 38.87
			Total for Check Number 5300:	54.51
5301	10401 IN15624106	WALLYS TIRE AND WHEEL VE-WHEEL BALANCING/WEIGHTS #1407	10/29/2014	20.33
			Total for Check Number 5301:	20.33

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
5302	10406 45119	WEST HILLS OIL, INC V/E FUEL.OCT 1-15 1166.420 GALLONS	10/29/2014	4,286.78
Total for Check Number 5302:				4,286.78
5303	10410 2867	WORKINGARTS MARKETING, INC WEB UPDATES/MAINTAINENCE SEPTEMB	10/29/2014	95.00
Total for Check Number 5303:				95.00
5304	10412 076440100	XEROX CORPORATION BPO-COPY MACHINE MAINTENANCE-FIN.	10/29/2014	269.76
Total for Check Number 5304:				269.76
5305	10014 27780 75617	ADMINISTRATIVE SOLUTIONS, INC HR-NOV. BLUE SHIELD PLAN ADMIN HR-NOV. SEC 125 PLAN ADMIN	10/29/2014	750.00 90.00
Total for Check Number 5305:				840.00
5306	10014 110114	ADMINISTRATIVE SOLUTIONS, INC HR-NOVEMBER EMPLOYER FLEX PLAN	10/29/2014	9,600.00
Total for Check Number 5306:				9,600.00
5307	10014 17457	ADMINISTRATIVE SOLUTIONS, INC HR-NOVEMBER DENTAL CLAIMS FUNDIN	10/29/2014	4,106.15
Total for Check Number 5307:				4,106.15
Total for 10/29/2014:				71,164.45
Report Total (114 checks):				414,159.46



# City of Kerman

*"Where Community Comes First"*

MAYOR Gary Yep  
MAYOR PRO-TEM Doug Wilcox  
COUNCIL MEMBER Raj Dhaliwal  
COUNCIL MEMBER Nathan Fox  
COUNCIL MEMBER Bill Nijjer

DEPARTMENT: FINANCE  
STAFF REPORT  
CITY COUNCIL MEETING  
COUNCIL MEETING DATE: NOVEMBER 5, 2014

To: Mayor and City Council  
From: Toni Jones, Finance Director  
Luis Patlan, City Manager/Director of Planning  
Subject: Resolution Approving Update Purchasing Policy for the City of Kerman

## RECOMMENDATION

Council by motion adopt resolution approving updated Purchasing Policy for the City of Kerman.

## EXECUTIVE SUMMARY

On October 15, 2014, staff presented the draft Purchasing Policy to the City Council for review and input. The Purchasing Policy presented herein includes comments provided by the City Council. The Purchasing Policy is in final form and ready for adoption by the City Council.

## OUTSTANDING ISSUES

None.

## DISCUSSION

The City of Kerman's current Purchasing Policy was last adopted in January of 1997. The current policy is dated and in need of revision. Staff completed a comprehensive update of the City's Purchasing Policy in order to give management and staff a clear understanding of the policies and procedures to be used when making purchases and to ensure that purchases are made consistent with applicable laws and regulations. The goal is to ensure fairness, objectivity, accountability and transparency in the procurement of goods, services and equipment.

The Purchasing Policy includes procedures for all types of purchases in one single document as well as several new policies related to code of ethical conduct, conflicts of interest, sanctions for ethical violations and unauthorized purchases. The Policy provides procedures for purchasing goods, services and equipment; procuring professional consulting services; bidding public works contracts; handling travel expenses; and disposing of surplus property. The revised policy is intended as a guideline to ensure the City obtains high quality equipment, goods and services at a cost that provides the best value to the City and encourage competition among bidders.

The Purchasing Policy includes a section on how the policy relates to the Kerman Municipal Code and other established policies for the disposal of surplus property. The Council may amend the Purchasing Policy from time-to-time by resolution.

**FISCAL IMPACT**

No fiscal impact.

**PUBLIC HEARING**

None required.

**ATTACHMENT**

- A. Resolution w/Exhibit 'A'

Attachment 'A'

RESOLUTION NO. 2014-\_\_

A RESOLUTION OF CITY COUNCIL OF THE CITY OF KERMAN  
ADOPTING AN UPDATED PURCHASING POLICY

WHEREAS, the City of Kerman has adopted Chapter 3.20 of the Kerman Municipal Ordinance to establish a purchasing policy that complies with California law and sound principles for the ethical and efficient purchase of supplies, equipment and public facilities; and

WHEREAS, pursuant to Section 3.20.020 the City's purchasing policy may include such administrative regulations as the purchasing officer shall adopt and such other rules and regulations as shall be prescribed by the city council; and

WHEREAS, the City Council has previously adopted the Uniform Construction Cost Accounting pursuant to Sections 3.20.080 and 3.20.090 of the Kerman Municipal Ordinance; and

WHEREAS, California Government Code Section 4526 and following authorizes the City to establish by ordinance its procedures for the selection of providers of professional consulting for services including architectural, landscape architectural, professional engineering, environmental, land surveying, and construction project management services, and in accordance with such authority, the City has adopted Chapter 3.22 of the Kerman Municipal Ordinance; and

WHEREAS, The Kerman Municipal Ordinance does not include policies and procedures for the sale of surplus property, but the City has previously adopted Resolution No. 08-57 was adopted addressing Sale of Surplus Property; and

WHEREAS, the Finance Director, in her capacity as purchasing officer has proposed the attached Purchasing Policy which integrates and implements various ordinances and resolutions relating to the acquisition or disposition of goods, services and equipment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN DOES RESOLVE AS FOLLOWS:

1. The City Council finds that the efficient and ethical expenditure of public monies requires that the City's purchasing policies be updated and integrated so that the purchasing policies will provide appropriate direction to City staff when they are called upon to obtain goods, services or public facilities.
2. Pursuant to its powers pursuant to Section 3.20.020 of the Kerman Municipal Ordinance, the Council hereby adopts the Purchasing Policy attached hereto as Exhibit 'A', which shall be effective from and after the adoption of this Resolution.
3. The Purchasing Policy adopted herein shall be construed to supplement the provisions of Chapter 3.20 and 3.22 of the Kerman Municipal Ordinance and to provide guidance in implementing said Chapters in a manner consistent with currently existing State law.

4. The Purchasing Policy adopted herein supersedes Resolution No. 08-57 concerning policies and procedures for the sale of surplus property, and Resolution No. 08-57 shall have no further force or effect.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 5th day of November, 2014, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

\_\_\_\_\_  
Gary Yep  
Mayor

ATTEST:

\_\_\_\_\_  
Marci Reyes  
City Clerk

Exhibit 'A'

Purchasing Policy  
*(Provided under separate cover)*

Exhibit 'A'



PURCHASING POLICY

ADOPTED: \_\_\_\_\_, 2014

UPDATED 10/17/2014

# PURCHASING SYSTEM OVERVIEW

## EQUIPMENT, GOODS AND SERVICES

Including maintenance or nonstructural repair of City buildings, structures or improvements which does not require engineering plans, specifications or design (i.e., unscheduled replacement of broken window panes, fire extinguisher maintenance, minor roof repairs, plumbing, electrical, mechanical, custodial services, pest control, installation, repair, modification and maintenance of City equipment, repair, demolition or other work required to abate nuisances and leasing or rental of equipment)

Less than \$1,000 (Small Purchase)

\$1,000.01 - \$10,000 (Open Market)

\$10,000.01 or Greater (Formal Bid)

- No bid needed; comparative pricing whenever practical
- Award by department head via warrant request/purchase order

- Department solicits at least 3 quotes
- Award by purchase order or contract signed by City Manager

- Formal bidding required
- City Council award contract
- City Manager to execute contract

## PROFESSIONAL SERVICES

Professional services would generally include engineering, architectural, legal services, financing, auditing, planning, etc.

Less than \$25,000 (RFQ)

Greater than \$25,000.01 (RFP)

- Prepare and release RFQ
- City Council Award

- Prepare and release RFP
- City Council Award

## SERVICE CONTRACT

Contracting of governmental services such as street sweeping, refuse, janitorial, landscape maintenance, contract building inspection services, architectural, etc.

General Services (RFP or RFQ)

- Prepare and release RFP or RFQ
- City Council approval required to release RFP/RFQ and for award of contract required

## EQUIPMENT MAINTENANCE CONTRACTS

Maintenance contracts provide ongoing maintenance and supply such as copiers, HVAC, etc.

On-Call/ Maintenance Services (Eligibility List)

- Prepare and release RFP or RFQ depending on cost
- Establish eligibility list
- Rotate contracts as needed

## PUBLIC WORKS CONTRACTS

Public Works contracts of \$45,000 are subject to informal and formal bidding and other requirements as set forth by public contract codes. Public works projects over \$1,000 are subject to prevailing wage law. Public works project is "the erection, improvement, painting, or repair of public buildings and works" and also includes the "furnishing of supplies or other materials for any such project."

Less than \$45,000 (Small Contract)

\$45,001 - \$175,000 (Informal Contract)

Greater than \$175,000 (Formal Contract)

- May be performed by the employees of the City by force account, negotiated contract, or by purchase order

- May be let to contract by following the UPCCAA informal bid procedures

- Shall be let to contract pursuant to the formal bid procedures set forth in the UPCCAA

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## **Purpose**

The purpose of this policy is to implement the City's purchasing ordinance and to provide guidance to City departments to instruct them in the procedures that are to be followed in obtaining materials, equipment and services that comply with applicable Federal, State and local laws and regulations and promote the cost-effective procurement of supplies, services, and equipment.

It is intended that the information contained in this policy will help staff in both understanding the laws and regulations that govern the procurement activity of the City, as well as assist staff in following the proper procedures necessary in completing the purchasing process in a timely manner.

These policies are not intended to address every issue, exception, or contingency that may arise in the course of purchasing activities. The basic standard that should always prevail is to exercise good judgment in the use and stewardship of City resources, including keeping within the budget authorized by the City Council and encouraging open competition.

## **Policy**

The policy contained herein was developed under the authority of Chapter 3.20 of the City of Kerman Municipal Code. The City Manager is designated as the Purchasing Officer for the City and may delegate the administration of the program. The Purchasing Officer/Designee is charged with the responsibility and authority for coordinating and managing the procurement of the City's supplies, services, and equipment according to this policy.

The policy outlined herein is to be adhered to by the Purchasing Officer and all City Departments when procuring supplies, services, and equipment. This policy strives to define decision making with prudent review and internal control procedures and to maintain departmental responsibility and flexibility in evaluating, selecting, and purchasing supplies, equipment, and services.

## **Relationship Kerman Municipal Ordinance**

The purchasing policies and procedures herein are consistent with Chapter 3.20, Purchasing System and Chapter 3.22, Procedures & Policy for Selection and Compensation of Architectural, Engineering and other Consultants contained in the Kerman Municipal Code. This Purchasing Policy sets forth and adjusts the limits for the purchase of equipment, goods, and services as established by the City Council from time-to-time by resolution pursuant to Section 3.20.020 of the Kerman Municipal Code. The purchasing policies and procedures herein shall be referred to for clarification of any inconsistencies or to provide interpretation for all purchases authorized in the Kerman Municipal Code.

## **Purchasing Authority and Responsibilities**

The City Manager has assigned the responsibility for administering purchasing policies and procedures to individual departments through the Director of Finance ("Purchasing Officer"). This decentralized system of purchasing provides the Departments with the ability to contact vendors directly. It is the City's policy to establish efficient procedures for the purchase of goods and general services at the lowest possible cost commensurate with quality needed, to exercise positive financial control over purchases, to clearly define authority for the purchasing function, and to assure the quality of purchases.

The Purchasing Officer is responsible for 1) the procurement of general supplies, services and equipment; 2) the administration of the purchasing policy; and 3) the management of surplus City property. To perform these functions efficiently and assist Departments, the Purchasing Officer shall:

- A. Be charged with the responsibility and authority for coordinating and managing the procurement of the City's general supplies, services, and equipment from the lowest responsive and responsible bidder when required by this policy and as may be prescribed by the City Council.
- B. Ensure full and open competition on purchases as required by this policy.
- C. Identify, evaluate, and utilize purchasing methods, which best meet, the needs of the City (i.e., cooperative purchases, blanket purchase orders, contractual agreements, etc.).
- D. Verify the availability of funds and budgetary approval for requested purchases.
- E. Assist all departments with research and recommendations in developing specifications; review specifications for completeness of information to ensure specifications are not unnecessarily restrictive.
- F. Negotiate and recommend the execution of contracts for the purchase of supplies, materials, equipment, and services.
- G. Recommend to the City council revisions to the rules governing the purchase of supplies, materials, equipment, and services when necessary and keep informed of current developments in the field of public purchasing.
- H. Prescribe and maintain forms appropriate for the operations of the purchasing function.
- I. Apply the principles of total cost and life cycle cost analyses in the evaluation of equipment purchases.
- J. Supervise the inspection of all supplies, materials, equipment, and services purchased to ensure conformance with specifications.
- K. Recommend the transfer of surplus or unused supplies, materials, and equipment between departments as needed, and dispose of, through sale or other means, surplus property and scrap materials.
- L. Establish standard specifications, with department input, for items commonly used by City departments.
- M. Coordinate with City departments to track terms, extensions and other aspects of Lease-Purchase agreements and Consultant Agreements.
- N. Act as the City's agent in the transfer and disposal of surplus equipment and materials.
- O. Be charged with the responsibility and authority for coordinating and managing the City's Property and Inventory Control Program.
- P. Have authority to operate a central store for commonly used supplies and materials in order to take advantage of quantity purchases.
- Q. Apply the principles of total cost and life cycle cost analyses in the evaluation of equipment purchases.
- R. Head the IT Computer Maintenance and Replacement Committee as well as the Vehicle Maintenance and Replacement Committee.

## Responsibilities of City Departments

City Departments are charged with the following responsibilities in the purchasing process:

- A. To provide the Purchasing Officer/Designee at the beginning of each fiscal year, an updated authorized signature list designating those individuals who are delegated the authority to make purchases per the policies and procedures as described herein.
- B. To anticipate requirements sufficiently in advance to allow adequate time to obtain goods in accordance with the best purchasing practices.
- C. To communicate and coordinate purchases with the Purchasing Officer/Designee, as necessary.
- D. To provide detailed, accurate specifications to ensure goods obtained are consistent with requirements and expectations.
- E. To prepare requisitions in accordance with instructions so as to minimize the processing effort.
- F. To inform the Purchasing Division of any vendor relations problems, shipping problems (i.e., damaged goods, late delivery, wrong items delivered, incorrect quantity delivered, etc.) and any situations that could affect the purchasing function.
- G. To minimize urgent and sole source purchases and to provide written documentation when such purchases may be necessary.
- H. To assist the Purchasing Division with the review of all bids received for compliance with specifications, and provide the Purchasing Division with written documentation regarding their findings.
- I. To notify bidders or vendors of purchase award when authorized by Purchasing Officer or City Council depending on the appropriate Purchasing System Classification for approval.
- J. To refrain from “splitting” orders for the purpose of circumventing procurement requirements.

## Vendor Relations

Division and department staff shall conduct their dealings with vendors in a professional manner and shall promote equal opportunity and demonstrate fairness, integrity, and courtesy in all vendor relations. When feasible to do so, vendors within the City of Kerman should be utilized for supplies, services, and equipment. However, good vendor relations must also be balanced with fair and equitable selection to avoid possible conflicts of interest or the appearance as such.

## Code of Ethical Conduct

The primary mission of city government is to serve the citizens of the City of Kerman. To perform its mission effectively, the City must have the trust and confidence of the public it serves. That trust is dependent upon City employees discharging their duties honestly, forthrightly, objectively and with personal integrity.

To secure and maintain the trust and confidence of the public, the City of Kerman is committed to upholding the highest standards of ethical conduct. Of key importance in determining whether a particular action is proper or improper, is how the action is perceived. The full measure of ethical review is not limited to the narrow confines of a specific job, task, or department. The review must also determine whether the action gives the appearance of wrongdoing, inequity, impropriety or the perception of misconduct when viewed by the public.

The City of Kerman subscribes to the following Principles and Standards of Purchasing Practice:

- A. Avoid the intent and appearance of unethical or compromising practice in relationships, actions, and communications.
- B. Demonstrate loyalty to the employer by diligently following the lawful instructions of the employer, using reasonable care, and only authority granted.
- C. Refrain from any private business or professional activity that would create a conflict between personal interests and the interests of the employer. Refrain from soliciting or accepting money, loans, credits or prejudicial discounts and the acceptance of gifts, entertainment, favors or services from present or potential suppliers that might influence or appear to influence, purchasing decisions.
- D. Handle confidential or proprietary information belonging to employers or suppliers with due care and proper consideration of ethical and legal ramifications and governmental regulations.
- E. Promote positive supplier relationships through courtesy and impartiality in all phases of the purchasing cycle.
- F. Refrain from reciprocal agreements that restrain competition.
- G. Know and obey the letter and spirit of laws governing the purchasing function and remain alert to the legal ramifications of purchasing decisions.
- H. To regard public service as a sacred trust, giving primary consideration to the interests of the governmental unit by whom we are employed.
- I. To purchase the best value obtainable, securing the maximum benefit for each tax dollar expended.
- J. To avoid preference practices, giving all qualified vendors an equal opportunity.
- K. To accord vendor representatives the same treatment we should like to receive, remembering that they are important sources of information and assistance in our buying process.
- L. To strive constantly for greater knowledge of purchasing methods and of the materials we buy.
- M. To conduct ourselves with fairness and dignity and to demand honesty and truth in buying and selling.
- N. To cooperate with all engaged in purchasing process.
- O. To remember that everything we do reflects on the entire purchasing profession and to govern our every action accordingly.

## **Conflict of Interest**

Conflicts of interest occur when a conflict exists between the public interest and the private monetary interest of a public official or employee. Conflicts of interest can also occur with regards to individuals who have left government employment, when former public officials are able to exert undue influence over the purchasing process because of their past personal connections inside government.

No City employee or official of the City shall be or become interested in any contract for which bids are or may be required for the furnishing of labor or materials to or for the City, nor shall any of them receive any gratuity or advantage from any contract or from the contractor furnishing any labor or material under any contract, the cost or consideration of which is payable from the City treasury. Any such contract with the City in which any such officer or employee is or becomes interested shall be declared void by the Council.

Generally speaking, an employee or official should not participate directly or indirectly when the following conditions apply:

- The employee, official or any member of the employee's or officials' immediate family has a direct or indirect interest in the purchase.
- A business or organization, in which the employee, official or any member of the employee's or officials' immediate family has a direct or indirect interest, is involved in the purchase.
- Any other person, business or organization, with which the employee, official or any member of the employee's or official's immediate family is negotiating or has an arrangement concerning prospective employment, is involved in the purchase.

No City employee or official of the City shall aid or assist a bidder in securing a contract to furnish labor or materials or supplies at a higher price or rate than that proposed by any other responsible bidder, or shall favor one bidder over another, giving or withholding information, or shall willfully mislead any bidder in regard to the character of the materials or supplies of a quality inferior to that called for by contract, or shall knowingly certify to a greater amount of labor performed than has actually been performed or to the receipt of a greater amount of material or supplies than has actually been received.

### **Prohibition of Gifts, Gratuities, and Kickbacks**

City employees or officials of the City are prohibited from accepting any gratuity or advantage from any contract or contractor. This section is designed to prohibit actions that may tend to unduly and improperly influence officers and employees in the discharge of their duties, or grant, in the discharge of their duties, any improper favor, service, or thing of value.

The City of Kerman regards the practice of accepting gifts or gratuities as unnecessary, undesirable and contrary to the mission of the City. The City recognizes the responsibility of its employees to maintain good relations with all members of the community and believes this can be accomplished in a professional manner without gifts or gratuities interfering with and/or influencing employees. The City prohibits an employee from accepting personal gifts or gratuities in his/her capacity as a City employee from business or individuals who either do business with, or are served by the City. As opposed to gratuities, which up to a financial point are not illegal, kickbacks are always illegal. Kickbacks are "financial payment for receiving a contract."

It shall be illegal for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.

### **Sanctions for Ethical Violations**

Any employee who violates ethical standards may be disciplined in accordance with this policy, the City of Kerman Personnel Rules and Regulations, and/or applicable Memorandum of Understanding up to and including, termination, civil or criminal prosecution.

### **Unauthorized Purchases**

Except for urgencies or other authorized exemptions stated in these guidelines, no purchase of supplies, services, or equipment shall be made without authorization as described within the manual or in Chapter 3.20 of the Kerman Municipal Code. Under no circumstances shall a purchase be considered approved or final until

approved by the City Council or City Manager as required by the appropriate purchasing classification. No representative of the City shall enter into a verbal agreement or make any arrangements until the final approval is granted.

In the event that an unauthorized purchase is made the following may apply:

- A. Such purchases are void and not considered an obligation of the City.
- B. Invoices without an authorization may be returned to the vendor unpaid.
- C. The person ordering the unauthorized purchase may be held personally liable for the costs of the purchase or contract.

## **Retroactive Contracts**

No City contract shall be valid prior to approval by the City Council or their designated representative. Contractors and vendors shall be advised by the responsible department head that performance under the contract may not commence prior to such approval. The City shall not be obligated to pay for any work or service started before the contract is approved by the City Council.

The submission of a contract for approval after the date of service has begun or after the date of service has been completed, is counter to the City's best interest and prescribed approval process.

## **Types of Purchasing Transactions**

There are many types of purchasing transactions in the City, summarized as follows:

### **Equipment, Goods and Services**

Equipment, goods and services include tangible goods, supplies, equipment, vehicles, materials, printing and insurance including maintenance or nonstructural repair of City buildings, structures or improvements which does not require engineering plans, specifications or design (i.e., unscheduled replacement of broken window panes, fire extinguisher maintenance, minor roof repairs, plumbing, electrical, mechanical, custodial services, pest control, installation, repair, modification and maintenance of City equipment, repair, demolition or other work required to abate nuisances and leasing or rental of equipment).

### **Professional Consulting Services**

Professional consulting services are those activities performed by a consultant who possesses a high degree or expertise in a particular profession such as, but not limited, to auditor, attorney, architect, engineer, land use consultant, financial advisor, appraiser, or expert.

### **Public Works Contracts**

Public works projects contracts of \$45,000 are subject to informal and formal bidding and other requirements as set forth by public contract codes. Public works projects over \$1,000 are subject to prevailing wage law. Public works project as defined in the State of California Public Contract Code is:

- A. A project for the erection, improvement, painting, or repair of public buildings and works.
- B. Work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow.
- C. Street or sewer work except maintenance repair.

- D. Furnishings supplies or materials for any such project, including maintenance or repair of streets, sewers, or water systems.

## Acquisition Process

The City has several separate methods for acquiring goods, materials, services, and labor. The method used is determined by the dollar value of the final award, as follows:

### Small Purchases

Less Than or Equal To \$1,000.00

All departments may purchase equipment, goods and services of less than \$1,000.00 (“small purchases”) without competitive bidding provided that an unencumbered appropriation for the item exists in the current approved budget. Every effort to utilize a local vendor shall be exercised. For small purchases, the authority to award a purchase contract is the Department Head or his/her authorized designee. Comparative pricing is not required but shall be used when practical. Prudent judgment shall be used at all times.

### Informal Bid

Purchases Greater Than \$1,000.01 but less than \$10,000.00

All departments purchasing equipment, good and services of a value of one thousand and 01/100ths (\$1,000.01) dollars to ten thousand (\$10,000.00) dollars inclusive of taxes, shipping and other charges shall be purchased following the informal bid procedures prescribed below:

- A. Quotations. Informal bids shall, whenever possible and practicable, be based on at least three (3) written quotations and shall be awarded to the lowest responsible quotation. The requesting department shall use the Informal Bid Request form provided by the Purchasing Officer to provide specifications for the item to be purchased including a general description of the articles or general services to be purchased, and shall state the deadline for submittal of bid. All bids/quotes shall be in writing (including facsimile and email).
- B. Purchase Order. The requesting department shall submit a purchase order, which includes the recommended vendor, with all supporting documentation to the Finance Department. The City Manager or designee shall review and sign the purchase order and supporting documentation prior to making the purchase by the requesting department. Supporting documentation shall include competitive price quotes obtained, names of vendors contacted, description of the items required, and certificates of insurance as applicable on a form provided by the Finance Department. The Purchase Officer or the City Manager may contact additional sources for quotations as deemed necessary.
- C. Award of Contract. The City Manager or designee is authorized to award a purchase to the lowest responsive and responsible vendor whose quote fulfills the intended purpose, quality, and delivery needs of the solicitation, provided that the City Council has budgeted funds for the item(s) and the amount of the award is not more than the budgeted amount. In lieu of awarding the purchase, the City Manager or Designee may reject quotes or may negotiate further to obtain terms more acceptable to the City. The City Manager or Designee may also determine that the interest of the City is best served to require the Formal Contract Procedures for purchases within this range.
- D. Tie bids. If two (2) or more bids received are for the same total amount or unit price and quality, service and delivery being equal, and if the public interest will not permit the delay of re-bidding, the

City Manager may accept the one it chooses, or accept the lowest good faith offer by negotiating with the tie bidders.

**Note:** *Non-emergency repairs to equipment shall be diagnosed to determine repairs needed for bidding purposes.*

Exceptions. The informal bid procedure may be dispensed with:

- A. In an emergency;
- B. When the goods can be obtained from only one source that has been reviewed and approved in writing by the City Manager or designee;
- C. When processed through a cooperative purchasing agreement with another public agency whose procurement process is consistent with the provision of this policy.

## Formal Bid

### Purchases Greater Than \$10,000.01

The City shall purchase commodities, equipment, and general services of a value equal to or greater than \$10,000.01 dollars inclusive of taxes, shipping and other charges following the formal bid procedures prescribed below:

- A. Specifications. The requesting department shall provide specifications for the item to be purchased with as much detail as possible so that the prospective bidders understand the nature of the purchase.
- B. Notice Inviting Bids. The notice inviting bids shall include a general description of the articles or general services to be purchased, and shall state where bid forms and specifications may be secured and the time and place for opening bids.
- C. Published notice. The notice inviting bids shall be published at least ten (10) days before the date of the opening of the bids. Notice shall be published at least once in a newspaper of general circulation. The requesting department shall also cause the notice inviting bids to be posted on the City's website.
- D. Bidder's list. The City shall also solicit sealed bids from responsible prospective suppliers whose names are on the bidder's list.
- E. Bidder's security. When deemed necessary, the City shall require bidder's security. Bidders' security shall be in accordance with the provisions of the California Public Contract Code.
- F. Bid opening procedures. Bidders shall submit sealed bids to the City Clerk and shall provide the project number or other reference and identify them as bids on the envelope. Bids shall be opened in public at the time and place stated in the public notice. A tabulation of all bids received shall be open for public inspection during regular business hours for a period of not less than thirty (30) calendar days after the bid opening.
- G. Rejection of bids. At its discretion, the City Council may reject any and all bids presented and may re-advertise for bids.
- H. Award of Contracts. The City Council shall award a contract for the purchase of commodities or equipment or general services with a value of ten thousand and 01/100ths (\$10,000.01) dollars or more. A contract shall be awarded to the responsible bidder with the lowest responsive bid, except as otherwise provided here. A contract may be awarded to the next lowest bidder if the successful bidder refuses or fails to execute the contract.

- I. Tie bids. If two (2) or more bids received are for the same total amount or unit price and quality, service and delivery being equal, and if the public interest will not permit the delay of re-advertising for bids, the City Council may accept the one it chooses, or accept the lowest good faith offer by negotiating with the tie bidders.
- J. Performance bonds. The City has the authority to require a performance bond before entering a contract, in such amount as is reasonably necessary to protect the best interest of the City. If a performance bond is required, the form and amount of the bond shall be described in the notice inviting bids.

Exceptions. The open-market procedure may be dispensed with:

- A. In an emergency;
- B. When the goods can be obtained from only one source that has been reviewed and approved in writing by the City Manager or designee;
- C. When processed through a cooperative purchasing agreement with another public agency whose procurement process is consistent with the provision of this policy.

## Professional Consulting Services

The need for assistance in the performance and delivery of City services will periodically necessitate the utilization of outside service providers. Outside service providers are individuals or companies that provide a service to the City for remuneration such as, but not limited to, architects, engineers, attorneys, auditors, financial advisors, and land use consultants. These policies and procedures are consistent with Chapter 3.22 of the Kerman Municipal Code.

### Criteria and Guidelines for Utilization

Outside service providers are utilized when:

- Staff resources are not sufficient to perform these services and when the services are not of an on-going nature that would require a full-time employee, or;
- Staff does not possess the required expertise, or;
- The nature of the services requires third party objectivity, or;
- State or Federal law prohibits assigning such services to staff, or;
- The required services cannot be provided more economically by staff, or;
- There exists an emergency or urgent need for services to preserve public health and safety.

### Criteria and Guidelines for Selection

The selection of consultant or professional services is provided for in Section 4526 of the California Government Code and based on the Kerman Municipal Code Chapter 3.22.

Competitive bidding for specialized services is not in the best public interest because it may lead to employment of the least qualified, rather than the best qualified, as should be the objective. The objective of competitive bidding is low cost. Only when services or a product can be described in sufficient detail, where all parties can bid on the same basis for comparison, should bidding be considered. Professional services in engineering, law, architecture, land surveying, and planning, to name a few, are not recognized as being amenable to detailed specifications.

The selection of consultants will be on the basis of demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required, by assuring engagement of services on the basis of demonstrated competence and professional qualification for the type of services to be performed and at a fair and reasonable price to the city.

The following guidelines have been developed to establish the City's policy for selection of consultants. Separate guidelines are established for two levels of anticipated fee:

- Informal Selection Process (Request for Qualifications) – Contracts less \$25,000.00
- Formal Selection Process (Request for Proposals) – Contracts greater than \$25,000.01

#### Informal Request for Qualifications (RFQ) – Contracts less \$25,000.00

For projects where the estimated consultant fees will be less than twenty-five thousand (\$25,000.00) dollars, the requesting department, with the approval of the City Manager or designee, shall prepare a qualified list by having interested professional consultants respond to a request for qualifications (RFQ). The purpose of the RFQ is to obtain all pertinent information required of consultants for placement in a pool of consultant candidates with demonstrated competence and professional qualifications necessary for the types of services to be performed. Additional interested firms may be added to the list at any time by submitting a statement of qualifications.

The procurement of services with a value of less than twenty-five thousand (\$25,000.00) dollars shall be made following the procedure prescribed below:

- A. Request for qualifications. The requesting department may solicit proposals by written request for qualification (including facsimile or e-mail) or verbal request to prospective consultants. Informal requests for qualifications shall, whenever possible and practicable, be based on at least three (3) proposals and shall be awarded to the best qualified and most responsible proposer. The dollar amount of the proposal shall be considered but the award need not be made to the lowest dollar proposal.
- B. Retention of proposal. The requesting department shall retain all proposals in accordance with the City Council approved retention schedule.
- C. Award of contracts. The City Council shall award a contract in accordance with this policy.

#### Formal Request for Proposals – Contract exceeding \$25,000.01

The City shall procure services with a value of twenty-five thousand and 01/100ths (\$25,000.01) dollars or more following the procedure prescribed below:

- A. Request for proposals. The requesting department, with the approval of the City Manager or designee, shall prepare a request for proposal (RFP) providing a scope of work providing with a general description of the services to be procured including the time and place for submission of proposals. A notice requesting proposals shall be distributed to at least three (3) consultant firms and shall be posted on the City website at least ten (10) days prior to the deadline for submission of proposals. Proposers shall submit sealed proposals to the City Clerk and shall identify them as proposals on the envelope.

- B. Selection review committee. A Selection Review Committee should be established by the requesting department to evaluate qualifications, interview candidates and rank the firms for selection. The group should include at a minimum one representative from the department responsible for the administration of the consulting contract, the Purchasing Officer or designee, as well as one such other qualified professional individuals who have knowledge or capabilities that are valuable in interviewing the prospective consultants including experts from surrounding public agencies or private consultants with expertise on projects with similar scope to that required for the anticipated project.
- C. Evaluation of proposals. All responsive proposals shall be reviewed and evaluated by the City in order to determine which proposer best meets the City's needs by demonstrating the competence and professional qualifications necessary for the satisfactory performance of the required service. The City reserves the right to reject any and all proposals or waive any irregularities in any proposal or the proposal process. The criteria by which the City shall evaluate proposals will be set forth in the request for proposals, and shall generally be based upon the following considerations:
1. Professional experience of the firm in performing services of similar nature;
  2. Quality and relevance of recently completed or ongoing work;
  3. Reliability, continuity, and location of firm to the project site;
  4. Staffing capability; ability to meet schedules;
  5. Education and experience of key personnel to be assigned; knowledge of applicable regulations (including but not limited to regulations applicable to federally funded activities and projects) and technology associated with the services required; specialized experience of the firm in the services to be performed;
  6. Demonstrated record of success
  7. Proposed method of addressing the work
  8. Ability to make public presentations
  9. Adequate knowledge of local conditions
  10. Demonstrated record of keeping costs within project budgets
  11. Current workload and relationship to proposed project
  12. Participation as a small business firm; and other factors the executive deems relevant to the specific task to be performed.
- D. Establishing short list of firms to be interviewed. Based on evaluation of qualifications submittals and reference checks, the City can establish a short list of three to five firms to be interviewed. The Selection Review Committee will interview and evaluate the short-listed firms. Firms selected for interviews should immediately be sent information regarding interview date and place.
- E. Ranking the Firms in Contention for Selection. The Selection Review Committee will evaluate the firms interviewed using an evaluation form that includes a weight and a score for each criteria or question is useful for evaluating, ranking, and, finally, selecting the most qualified firm. Each firm should be evaluated separately by each interviewer during the presentation and interview. When all interviews have been concluded, the head of the selection committee should compile the individual score sheets. This system provides a documented selection process as support for the committee's actions. It is recommended that committee members take the time to achieve consensus rather than just ranking and selecting by majority vote.
- F. Negotiating an agreement with the selected firm. As soon as possible after the selection, the requesting department should begin negotiations with the firm deemed most qualified. Normally it is not difficult to reach an agreement on fee, since the RFP process facilitates an early understanding of the project scope and requirements. If agreement on the scope of services and compensation cannot

be reached, negotiations with the first-ranked firm should be terminated, and the City should open negotiations with the second-ranked firm.

- G. Selection of firm. After the finalists have been identified, the Selection Review Committee will recommend to the City Council selection of the preferred consultant(s) among the finalists who shall provide the services upon terms and conditions most advantageous to the city. Upon direction by the City Council, the executive will enter into negotiation with the selected consultant over the final terms and conditions for the engagement of such services.
- H. Award of contract. The City Council shall award a final contract for the services and authorize the City Manager or designee to execute the agreement.

#### Extension of Existing Contract or Multiphase Contracts

It may be more efficient or economical in certain cases to extend an existing contract or to enter into a multiphase or multiyear contract. Extension of an existing contract is limited to cases where services are logically connected to an ongoing contract and should be constructed as a single project. A multiphase contract is negotiated under the RFP procedure but may not include feasibility studies, master plans, or programming services. Negotiation for such services may be required at the end of each phase and prior to proceeding to the next phase. A multiyear contract is negotiated at the time of the original agreement to permit the City the option to extend the contract into future years.

Agreements for these services are to be negotiated by the executive when appropriate and to be submitted to the City Council for approval.

#### On-Call (Ongoing) Professional Services

In some instances it is in the best interest of the City to have on-call contracts with multiple consultants for the same or very similar services (i.e. services that can be defined as to scope of work but not as to required events such as contract building inspection services, building plan check services, planning consultants, etc.) These services would best be handled by establishing an eligibility list and by entering into annual on-call professional service contracts.

The process for selecting firms for annual ongoing professional service contracts shall be generally the same as for other professional services contracts. However, multiple firms may be awarded an on-call contract based on the RFQ/RFP process and may be placed on the eligibility list. Additional firms/individuals may also be awarded contracts and placed on the eligibility list at a later date, using the RFQ/RFP process without impacting contracts currently in place.

As events occur and need arises, work may be assigned to the consultants on the eligibility list. The Department Head shall make a reasonable attempt to rotate work between consultants subject to availability and special needs or by soliciting proposals from the consultants on the eligibility list.

Professional firms providing engineering, plan checking, planning, legal, auditing, or other services may be retained on a continuing basis to provide professional services. The City Department Head, with the approval of the City Manager, may contract on a project-by-project or on a retainer basis for additional work/services without going through the RFP and selection process. At least every five (5) years these arrangements shall be reviewed by the Purchasing Officer or designee. This is to ensure the City is receiving the best professional services and there is no stoppage in the provision of these services. The City Council shall determine if an RFQ/RFP is warranted for such services.

## Public Works Projects

### Purpose

Provide guidelines for “Public Project” procurement. Public Project means construction, reconstruction, erection, alteration, restoration, improvement, demolition, and repair work involving any facility owned, leased, or operated by the City. The definition also includes painting or repainting any facility owned, leased or operated by the City.

A public project does not include maintenance work, consisting of routine, recurring, and usual work for the preservation or protection of facilities owned or operated by the City, including minor repainting. Street and highways resurfacing at less than one inch (1”) deep, landscape maintenance (mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems) are not a public project.

### Policies

It is the City of Kerman’s policy to follow the uniform Construction Cost Accounting Procedures for all Public Projects, as set forth in the Public Contract Code (Article 2, commencing with Section 22010). It is also the City of Kerman’s policy to adopt the purchasing limits and policies as set forth in Public Contract Code Sections 22030 to 22045 attached hereto in Appendix A.

### Bidding, Contracting and Purchasing Procedures

- A. Small Contract Procedures. Public projects, maintenance work, and the purchase of any supplies, equipment and services, which are (under \$45,000 or as revised annually) in accordance with the limits established in Public Contract Code Section 22032(a), may be performed by the employees of the City by force account, negotiated contract, or by purchase order.
- B. Informal Contract Procedures. Public projects, maintenance work, and any purchase of supplies, equipment and services which are (between \$45,000.01 and up to \$175,000 or as revised annually) in accordance with the limits in Public Contract Code Section 22032(b), may be let to contract by following the Act’s informal procedures. The informal procedures include the following:
  1. Contractors List. A list of contractors, identified according to categories of work, shall be developed and maintained in accordance with the requirements of Public Contract Code Section 22034, together with any criteria promulgated by the Commission from time to time.
  2. Notice Inviting Bids. At least ten calendar days before bids are due, a notice inviting informal bids shall be mailed to all contractors on the list for the category of work being bid, and to all construction trade journals specified pursuant to the requirements of Public Contract Code Section 22036; provided however:
    - i. Additional contractors and trade journals may be notified at the discretion of the purchasing agent.
    - ii. For public projects, if there is no list of qualified contractors maintained by the City for the particular category of work to be performed, the notice inviting bids shall be sent to the construction trade journals specified by the Commission.
    - iii. For circumstances not involving public projects, where there is no list of qualified contractors maintained by the City for the supplies, equipment, services or maintenance work to be procured, the notice inviting bids shall be made in conformity

with the procedures established by the Purchasing Agent from time to time. Whenever possible, bids should be solicited from at least three qualified bidders.

- iv. If the product or service is proprietary in nature, such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to those contractor(s).
3. In situations where a contract was originally presumed to fall within the informal bid limits in Public Contracts Code Section 22032(b), but where all bids received are in excess of those limits, the City Council may still award the contract if the requirements of Public Contract Code Section 22034(f) have been met.
- C. Formal Contract Procedures. Public projects which are in accordance with the limits (over \$175,000.01 or as revised annually) established in Public Contract Code Section 22032(c), shall be let to contract pursuant to the formal procedures set forth in the UPCCAA and as described in this Article. Except as provided in this code or under law to the contrary, contracts for maintenance work, and any purchase of supplies, equipment and services in accordance with the limits established in Public Contract Code Section 22032(c) may also be let to contract pursuant to the formal procedures in this section.
  1. Notice Inviting Bids (NIB).
    - i. Formal bids shall state the time and place for the receiving and opening of sealed bids and distinctly describe the project. The notice shall be published at least fourteen calendar days before the date of opening the bids in a newspaper of general circulation pursuant to the requirements of Public Contract Code Section 22037.
    - ii. The notice inviting formal bids shall also be sent electronically, if available, by either facsimile or electronic mail, and mailed to all construction trade journals specified in Public Contract Code Section 22036. For circumstances not involving a public project, where there is no construction trade journal for the supplies, equipment, services or maintenance work to be procured, the notice inviting bids shall instead be made in conformity with established procedures. All notices under this paragraph shall be sent at least fifteen calendar days before the date of opening the bids.
    - iii. In addition to notice required by this Article, the City may give such other notice as it deems proper.
  2. The City Council shall adopt plans, specifications, and working details for all public projects requiring the formal bid procedure, pursuant to Public Contract Code Section 22039.
  3. All public projects shall be awarded as provided in the UPCCAA.
  4. Contract Approval.
    - i. All contracts for public works project shall be presented to the City Council for review and approval.

#### Bid Acceptance or Rejection

- A. Processing bids. Sealed bids shall be submitted to the City Clerk and shall be identified as bids on the envelope. It is the responsibility of the bidder to ensure receipt of the bid document by the City Clerk by the designated hour. Bids shall be opened in public at the time and place stated in the public notice. A tabulation of all bids received shall be open for public inspection during regular business hours for a period of not less than thirty calendar days after the bid opening.

B. Bid acceptance or rejection.

1. Rejection of All bids. In its discretion the City Council may reject all bids presented, if City, prior to rejecting all bids and declaring that the project can be more economically performed by City employees, furnishes a written notice to the apparent low bidder. The notice shall inform the bidder of the City's intention to reject the bid, and shall be mailed at least two business days prior to the hearing where the bid will be rejected. If after the first invitation of bids all bids are rejected, after reevaluating its cost estimates of the project, the City may:
  - i. Abandon the project or re-advertise for bids; or
  - ii. Following passage of a resolution of the City Council by a four-fifths vote stating 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 the requirements of the Act.
  - iii. All contracts for public project shall be awarded to the lowest responsible bidder as provided in the UPCCAA. All other informally or formally bid contracts shall be awarded to the lowest responsible bidder, unless otherwise provided in this code. If two or more bids are the same and the lowest, the City may accept the one it chooses.
  - iv. If no bids are received through the formal or informal procedure, the project may be performed by the employees of the City by force account or negotiated contract without further complying with this article.

Exceptions to bidding requirements.

- A. Except as otherwise provided by law, the following purchases of services, supplies, and equipment shall be negotiated contract without requiring a bidding process:
  1. Contracts for professional services, including but not necessarily limited to contracts with accountants, auditors, attorneys, plan checkers, inspectors, surveyors, architects, engineers, CEQA consultants, information system consultants, financial consultants, election services consultants, public relations consultants and related activities, negotiation for or acquisition of land, insurance, bonds, and other similar contracts, subject to the requirements in Sections 4526 through 4529.5 and Section 37103 of the Government Code.
  2. Contracts where a commodity or service is offered by only one vendor, or when only one vendor is able to supply a commodity within the time frame or under terms and conditions that reasonably meet the needs of the City (sole source).
  3. Contracts where the purchase is procured pursuant to a competitively bid contract awarded by another public entity.
  4. Where the services, supplies, and equipment are procured under a contract set forth on the California multiple award schedules (CMAS). Contracts under this exemption must be approved by the City Council upon a finding that the proposed contract offers the best pricing. Whenever possible, the proposed contract should be based on at least three bids. City's agents shall attempt to negotiate a lower price from the CMAS contractor(s) whenever possible.
  5. The day-to-day operation of the City's self-insurance, or insurance retention programs are exempt from these requirements, when performed in cooperation with the City's risk manager.
  6. Other exceptions authorized by law.

## Emergency contracting and purchases.

- A. In cases of emergency when repair or replacements are necessary, the City Council may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts. The work may be done by day labor under the direction of the City Council, by contractor, or by a combination of the two.
- B. In case of emergency, if notice for bids to let contracts will not be given, the City shall comply with Chapter 2.5 of the Public Contract Code, commencing with Section 22050.
- C. In emergency situations to preserve life, health, or property, the appropriate requesting department may dispense with obtaining quotes/bids/proposals to obtain materials/services necessary in dealing with the emergency. The requesting department shall submit a written request to the Purchasing Officer and City Manager for review and approval. If the purchase exceeds \$10,000.01, the requesting department head shall prepare an agenda report to the City Council explaining the emergency and the items purchased at the next regularly scheduled City Council meeting. Emergency procurements should be made only to preserve life, health, or property:
  - Upon a natural disaster
  - To correct or forestall a shutdown
  - To maintain essential public services
  - Other unforeseeable events
- D. When one known supplier is available, the requesting department may do a sole source purchase. A sole source is the only possible source, not a preferred source. Purchases by sole source must be approved by the City Manager or designee. If the purchase is under \$10,000 the City Manager or designee must also approve the sole source. If the purchase exceeds \$10,000.01, an agenda report for City Council approval requesting an exception from the solicitation process and requesting awarding the purchase to the “Sole Source Vendor” must be prepared. The requesting department shall submit a completed “Sole Source Vendor Form” along with purchase order/warrant request.

## Purchasing and Payment Procedures

### Purchase Order

Purchase Orders represent a commitment related to unperformed contracts for equipment, goods or services between a City department and a vendor. Purchase Orders are created using the Springbrook Accounting Software program by choosing Purchase Orders on the drop down module. Once a Purchase Order “batch” has been approved by the Department Head, Finance Director and City Manager the initiating department will receive notice that the Purchase Order has been approved. Upon notification of approval the requesting department can notify the vendor and proceed with the purchase. The Purchase Order will then encumber the budgeted funds and will remain pending until the purchase is finalized and a warrant request is processed through the Finance Department. The use of encumbrance accounting is a critical element of budgetary control in governmental accounting systems and serves three distinct purposes:

- A. Provides a written contract between the City of Kerman and a vendor.
- B. Decreases the available budget by an amount equal to the purchase order. This procedure lessens the chance of overspending a line-item budget.

- C. At the end of the fiscal year, unexpended encumbrances are added to the next fiscal year's line item budget so that sufficient budget is available to meet the prior fiscal year's commitments. Encumbrances without any activity for a period of one year will be released at the end of the fiscal year (with prior departmental notification).

All purchases for equipment, goods and services with an estimated cost of \$1,000.01 or more shall be requested through the Purchase Order request module in Springbrook along with scanned in copies of the bids/quotes obtained. The PO will identify the equipment, material, services or supplies required along with details of vendor selection and budgeted account number. The Purchase Order will be routed for approval to the requesting department head, then the Finance Director and final approval or denial by the City Manager. Once the City Manager has approved or denied the Purchase Order the requesting department will be notified. The Department Head or Finance Director can reject the Purchase Order if the request is incomplete or if funds are not budgeted.

Purchases or contracts shall not be made until the Purchase Order is authorized by all department levels.

#### Processing Payments Against a Purchase Order

A warrant request is required to pay the vendor even though a PO has been issued. When an invoice is received against a PO, the requesting department shall indicate the PO number on the Warrant Requisition. This action will ensure that the invoice payment will be deducted from the outstanding encumbrance associated with the PO. You should track the payments against a PO on your department's copy to know how much is remaining on the PO.

#### Purchase Order Exemptions

Certain purchases are not readily adaptable to the open market and formal bidding process. These purchases are generally for items where the competitive bid process or obtaining quotes is not applicable or where a check is required to accompany the order. Following is a list of allowable exemptions:

- Advertisements and Notices
- Courier/Delivery/Messenger
- Dept. Purchases under \$1,000.00
- Insurance Claims and Premiums
- Medical Payments (Physicians, lab)
- Membership dues
- Payments to Other Governmental units
- Petty Cash Replenishment
- Utility Payments
- Real-property/easement acquisition
- Subscriptions
- Trade circulars or books
- Travel Expense/Advances

Exemptions are limited to those items listed above. Departments may submit written requests for additional exemptions to the Purchasing Officer. If warranted, additional exemptions will be added to this list.

If a vendor requires a Purchase Order to process an order, the department shall submit a purchase order requisition to the Finance Department to initiate a purchase order.

## Open Purchase Order

An Open Purchase Order is an agreement whereby the City contracts with a vendor to provide equipment or supplies on an as-needed or ongoing over-the-counter basis. These items would typically be less than \$1,000.00 per order and therefore would be exempt from Centralized Purchasing. Open Purchase Orders provide a mechanism whereby items that are uneconomical to stock may be purchased in a manner that allows timely access to necessary materials.

An open account may be requested by a department by contacting the Purchasing Officer and/or designee. The Purchasing Officer shall review Open Purchase Orders annually, before the beginning of the fiscal year.

Once an Open Purchase Order is issued to a vendor, any authorized City employee may contact the vendor directly to place orders per the terms and conditions specified in the Open Purchase Order. City Departments shall develop a list of eligible employees that may purchase through the Open Purchase Order and submit the list to the Purchasing Officer or designee. The City Department shall limit the list of authorized employees in order to control and track purchases. The list of authorized city employees shall be provided to the vendors for verification purposes.

When an employee purchases an item on an open account, he/she should sign the receipt (legibly) and show a City photo identification card. Examples of open accounts include: Slumburger Lumber, Reno's Hardware, Napa Auto Parts, Smith Auto, O'Reilly Auto Parts, Kerman Farm Supply, etc.

## Change Orders

Purchase Orders represent a contract between the City and the Vendor. Any substantial change to a Purchase Order shall be documented as a change order. Change orders shall be reviewed by the Purchasing Officer and shall be approved by the City Manager. A Purchase Order may not be increased by more than 10% or \$1,000, whichever is less, without a change order, excluding taxes, shipping and handling. Change orders exceeding \$1,000 shall be presented to the City Council for approval.

Taxes, shipping and handling may cause the Purchase Order to exceed the authorized purchase order amount. These items do not require a change order, even if they exceed 10% of the original order amount.

## Warrant Request

The Warrant Request is a multi-purpose document serving the ordering, receiving and payment functions. The Warrant Request is intended to facilitate the economical, timely and limited procurement of specified materials by the City departments that are less than \$1,000. The Warrant Request can be used to issue advance payments such as for lodging, per diem, car rental, etc.

Warrant requests shall be completed, signed by the authorized signer and the original invoice and a copy of the invoice shall be attached to substantiate payment. (If the request is for a partial payment on a Purchase Order, the purchase order number must be written on the "P.O. No." line on the Warrant Request.)

## Emergency Purchases

Only the following situations will constitute an emergency:

- A. A purchase that requires immediate procurement for the preservation of life or safety of the public or City employees, its officers and agents.
- B. Procurement of materials or supplies to complete a maintenance project already in progress that was unforeseeable prior to starting the project.

- C. To forestall a shutdown of essential public services.

Since emergency purchases do not normally provide the City an opportunity to obtain competitive quotes or properly encumber funds committed, sound judgment shall be used in keeping such orders to an absolute minimum. In addition, the following requirements shall apply:

- A. The Purchasing Officer shall be contacted as soon as possible for an advance purchase order number, which may be given verbally, to cover the urgent transaction. If unable to contact the Purchasing Officer, place the order and contact the Purchasing Officer the next workday.
- B. A completed Purchase Order shall be submitted to the Purchasing Officer within two working days, or as soon as the information is available. All purchase requisitions for urgent purchases shall be signed by the appropriate department head.
- C. Documentation explaining the circumstances and nature of the urgency purchase shall be submitted by the appropriate department head as follows:
  - 1. Purchases less than \$1,000.01: use standard purchasing procedures.
  - 2. Purchases greater than \$1,000.01 but less than \$10,000.01: Report to the City Manager for review and approval.
  - 3. Purchases greater than \$10,000.01: Report to the City Manager for review and approval and an informational report providing details of the emergency expenditure must be made to the City Council at the next Council meeting following the emergency expenditure.

## Local Vendor Preferences

Purchasing goods and services from local vendors is desired because it stimulates the local economy and recognizes that our local vendors are valued members of our community. If factors such as quality, previous performance, and availability are equal among vendors, a vendor whose business is located in Kernan shall be awarded a contract if their quote or bid is within 5% of the low bid.

## Sole Source Purchases

Commodities and services that can be obtained from only one vendor are exempt from competitive bidding. Sole source purchases may include proprietary items sold directly from the manufacturer, items that have only one distributor authorized to sell in this area or a certain product has proven to be acceptable. All sole source purchases shall be supported by written documentation signed by the appropriate department head and forwarded to the Purchasing Officer. Final determination of whether or not an item is a valid sole source purchase will be made by the Purchasing Officer or designee. The requesting department shall submit a completed "Sole Vendor Form" to the Purchasing Officer or designee along with PO/Warrant Request.

## Cooperative Purchases

The Purchasing Officer is authorized to join with other public and private entities for the purpose of collectively preparing specifications; requesting and receiving bids, quotations or proposals; and making award to the lowest responsive responsible bidder, provided that the source selection method used is substantially in compliance with the requirements of this chapter.

The City may use State of California Cooperative Purchasing Contracts if the item on the state contract meets the City's needs and if it is unlikely that a separate City bid would result in more favorable prices, terms and/or conditions. Contracted buying groups are considered to take the place of competition if, in the opinion of the Purchasing Officer, it is in the best interest of the City. Notwithstanding all other provisions of this article, in

the purchase of necessary goods and/or services the City may, in lieu of other City competitive bidding procedures, accept a competitive bid which has been secured by or on behalf of any federal, state, county or municipal government or from any other governmental entity, state funded institution and not-for-profit organization, subject to a determination by the Purchasing Agent that the contract was entered into pursuant to a competitive process in compliance with City laws, policies and procedures.

Purchasing is authorized to “piggyback” contracts for products and equipment entered into by other governmental agencies through a competitive bid providing the contract contains an assignability clause that provides for the assignment of all or a portion of the specified deliverables as originally advertised, competed, evaluated and awarded.

Purchasing will obtain documentation to verify the contract and bid process. All products or equipment purchased under this provision must substantially meet the technical specifications of the bid. Major deviations from the product specification will not be allowed. However, minor modifications, which result in a price differential of 5 percent or less, are authorized.

### Credit Card Purchases

City credit cards are issued by the Finance Department on as-needed basis to authorized staff at the sole discretion of the Purchasing Officer or designee.

Credit card purchases are limited to Small Purchases only not to exceed \$1,000. Guidelines and conditions for Small Purchases are set forth in this policy and will be followed. Credit cards shall be used for City business only – no cash withdrawals are allowed.

Under certain circumstances, the use of a City issued credit card may be the most appropriate method for certain purchases. The use of a City credit card should not be used as a shortcut of the Accounts Payable cycle. In other words their use should be the last resort. The following policies and procedures are established to insure internal control and timely payment of charges.

Credit cards are issued to individual employees and are to be used for official City business only. City employees issued a city credit card shall be responsible for any purchases made from their authorized credit card. Credit cards belong to the City and can be cancelled or revoked at any time at the discretion of the City Manager. No personal items shall be charged on any City credit card. Under no circumstances shall a single personal charge be made on a City credit card.

City credit cards may be available to the City Council and City Employees for the conduct of official City business, included, but not limited to the following purposes:

- A. Gasoline purchases
- B. Telephone charges
- C. Authorized travel expenses and hotel charges which shall subsequently be documented on the travel reconciliation report.
- D. To charge the cost of meals when required in the conduct of official business, except when an employee is traveling on a per diem basis.
- E. Other circumstances where the use of a credit card best meets the City’s purchasing needs as determined by the Purchasing Agency or the appointed designee.

Only the City Manager, City Department Heads and designated management city staff are authorized to carry a city credit card. City gasoline and other credit cards may be signed out by the Purchasing Officer or designee to an employee authorized to purchase items. Once the purchase is complete the credit card shall be returned. The following items shall be adhered to when making a purchase using a City credit card:

- A. All purchases and payments made by City credit card must be properly budgeted.
- B. All purchase and payments made by City credit card must result in a receipt or other sales acknowledgement. These must be signed legibly by the purchaser and approved by the appropriate Department Head.
- C. Signed receipts and sales acknowledgements must be attached to a Warrant Request for payment.
- D. Payment for purchases without receipts may become the responsibility of the employee.
- E. Should any employee lose or have his/her credit card stolen, it is their responsibility to contact the Purchasing Officer immediately.

## Petty Cash

Petty cash is available to reimburse purchases which were originally paid out-of-pocket by a City staff or as an advance for City purchases without the need to use personal funds. A petty cash fund is maintained in the Finance Department. Petty Cash reimbursements will be paid either in cash or by check, depending on the amount. Reimbursement requests less than \$50 will be paid in cash. Reimbursement requests greater than \$50 will be paid by check on the next accounts payable check processing date.

For reimbursement of personal funds already spent:

- A. Complete the petty cash form including the date, amount, account code, and description. (A copy of this form appears in the forms section of this manual).
- B. Attach the receipt to the form.
- C. Write the name of the person being reimbursed on the "Received By" line.
- D. If someone other than that person collects the funds, they must initial the form.
- E. Have an authorized signer for that department sign.

For a petty cash advance:

- A. Follow steps a, c, and d above. The description should be "Advance for..." with a clear description of how the advance will be used.
- B. After all purchases are complete, return the store receipt and any change to the Finance Cashier.

## Insurance and Bond Requirements

Insurance is required in connection with a purchase or contract: which involves service performed on City property; is a professional services contract; or whenever there is an inherent risk of personal injury in the activity involved. When insurance and indemnity are required, the contractor should hold the City harmless, agree to defend, and maintain insurance for commercial general liability, automobile liability and workers' compensation (if there are any employees) in the form and amounts determined by the City Attorney. The City Attorney has prepared standard insurance requirements which should be attached to any vendor-provided contract whenever insurance and indemnification are required. It is the responsibility of the department staff preparing the contract to obtain insurance certificates from the contractor evidencing the required insurance and naming the City of Kerman as a certificate holder.

## General Liability Insurance

Each contractor engaged in service on City property is required to maintain commercial general liability insurance in an amount not less than \$1,000,000 per occurrence for bodily injury, personal injury and property damage. The City of Kerman shall be named as an additional insured. Certain high-risk activities may require higher limits.

## Automobile Liability Insurance

Each contractor engaged in service on City property is required to maintain automobile liability insurance in an amount not less than \$1,000,000 covering bodily injury and property damage. The City of Kerman shall be named as an additional insured. Certain high-risk activities may require higher limits.

## Worker's Compensation Insurance

Each contractor engaged in service on behalf of the City is required to maintain workers' compensation insurance and employer's liability insurance for his/her employees in accordance with the laws of the State of California. If contractor has no employees, he/she shall sign or initial an Exemption from Workers' Compensation Insurance statement. An exemption form is attached to the City's standard Professional Services Agreement form.

## Professional Liability Insurance

Each professional retained under a professional services agreement shall maintain professional liability insurance in an amount not less than \$1,000,000 unless this requirement is waived by the City Attorney.

## Policy Endorsements

Each general liability and automobile liability insurance policy shall be with insurers possessing a Best's rating of no less than A and shall be endorsed with the following specific language:

- A. The City of Kerman, its elected or appointed officers, officials, employees, agents and volunteers are to be covered as additional insured with respect to liability arising out of work performed by or on behalf of the Consultant, including materials, parts or equipment furnished in connection with such work or operations.
- B. This policy shall be considered primary insurance as respects to the City, its elected or appointed officers, officials, employees, agents and volunteers. Any insurance maintained by the City, including any self-insured retention the City may have shall be considered excess insurance only and shall not contribute with it.
- C. This insurance shall act for each insured and additional insured as though a separate policy had been written for each, except with respect to the limits of liability of the insuring company.
- D. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its elected or appointed officers, officials, employees, agents or volunteers.
- E. The insurance provided by this policy shall not be suspended, voided, canceled, or reduced in coverage or in limits except after 30 days written notice has been received by the City.

## Insurance Certificates

Insurance certificates providing evidence of coverage must be provided by the following categories of persons:

- A. Any individual or non-City organization using a City facility.
- B. Any individual performing a service or delivering a product under contract to the City.
- C. Any individual or organization constructing something for the City.
- D. Any agency required to provide such evidence as a condition of participating with the City in any endeavor, such as a joint powers authority.

The department designated as contract administrator for each agreement is responsible for obtaining insurance certificates and maintaining current insurance certificates.

## Indemnification Clauses

Defense and indemnification clauses require the contractor to reimburse the City for any costs the City may incur to defend and/or pay damages to a third party because of the contractor's actions. The City is not permitted to require the contractor to assume the responsibility for the City's actions, but the City can require the contractor to defend it and reimburse it for any loss arising out of the contractor's performance of the contract.

Occasionally, a contractor will demand that the City defend and indemnify the contractor against losses arising from the City's acts. Risk Management and the City Attorney must be consulted in these instances.

## Bonds

Bonds are policies issued by surety companies which guarantee that the contractor will meet the stated obligation. Except as stated below in the payment bond section, the requesting department must advise Purchasing of the need to include bonds in the bid requirements or not.

### Types of Bonds

The surety bonds which are most likely to be used by the City are:

- Fidelity Bond: Reimburses an employer for loss sustained because of dishonest acts of employees covered by the bond.
- Bid Bond: Guarantees that a contractor will enter into the contract under consideration if it is awarded to him/her and that he/she will comply with all terms and conditions of the bid or proposal.
- Payment or Labor and Materials Bond: Guarantees that contractors will pay their subcontractors, employees and suppliers for labor, services and goods provided in performance of contracts for "public projects".
- Performance Bond: Guarantees performance by the contractor of all work under the contract, including replacement or repair of any defective materials or faulty workmanship and compliance with all the terms and conditions of the contract.

## Receiving of Goods and Services

### Inspections and Testing

The ordering Department shall inspect and/or test all goods upon receipt (or services upon completion), to assure conformance with the specifications set forth in the order. If a product is determined to be unusable, or not what was ordered, the Department shall reject it and return it to the vendor as the vendor directs, and at the vendor's expense, for credit or replacement.

### Acceptance

When goods have been received or a project has been completed to the satisfaction of the ordering Department and the specifications, the packing slip and/or other completion documentation shall be signed-off by the employee receiving or inspecting. Information to be noted on the documents must include, at a minimum, the employee's signature and a legible rendering of their name and the date of receipt/completion. The employee signing must note on the receiving documents any deviation from the exact ordering specifications.

## Contracts

### Filing with City Clerk

A signed original of each contract entered into under this policy shall be filed with the City Clerk's office, except for transactions involving the purchase of commodities, equipment or general services documented with a purchase order, which is filed with the Finance Department. Contracts shall be retained in accordance with City Council adopted retention schedule.

## Travel and Expense Reimbursements

### Purpose

The City of Kerman travel policy prescribes procedures for Elected Officials and Employees to report and be reimbursed for official travel and business expenses. The following guidelines and procedures are set forth to minimize costs, improve accountability and ease management review of reimbursement claims.

This policy applies to elected and appointed Officials of the City and all Employees of the City. Department Heads may adopt more restrictive policies due to budget limitations or requirements of other government agencies. Compensation to Employees for travel time shall be consistent with the requirements of the Fair Labors Standards Act.

This policy assumes a mutual trust between the City and its Officials and Employees. The City shall reimburse Officials and Employees for all reasonable costs incurred on behalf of the City. Officials and Employees are expected to use good judgment in spending public funds which have been entrusted to them. Misuse or misappropriation of City funds and equipment not in conformance with this policy may result in disciplinary action, which for Employees may include termination of employment.

## Policies

Travel shall be authorized only when necessary and in the best interest of the City. The City shall reimburse actual, reasonable and necessary expenses incurred while on City business, not to exceed established guidelines. Expenses incurred in connection with the following types of activities are hereby deemed authorized expenses, as long as the other requirements of this policy are met:

- A. Communicating with representatives of regional, state and national government on the City's adopted policy positions; and
- B. Attending educational seminars designed to improve an Elected Official's or Employee's skill and/or knowledge; and
- C. Participating in regional, state and national organizations whose activities affect the City's interests; and
- D. Implementing a City-approved strategy for attracting or retaining businesses to the City, which shall typically involve at least one staff member; and
- E. For any Employee, any other general City business authorized by that Employee's Department Head.

Expenditures for any other type of activity require prior approval by the City Council for Officials and City Manager for Employees.

The City shall NOT reimburse personal expenses, including but not limited to:

- A. The personal portion of any trip;
- B. Political or charitable contributions or events;
- C. Family expenses, including a partner's expenses when accompanying an Elected Official or Employee on agency-related business, as well as children- or pet-related expenses;
- D. Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and/or golf-related expenses), or other cultural events;
- E. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline;
- F. Personal losses incurred while on City business.

City Officials and Employees should neither enrich themselves nor be required to use their own funds while traveling on City business.

The City Manager or his/her designee must approve all proposed travel out of the Fresno County area for City Employees. References in this policy to out-of-area travel shall mean travel outside the Fresno County area.

Travel and expense funded by the Commission of Peace Officer Standards and Training (POST) Commission shall be subject to restrictions currently in effect from POST. POST shall govern expenditure limitations for meals and lodging, superseding this policy. When preparing reimbursements for POST, a copy of the reimbursement request shall be forwarded to the Administrative Services Department to track the receivable.

## Authorization for Travel at City Expense

### Authorization Levels

- A. Within the Fresno County Area: Employees must obtain department head approval prior to official same-day travel within Fresno County.
- B. Outside the Fresno County Area (Within California): Employees must obtain Department Head and City Manager or the Director of Administrative Services approval prior to travel and overnight stay outside the Fresno County area on City business.
- C. Out of State: Employees must obtain the City Manager's prior written approval for any out-of-state travel. The City Manager may present this request to the City Council for approval.

Employees or Elected Officials should use City vehicles for any travel within the City, County, or state.

### Format for Request

The information to be submitted with all requests for out-of-area travel is as follows:

- A. Requests must be submitted in advance of the actual travel.
- B. Department Head or his/her designee shall confirm by means of their authorization that the appropriate budget is available for the travel.
- C. Total cost of the proposed travel shall be itemized, including all costs for registration fees, lodging, meals, transportation, etc.
- D. City vehicle to be assigned by Department Head or his/her designee. A City vehicle should be used for any travel within the City, County, or state.

## Lodging

Lodging expenses consist of charges for out-of-area overnight accommodations as required for conduct of official City business. Lodging expenses shall be reimbursed or paid for when travel on official City business reasonably requires an overnight stay.

### Stay Reasonably Required

An overnight stay is reasonably required when the traveler would otherwise have to leave his or her residence before 6:00 a.m. on the day of the event to arrive at the destination at the designated time. Lodging expense is allowable for the evening after an out-of-town meeting or business event when the traveler would otherwise arrive at his/her residence after 9:00 p.m.

## Lodging Rates

If possible, Employees and Officials should make hotel/motel reservations well in advance and take other actions to incur the lowest possible lodging expenses (e.g. compare rates, request occupancy tax exemptions, etc.):

- A. Government Rates Employees and Official must request government rates when making reservations or registering at hotels/motels. If possible, Employees and Official should make hotel/motel reservations well in advance and take other actions to incur the lowest possible lodging expenses (e.g. compare rates, request occupancy tax exemptions). Lodging rates that are equal to or less than government rates are presumed to be reasonable and hence reimbursable for purposes of this policy.

- B. Group Rates: If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, see next section.
- C. Alternatives: In the event that government rates or group rates are not available at a given time or in a given area, there are three options available to Employees and Officials.
  - 1. Option #1 (Median Hotel Cost). Lodging rates that do not exceed the median retail price for moderate lodging for that area listed on websites like [www.priceline.com](http://www.priceline.com) or an equivalent service shall be considered reasonable and hence reimbursable.
  - 2. Option #2 (Flat Cap). Lodging rates that do not exceed one hundred twenty-five dollars (\$125) per night are presumed reasonable and hence reimbursable.
  - 3. Option #3 (IRS Rates). Lodging rates that do not exceed the Internal Revenue Service per diem rates for a given area are presumed reasonable and hence reimbursable.
- D. Reservations for lodging shall be scheduled in advance. Employees shall submit a warrant request for lodging and registration for issuance of a check prior to the event.

## Meals

Allowable meal expenses include food and beverages purchased and consumed while on official City business, provided these items are not covered by other expenses, i.e., conference fees, airline fares, lodging, etc. AB1234 prohibits per diem reimbursements for Officials; therefore the per diem method of reimbursements is for City Employees only.

### Rate of Reimbursement

Officials may be reimbursed for eligible meal expenses, while Employees may either receive a per diem or be reimbursed for eligible meal expenses.

- A. Per Diem Method: A per diem of \$38.00 shall be paid to Employees for meals associated with each day of travel as follows:
  - 1. Breakfast \$7.00
  - 2. Lunch \$12.00
  - 3. Dinner \$19.00
- B. Reimbursement Method: Each meal, including gratuity, shall be reimbursed to Official or Employee up to the Domestic Per Diem Rates per US General Services Administration per-meal guideline and must be accounted for separately on a reimbursement claim. Under special circumstances, the City Manager may approve individual meal expenses (for Employees only) above the guideline with written justification, copies of restaurant bills, and evidence of department head approval. If an individual claims meal expenses for more than one Employee, she/he must list all Employees on the expense reimbursement form.
- C. Normally, meals are reimbursable under the following time criteria:

Meal	Travel Begins Before &	Travel Ends After
Breakfast	7:00 a.m.	8:00 a.m.
Lunch	11:00 a.m.	1:00 p.m.
Dinner	5:00 p.m.	6:00 p.m.

## Meals Purchased on Travel That Do Not Include an Overnight Stay

The City will NOT reimburse employees for meals purchased within the City of Kerman or surrounding areas, while they are engaged in day-to-day job duties, or engaged in any one-day travel that does not include an overnight stay.

## Transportation

Transportation expenses are the direct costs of transporting Employees from authorized points of departure, to travel destinations and authorized points of return. These expenses normally include, but are not limited to, common carrier tickets, private vehicle mileage and car rental charges.

Other transportation expenses include taxi, bus, and streetcar fares; road, bridge, and ferry tolls; parking fees; and other costs directly related to transporting Employees to and from temporary work locations.

Transportation expenses not covered include: personal travel, traffic and parking violations and emergency repairs on private vehicles.

NOTE: City gas cards and Cal-Cards should not be used for fuel purchases on personal vehicles.

### Mode of Transportation

When traveling on City business, Officials and Employees should use the least expensive modes of transportation consistent with time requirements and work schedules. The City shall reimburse travelers for the most cost-effective transportation means, considering both direct costs and Employee time management.

### City Vehicles:

Officials and Employees shall use City vehicles in lieu of private vehicles when available. Use of privately owned vehicles shall be approved by the Purchasing Officer or designee in advance.

### Rate of Reimbursement:

Officials and Employees shall be reimbursed for travel mileage incident to the authorized use of privately owned vehicles on City business. Reimbursement shall be at the IRS rate currently prescribed and necessary. The City shall not reimburse individuals for gasoline purchases when they claim the per-mile reimbursement rate for private vehicles. This amount does not include bridge and road tolls which are also reimbursable.

### Commercial Auto Rental

The City shall reimburse Officials and Employees for actual and necessary costs of rental when substantiated by invoice. Rental of an automobile should be limited to those situations where it is determined that it the most economical method of transportation or with Department Head approval, in those situations where a City vehicle is not available or if it would create a hardship for the Employee to use a personal vehicle. The size of an auto rented shall be the least expensive size appropriate to the use required by the Employee. Rental rates that are equal or less than those available through the State of California's website ([www.catravelmart.com/default.htm](http://www.catravelmart.com/default.htm)) shall be considered the most economical and reasonable for the purpose of reimbursement under this policy. If possible, travelers should refuel rental vehicles before returning them to rental agencies. Employees may use City credit cards to pay for rental vehicles.

## Air Travel

When an Employee claims commercial airline expenses, the cost shall be limited to the least expensive class available, unless prior approval of City Manager for upgrade. Travelers shall attempt to use the lowest airline rates available. Airfares that are equal or less than those available through the Enhanced Local Government Airfare Program offered through the League of California Cities ([www.cacities.org/travel](http://www.cacities.org/travel)), the California State Association of Counties ([www.csac.counties.org/default.asp?id=635](http://www.csac.counties.org/default.asp?id=635)) and the State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy. Reservations should be made as far in advance as possible to take advantage of available discounts. Frequent flier mileage and bonus points or premiums, such as discounts on future fares, received, as a result of travel on Official City business shall accrue to the City.

## Taxis and Other Local Transportation

The City shall reimburse the cost of taxi fare to and from places of business, hotels, airports, or railroad stations in connection with official activities and meals. Taxis are permitted only when suitable and more economical services are not reasonably available. Whenever available, Employees must attempt to use complimentary hotel/motel shuttle services.

## Business Expenses

Business expenses are those incidentals to official travel other than transportation, lodging, and meals. Receipts shall be required for all business expenses.

### General

The City shall reimburse Employees for business expenses, provided they do not include the costs of discretionary items intended for personal benefit or pleasure, such as entertainment, or barber and beauty shop charges. Business expenses normally include, but are not limited to, the following:

- Conference registration fees (if not paid by separate claims)
- Officials and Employees shall be reimbursed for actual telephone and fax expenses incurred doing City business. Telephone bills should identify which calls were made doing City business. For cellular telephone calls when the Official or Employee has a particular number of minutes included in his or her plan, the Official or Employee can identify the percentage of calls made doing public business. Employees shall be reimbursed for one personal telephone call per day. All other personal telephone calls are the Employee's responsibility. More calls per day may be authorized by the Department Head in special circumstances.
- Reasonable amounts paid to baggage handlers, porters, and other service personnel.

## Reimbursement Claims

### General

- A. Officials and Employees must submit expense claims upon return.
- B. Officials and Employees should submit approved travel claims (along with supporting vouchers and receipts) the next regular work day or no longer than one week after completion of travel. All claims must have travelers' signatures and, for Employees, Department Head approval.

- C. Receipts documenting each expense must be submitted with the appropriate paperwork to accounts payable. Inability to provide documentation in a timely fashion may result in the expense being borne by the Official or the Employee.
- D. All expenses are subject to verification that they comply with this policy.

## Claim Forms

Claim forms shall include:

- Consistent with this Policy, the City business involved.
- Dates of travel.
- Travelers' names.
- Travel destinations.
- Expense identification, i.e., seminars, meals, plane fare, etc.
- Dollar amounts of all expenses.
- Personal expenses only if part of City credit card charges. These must be subsequently subtracted from claim totals.
- Additional explanations as needed to substantiate claims.

## Registration/ Expense Advances

### Minimum

City Employees may request advances for reimbursable travel expenses. The minimum advance shall be \$50. City Officials may not receive cash advances from the City. If advances exceed actual expenses, Employees must remit the difference when they file their claims. If a trip is canceled, the advance must be remitted within one week of the cancellation.

### Reservation and Registration

Officials and Employees may use City credit cards for reservations and registration if time does not permit for normal warrant processing. Regardless of the method of payment the traveler must request a receipt and submit to the Finance Department for documentation.

## Reports to Governing Boards

At the City Council meeting following the conference or other business for which any reimbursable expenses were incurred by an Elected Official, each Elected Official shall briefly report on meetings or other business attended at the City's expense. If multiple Elected Officials attend, a joint report may be made.

## Responsibility and Accountability

### Administration

Each Department Head shall be held responsible and accountable for the administration of this policy within his/her department. Department heads should consult with the Administrative Services Director and/or City Manager on questions related to this policy. The City Manager shall annually review the practices and reports of the various departments in regard to the administration of this policy.

Each City Official shall be held responsible and accountable for the administration of this policy for his/her own travel. City Officials should consult with the Administrative Services Director and/or City Manager on questions related to this policy.

#### Compliance with Laws

Officials and Employees should keep in mind that some expenditure may be subject to reporting under the Political Reform Act and other laws. All agency expenditures are public records subject to disclosure under the Public Records Act and other laws.

#### Violation of This Policy

- A. Loss of reimbursement privileges;
- B. A demand for restitution to the City;
- C. The agency's reporting the expenses as income to the elected Official to state and federal tax authorities;
- D. Civil penalties of up to one thousand dollars (\$1,000) per day and three times the value of the resources used; and
- E. Prosecution for misuse of public resources.

## Surplus Property

### Purpose

This policy shall govern the sale by the City of any and all vehicles, tools, equipment, or other personal property which has been deemed excess or unnecessary for City operation consistent with Resolution No. 08-57 adopted by the City Council on August 6, 2008. For the purpose of this policy, "property" or "personal property" shall mean any time, object, and thing or right which is not real property. Sale of real property shall be governed by the applicable requirements of the California Government Code, California Redevelop Law or other applicable rule or regulation, and not by this policy.

### Responsible Authority

The Purchasing Officer is responsible for the transfer and disposition of surplus City property. "Surplus property" is used generically to describe any City property that is no longer needed or useable by a Using or Holding Department of the City. The Purchasing Officer or designee shall request City Council approval to declare item(s) surplus.

Each department shall periodically review its equipment, material, and inventory, and shall promptly notify the Purchasing Officer of any surplus property which is no longer used or which have become obsolete or worn out. A Surplus Property Form shall be completed and submitted to the Purchasing Officer for each surplus property item. Surplus property shall be disposed of at such times as the Purchasing Officer prescribes, but no less than once per year.

### Determination of Value

In determining the fair market value, each department shall document the methods used to make such determination including tools such as Kelly Blue Book, classified advertisements, and local vendors with similar products available.

## Method of Disposition

The Purchasing Officer or designee shall determine or approve one of the following methods of disposition that is most appropriate and in the best interests of the City.

- A. **Transfer to another Department:** Surplus property may be transferred between City Departments. Departments wishing to transfer surplus property to or from another department shall complete the Surplus Property Form and submit it to the Finance Department for review. All transfers of items with an estimated value of \$1,000 or more require approval of the Department Heads from each department affected by the transfer.
- B. **Trade-In:** Property declared as surplus may be offered as a trade-in for credit toward the acquisition of new property. All trade-in offers will be submitted for the review and approval of the Purchasing Division. If surplus property is to be applied to a purchase order, the trade-in value shall be itemized on the Purchase Order. The amount charged against the expenditure account will be the value of the purchase before application of the trade-in credit.
- C. **Return to Manufacturer:** Surplus property may, when possible, be returned to the manufacturer for buy-back or credit toward the purchase of new property.
- D. **Disposal:** Surplus property may be offered for sale by the Purchasing Officer. All surplus property is for sale “as is” and “where is”, with no warranty, guarantee, or representation of any kind, expressed or implied, as to the condition, utility or usability or the property offered for sale. Appropriate methods of sale are as follows:
  1. **Negotiated Sale:** Value less than \$100.00 – Any surplus property with an estimated value of less than one hundred dollars (\$100.00) may be sold without any public bidding to any eligible party paying a fair price. Notice of such proposed sale shall be posted at City Hall listing the item and sale price for at least one week prior to such sale being approved by the City Council. Prior to Council approval of the sale, any eligible person may offer to pay a higher price for the item to be sold. If a higher price than the one posted is offered, the item may be sold at the highest price offered without further posting. If more than one eligible party has offered only the posted price for the item, then the City Clerk shall determine by drawing lots or other random method which of those offering the posted price shall purchase. If no bids are received, the Purchasing Officer shall have discretion to re-post the item for sale.
  2. **Selling for Scrap -** Surplus property may be sold as scrap if the Purchasing Officer deems that the value of the raw material exceeds the value of the property as a whole.
  3. **Sealed Bids:** Value between \$100.01 and \$500.00 – Any surplus property with an estimated value of between one hundred dollars and .01/100ths (\$100.01) and five hundred dollars (\$500.00) shall be sold to the highest responsible bidder by sealed bids in the following manner:
    - i. Notice of such sale describing the items to be sold along with notice of where the item may be inspected shall be posted in three public places at least four (4) weeks prior to the bid opening.
    - ii. Notice of invitation for sealed bids shall also be published at least twice in a paper of local circulation. Such publication shall occur between the twenty-eighth to the twelfth day prior to the bid openings. The Purchasing Officer or designee may wish to also publish notice of such sale in appropriate trade or other publications.

- iii. If no sealed bids or no acceptable sealed bids are received, the process set forth in this section shall be repeated. If a second bid period does not obtain any acceptable sealed bids then the property may be sold under the procedures outlined in in D (1) above

For purpose of this policy, “acceptable sealed bid” means a bid of not less than 50% of the estimated value of the item, and which has been delivered to the City Clerk in a sealed envelope which identifies the item being bid upon, but the envelope does not bear any indication of the identity of the bidder or the amount of the bid.

4. Notice Inviting Bids: Value over \$500.01 – Any property to be sold with an estimated value of over five hundred dollars and .01/100ths (\$500.01) shall be sold by inviting public bids in the following manner: Notice of such sale describing the items to be sold along with where the item may be inspected shall be posted in three public places at least four weeks prior to the bid opening. Notice of inviting bids shall be published at least twice in a paper of local circulation. Such publication shall occur between the twenty-eighth to the twelfth day prior to the opening of bids. The Purchasing Officer or designee may also publish notice of such sale in appropriate trade or other publications. If no bids or no acceptable bids are received, the process set forth in this section shall be repeated. If a second bid period does not obtain any acceptable bids then the property may sold under the procedures outlined in Section 3(iii) above.
5. Donation: The Purchasing Officer with the approval of the City Council may donate surplus property to public bodies, charitable, civic or non-profit organizations and may include property which has no commercial value or for which the estimated cost of continued care, handling, maintenance or storage would exceed the estimated proceeds of sale.
6. Eligible Persons: A person shall be eligible to offer to purchase and to purchase surplus property pursuant to this policy, if the person is:
  - i. A member of the public unless that member is related as a parent, sibling, spouse, child or grandchild to, or is owned in part, or controlled or influenced by, an ineligible City Employee or Officer of the City; or
  - ii. A City employee or Officer of the City, but only if the property is offered for sale through the process of a sealed bid, or offered for sale through an auctioneer, where the auction is to be appropriately announced as being open to the general public.

When an employee submits a sealed bid or takes title to surplus property, the employee shall sign a disclaimer under penalty of perjury stating he/she is eligible to complete such purchase because the officer or employee did not participate in the decision that the City property involved was surplus or could be sold, or in the valuation process, or in the advertising or posting process, and that such sale is not prohibited by other applicable law or regulation.

A City employee or Officer shall be ineligible to purchase the property when the employee or officer participated in the decision that the City property involved was surpluses or could be sold, or in the valuation process, or in the advertising of posting process, or if such sale if prohibited by other applicable law or regulation.

These prohibitions shall be construed to prohibit an employee or officer from purchasing or coming into ownership of said property, either directly or through intermediaries or persons or entities related as a parent, sibling, spouse, child or grandchild to, or is owned in part, or controlled or influenced by, an eligible City employee or officer.

Any violation of this policy may result in disciplinary action, including termination of the employee or office, and civil or criminal prosecution.

## **Mailing Notice of Proposed Sale**

The Purchasing Officer or designee may in his discretion mail notice to dealers or other individuals that might be interested in any surplus property to be sold by the City. Additionally, any individual may file a request with the City to receive notice of any property of the City to be sold. Any person requesting notice of the sale of surplus property must pay an annual fee of twenty-five dollars (\$25.00) to cover the cost of handling and mailing notices.

## **Sale or Auction of Certain Police Items**

Sale and/or auction of standard items such as office furniture and computers, etc. will be handled as delineated in this policy. However, disposal of excess weapons, ammunition, bullet resistant vests and vehicle light bars and similar equipment used for law enforcement must be handled separately by the police department. These and similar items are very sensitive and should not be sold or auctioned to the general public. Disposition of these and similar items shall be governed by Police Department Policy and Procedures.

## **Approval by Council**

No sale of any City-owned property will be final until presented to and approved by the City Council at a regular meeting. All sales made will be subject to such approval. Approval by the Council shall be deemed conclusive proof of reasonableness and fairness of the price paid, and that such sale was for common good of the City and its residents.

## Definitions

TERM	DEFINITION
<b>AGREEMENT</b>	An understanding or arrangement between two or more parties. Also see “Contract” and “Purchase Order”.
<b>AMENDMENT OR CHANGE ORDER</b>	“Amendment” or “Change Order” means change, or modification, or addendum to a contract after it has been executed.
<b>APPROPRIATION</b>	City Council authorization to expend public funds for a specific purpose.
<b>AS IS</b>	A term indicating that goods offered for sale in existing condition are without Warranty or Guarantee.
<b>AWARD</b>	The acceptance of a Bid, Quote, or Proposal.
<b>BID</b>	A written offer, more formal than a quote, to furnish supplies, equipment, vehicles, services in conformity with the specifications, delivery terms, and conditions required at a guaranteed maximum cost Submitted by a Bidder in response to a Notice Inviting Bids (NIB), a Proposal, or a Request for Proposal.
<b>BIDDER</b>	A person or legal entity who submits a bid in response to a solicitation. Proposer. See Bid or Proposal.
<b>BID SECURITY</b>	Financial security provided to guarantee that a bidder will enter into a contract with the City if a bid is awarded. It may be in the form of cash, cashier's check, certified check, or surety bond, in an amount not to exceed 10% of the aggregate amount of the bid.
<b>COMMODITIES</b>	Means any tangible goods or items such as supplies, parts and materials. Generally, they are consumable in City operations, become part or a component of the City equipment or City facilities and/or have a useful life of one year or more les.
<b>OPEN PURCHASE ORDER</b>	An Agreement of no more than one year between the City and a Vendor allowing authorized City employees to charge repetitive Purchases of supplies, equipment or services at pre-arranged prices, dollar limits and/or other terms and conditions.
<b>CHANGE ORDER</b>	Written modification or addition to a Purchase Order or Contract/Agreement authorized by the appropriate authority.
<b>CITY</b>	City shall mean the City of Kerman, and other such districts, authorities, or agencies as may be governed by the members of the City of Kerman City Council.
<b>CITY ATTORNEY</b>	Shall mean and include the City Attorney of the City of Kerman.
<b>COLLUSION</b>	Any secret agreement to purposefully be fraudulent or deceitful for purposes of influencing the outcome of a bid process or quote process. Collusion may occur between an agent, employee, or representative of the City with a prospective bidder or vendor or in some cases one or more bidders or vendors may collude to manipulate a purchase award.
<b>COMPETITIVE BID</b>	The submission of prices by individuals or firms competing for a Contract, privilege, or right to supply merchandise or services.

TERM	DEFINITION
<b>CONFLICT OF INTEREST</b>	The City's Conflict of Interest Code applies to each and every transaction entered into pursuant to the provisions of the Purchasing System and this manual. The Conflict of Interest Code adopted by the City of Kerman has adopted the State of California Administrative Code Section 18730 which contains a standard model and is adopted by reference by the City.
<b>CONSULTANT OR PROFESSIONAL SERVICE</b>	The services of an architect, attorney, landscape architect, engineer, doctor, financial consultant, planning or environmental consultant, investment advisor, banking and trustee services, or other similar professional services as defined in California Government Code section 37103, as may be amended from time to time.
<b>CONTRACT</b>	Any agreement to do or not do a certain thing.
<b>COST</b>	When used in this chapter, shall mean the amount charged, exclusive of sales tax, use tax, delivery charge, shipping and/or handling, and which will be incurred on a fiscal year basis.
<b>DESIGNEE</b>	A duly authorized and appointed representative of an employee that holds a superior position to the person appointed to represent him or her.
<b>EMERGENCY PURCHASE</b>	A purchase which may be done without competitive bidding or obtaining quotes when time is of the essence and is made only for the following reasons: (1) To preserve or protect life, health or property; or (2) Upon natural disaster; or (3) To forestall a shutdown of essential public services.
<b>EMPLOYEE:</b>	When used in section, an Employee shall refer to anyone who volunteers on behalf of the City or anyone who holds a paid position with the City. For purposes of section, an independent contractor shall not be considered an Employee.
<b>ENCUMBRANCE</b>	Committing budgeted funds prior to receiving supplies, equipment or services; funds are shown as an encumbrance until supplies, equipment or services are received, at which time funds are actually expended.
<b>EQUIPMENT</b>	Tangible personal property with a useful life of more than one year. It may be mobile, portable or fixed; and is independent functioning unit, as opposed to parts which are components. Examples include, but are not limited to, office equipment, furniture, field equipment, shop, lab, and plant equipment, vehicles and rolling stock.
<b>FORMAL BID</b>	A Bid which must be submitted in a sealed envelope and in conformance with a prescribed format, to be opened and announced at a specified time at a public opening.
<b>GENERAL SERVICES</b>	Any work performed or services rendered by an independent contractor, with or without furnishing of materials, excluding any work defined as a "public project" under Public Contract Code section 20161 and including, but not limited to, the following: a) Maintenance or nonstructural repair of City buildings, structures or improvements which does not require engineering plans, specifications or design, including, but not limited to, unscheduled replacement of broken window panes, fire extinguisher maintenance, minor roof repairs, plumbing, electrical, mechanical, elevator maintenance, custodial services, and pest control;

TERM	DEFINITION
<b>GENERAL SERVICES</b>	<p>b) Installation, repair, modification, and maintenance of City equipment;</p> <p>c) Cleaning, analysis, testing, moving, removal or disposal (other than by sale) of City supplies, equipment, and waste products;</p> <p>d) Providing other technical services to facilitate City operations such as communications, transportation, utilities;</p> <p>e) Performing repair, demolition or other work required to abate nuisances under the Kerman Municipal Code;</p> <p>f) Leasing and rental of equipment (personal property) for use by the City;</p> <p>g) Maintenance agreement for equipment owned or leased by the City.</p> <p>“General services” does not include work defined as a public project under the Public Contract Code or services that are established as professional services under this policy.</p>
<b>GUARANTEE</b>	A pledge or assurance that something is as represented and will be replaced or repaired if it fails to meet the stated Specifications.
<b>INFORMAL BID</b>	Written or verbal Quotations for supplies, equipment and services which pursuant to this policy are not required to meet the formal bidding requirements. Informal Bids include unsealed written quotes, verbal quotes and quotes received via fax.
<b>LOWEST BIDDER</b>	The Bidder submitting the lowest price and capable of performing the proposed Contract. See also “Responsive Bidder” and “Responsible Bidder”.
<b>LOCAL VENDOR</b>	Any individual, partnership, or corporation which regularly maintains a place of business within the incorporated City Limits of the City of Kerman and has obtained a business license issued by the City of Kerman.
<b>MALFEASANCE</b>	An act which is, in itself, unlawful or unauthorized; acting in a manner wholly beyond one's jurisdiction.
<b>MISFEASANCE</b>	Performance of a lawful action (an action in one's jurisdiction) in an illegal or improper manner.
<b>OFFICIAL</b>	When used in section, an Official shall refer to any individual elected to a City office (e.g., a City Council member, City Clerk, or City Treasurer) or any individual appointed to an office by the City Council (e.g., a member of the Planning Commission). For purposes of section, an Official is never considered to be an Employee.
<b>NON-FEASANCE</b>	Failure to act when one has the affirmative duty or authority to do so.
<b>NON-LOCAL VENDOR</b>	Any individual, partnership, or corporation which does not have a place of business within the incorporated City Limits of the City of Kerman.
<b>NON-RESPONSIVE BID</b>	A Bid that does not conform to the essential requirements of the Notice Inviting Bids. Non-Conforming Bid. Unresponsive Bid
<b>NOTICE INVITING BIDS</b>	A formal notice published in the newspaper or elsewhere or sent directly to potential Bidders, notifying them that the City is accepting bids for a specific purpose.

TERM	DEFINITION
<b>PROFESSIONAL SERVICES OR CONSULTANT</b>	The services of an architect, attorney, landscape architect, engineer, doctor, financial consultant, planning or environmental consultant, investment advisor, banking and trustee services, or other similar professional services as defined in California Government Code section 37103, as may be amended from time to time.
<b>PROPOSAL</b>	The executed document submitted by an offer or in response to a Request for Proposals (and the basis for subsequent negotiation).
<b>PUBLIC CONTRACT CODE</b>	Shall mean the Public Contract Code of the State of California.
<b>PUBLIC PROJECT</b>	(1) construction, reconstruction, erection, alteration, renovation, improvement, demolition or repair work involving any publicly owned, leased, or operated facility; or (2) painting or repainting of any publicly owned, leased or operated facility. Public project does not include maintenance work: (1) routine, recurring, and usual work for the preservation or protection of any publicly owned or operated facility for its intended purposes; (2) minor repainting; (3) resurfacing of streets and highways at less than one inch thickness; or (4) landscape maintenance. (Public Contract Code 22002.)
<b>PURCHASE</b>	Renting, leasing, licensing, trading or in any other way acquiring Equipment or Supplies or Services is determined to be a purchase on behalf of the City of Kerman.
<b>PURCHASE OFFICER</b>	The Finance Director or his/her designated representative.
<b>PURCHASE ORDER</b>	A document generated to formalize a purchase transaction with a vendor or to assure the proper set-aside of funds for a purchase. The purchase order should contain sufficient information to fill the order in an accurate and timely fashion. The vendor's acceptance of a purchase order constitutes a contract.
<b>QUOTE</b>	A verbal or written promise from the vendor/contractor guaranteeing that the cost of specific goods, supplies, or services will not be exceeded.
<b>REQUEST FOR PROPOSAL</b>	All documents used for soliciting competitive proposals. The RFP defines, in detail, the terms, conditions, and specifications of goods or services required by the City. An RFP is primarily intended for large, complex, projects where cost and performance are equally important. The RFP procedure permits negotiation of Proposals and prices as distinguished from Competitive Bidding and a Notice Inviting Bids. The procedure allows changes to be made after Proposals are opened and contemplates that the nature of the Proposals and/or prices offered will be negotiated prior to Award.
<b>REQUEST FOR QUALIFICATIONS</b>	A request seeking a written presentation of the professional qualifications and experience of a proposed contractor.
<b>RESPONSIVE BIDDER/VENDOR</b>	A person who has the capability in all respects to perform in full the Contract requirements, and the integrity and reliability which will assure good faith performance.

TERM	DEFINITION
<b>RESPONSIVE BIDDER</b>	(1) A person who has submitted a Bid which conforms in all material respects to the Notice Inviting Bids (NIB) or (2) One whose Bid conforms in all material respects to the terms and conditions, Specifications and other requirements of the NIB.
<b>SEALED BID</b>	A Bid which has been submitted in a sealed envelope to prevent its contents from being revealed or known before the deadline for the submission of all Bids; required on Formal Bids.
<b>SOUL SOURCE</b>	An Award for a commodity or service to the only reasonably known capable supplier due to the unique nature of the requirement, the supplier, or market conditions.
<b>SPECIFICATIONS</b>	A description of what the Purchaser seeks to buy or accomplish, and consequently, what a Bidder must be responsive to in order to be considered for Award of a Contract. A Specification may be a description of the physical or functional characteristics, or the nature of a supply or service. It may include a description of any requirements for inspecting, testing, or preparing a supply or service item for delivery.
<b>SPLIT.</b>	<p>To divide a Purchase into two or more parts in order to avoid the requirements of the Purchasing Policy. This action is prohibited by the Policy.</p> <p>Examples:</p> <p>Split: If a department knows it will use \$16,000 of a particular supply in one fiscal year and they place two orders six months apart to keep each order below the \$15,000 limit, the action is considered Splitting and is not allowed under the policy</p> <p>Not Split: If a department hires ABC Engineering to prepare a fee study for \$8,000 and also hires the same company to oversee a capital improvement project for \$9,000, the action is not considered splitting.</p>
<b>SURPLUS PROPERTY</b>	Any city personal property that is no longer needed or usable by the holding department.
<b>SUPPLIES</b>	Office Supplies, janitorial Supplies, materials, goods, tools, or other commodities used in the general conduct of the City’s business, excepting Supplies or materials for a Public Work which is regulated under the Public Contract Code section 20160, et seq.
<b>VENDOR</b>	A supplier of goods or services.
<b>WARRANTY</b>	The representation that something is true. Not to be confused with “Guarantee”. A representation of utility, condition, and durability made by a Bidder or Vendor of a product offered.

## APPENDIX A

### PUBLIC CONTRACT CODE SECTION 22030-22045

22030. This article applies only to a public agency whose governing board has by resolution elected to become subject to the uniform construction cost accounting procedures set forth in Article 2 (commencing with Section 22010) and which has notified the Controller of that election. In the event of a conflict with any other provision of law relative to bidding procedures, this article shall apply to any public agency which has adopted a resolution and so notified the Controller.

22031. (b) On or after January 1, 2013, this article shall not prohibit a board of supervisors or a county road commissioner from utilizing, as an alternative to the procedures set forth in this article, the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1 for both of the following:

(1) Maintenance and emergency work.

(2) New road construction and road reconstruction as long as the total annual value of the new road construction and the road reconstruction performed under the procedures set forth in subdivision (c) of Section 20395 does not exceed 30 percent of the total value of all work performed by force account other than maintenance as reported in the Controller's Streets and Roads Annual Report as of January 1 of each year.

(c) On or after January 1, 2013, for a county with a population of less than 50,000, this article shall not prohibit a board of supervisors or a county road commissioner from utilizing, as an alternative to the procedures set forth in this article, the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1.

(d) The requirements set forth in Section 22038 shall apply to any county subject to this section.

(e) Any county board of supervisors or county road commissioner acting pursuant to the authority granted in paragraph (2) of subdivision (b) shall declare its intention to use this authority prior to commencing work.

22032. (a) Public projects of forty-five thousand dollars (\$45,000) or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order.

(b) Public projects of one hundred seventy-five thousand dollars (\$175,000) or less may be let to contract by informal procedures as set forth in this article.

(c) Public projects of more than one hundred seventy-five thousand dollars (\$175,000) shall, except as otherwise provided in this article, be let to contract by formal bidding procedure.

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.

22034. Each public agency that elects to become subject to the uniform construction accounting procedures set forth in Article 2 (commencing with Section 22010) shall enact an informal bidding ordinance to govern the selection of contractors to perform public projects pursuant to subdivision (b) of Section 22032. The ordinance shall include all of the following:

(a) The public agency shall maintain a list of qualified contractors, identified according to categories of work. Minimum criteria for development and maintenance of the contractors list shall be determined by the commission.

(b) All contractors on the list for the category of work being bid or all construction trade journals specified in Section 22036, or both all contractors on the list for the category of work being bid and all construction trade journals specified in Section 22036, shall be mailed a notice inviting informal bids unless the product or service is proprietary.

(c) All mailing of notices to contractors and construction trade journals pursuant to subdivision (b) shall be completed not less than 10 calendar days before bids are due.

(d) The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for the submission of bids.

(e) The governing body of the public agency may delegate the authority to award informal contracts to the public works director, general manager, purchasing agent, or other appropriate person.

(f) If all bids received are in excess of one hundred seventy-five thousand dollars (\$175,000), the governing body of the public agency may, by adoption of a resolution by a four-fifths vote, award the contract, at one hundred eighty-seven thousand five hundred dollars (\$187,500) or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

22035. (a) In cases of emergency when repair or replacements are necessary, the governing body may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts. The work may be done by day labor under the direction of the governing body, by contractor, or by a combination of the two.

(b) In case of an emergency, if notice for bids to let contracts will not be given, the public agency shall comply with Chapter 2.5 (commencing with Section 22050).

22035.5. In counties that are under court order to relieve justice facility overcrowding, the procedures and restrictions specified in Section 20134 shall apply to all contracts issued under this chapter.

22036. The commission shall determine, on a county-by-county basis, the appropriate construction trade journals which shall receive mailed notice of all informal and formal construction contracts being bid for work within the specified county.

22037. Notice inviting formal bids shall state the time and place for the receiving and opening of sealed bids and distinctly describe the project. The notice shall be published at least 14 calendar days before the date of opening the bids in a newspaper of general circulation, printed and published in the jurisdiction of the public agency; or, if there is no newspaper printed and published within the jurisdiction of the public agency, in a newspaper of general circulation which is circulated within the jurisdiction of the public agency, or, if there is no newspaper which is circulated within the jurisdiction of the public agency, publication shall be by posting the notice in at least three places within the jurisdiction of the public agency as have been designated by ordinance or regulation of the public agency as places for the posting of its notices. The notice inviting formal bids shall also be sent electronically, if available, by either facsimile or electronic mail and mailed to all construction trade journals specified in Section 22036. The notice shall be sent at least 15 calendar days before

the date of opening the bids. In addition to notice required by this section, the public agency may give such other notice as it deems proper.

22038. (a) In its discretion, the public agency may reject any bids presented, if the agency, prior to rejecting all bids and declaring that the project can be more economically performed by employees of the agency, furnishes a written notice to an apparent low bidder. The notice shall inform the bidder of the agency's intention to reject the bid and shall be mailed at least two business days prior to the hearing at which the agency intends to reject the bid. If after the first invitation of bids all bids are rejected, after reevaluating its cost estimates of the project, the public agency shall have the option of either of the following:

(1) Abandoning the project or re-advertising for bids in the manner described by this article.

(2) By passage of a resolution by a four-fifths vote of its governing body declaring that the project can be performed more economically by the employees of the public agency, may have the project done by force account without further complying with this article.

(b) If a contract is awarded, it shall be awarded to the lowest responsible bidder. If two or more bids are the same and the lowest, the public agency may accept the one it chooses.

(c) If no bids are received through the formal or informal procedure, the project may be performed by the employees of the public agency by force account, or negotiated contract without further complying with this article.

22039. The governing body of the public agency shall adopt plans, specifications, and working details for all public projects exceeding the amount specified in subdivision (c) of Section 22032.

22040. Any person may examine the plans, specifications, or working details, or all of these, adopted by the public agency for any project.

22041. This article does not apply to the construction of any public building used for facilities of juvenile forestry camps or juvenile homes, ranches, or camps established under Article 15 (commencing with Section 880) of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, if a major portion of the construction work is to be performed by wards of the juvenile court assigned to those camps, ranches, or homes.

22042. The commission shall review the accounting procedures of any participating public agency where an interested party presents evidence that the work undertaken by the public agency falls within any of the following categories:

(a) Is to be performed by a public agency after rejection of all bids, claiming work can be done less expensively by the public agency.

(b) Exceeded the force account limits.

(c) Has been improperly classified as maintenance.

22043. (a) In those circumstances set forth in subdivision (a) of Section 22042, a request for commission review shall be in writing, sent by certified or registered mail received by the commission postmarked no later than eight business days from the date the public agency has rejected all bids.

(b) In those circumstances set forth in subdivision (b) or (c) of Section 22042, a request for commission review shall be by letter received by the commission not later than eight days from the date an interested party formally complains to the public agency.

(c) The commission review shall commence immediately and conclude within the following number of days from the receipt of the request for commission review:

(1) Forty-five days for a review that falls within subdivision (a) of Section 22042.

(2) Ninety days for a review that falls within subdivision (b) or (c) of Section 22042.

(d) During the review of a project that falls within subdivision (a) of Section 22042, the agency shall not proceed on the project until a final decision is received by the commission.

22044. The commission shall prepare written findings. Should the commission find that the provisions of this chapter or of the uniform cost accounting procedures provided for in this chapter were not complied with by the public agency, the following steps shall be implemented by that agency:

(a) On those projects set forth in subdivision (a) of Section 22042, the public agency has the option of either (1) abandoning the project, or (2) awarding the project to the lowest responsible bidder.

(b) On those projects set forth in subdivision (b) or (c) of Section 22042, the public agency shall present the commission's findings to its governing body and that governing body shall conduct a public hearing with regard to the commission's findings within 30 days of receipt of the findings.

22044.5. If the commission makes a finding, in accordance with Section 22043, on three separate occasions within a 10-year period, that the work undertaken by a public agency falls within any of the categories described in Section 22042, the commission shall notify the public agency of that finding in writing by certified mail and the public agency shall not use the bidding procedures provided by this article for five years from the date of the commission's findings.

22045. (a) No later than January 1, 1985, the commission shall recommend, for adoption by the Controller, written procedures implementing the accounting procedures review provided for in this article.

(b) The Controller shall, upon receipt of the commission's recommendation, review and evaluate the recommended procedures and either formally adopt or reject the recommended procedures within 90 days of submission of the commission.



# City of Kerman

*"Where Community Comes First"*

MAYOR Gary Yep  
MAYOR PRO-TEM Doug Wilcox  
COUNCIL MEMBER Raj Dhalwal  
COUNCIL MEMBER Nathan Fox  
COUNCIL MEMBER Bill Nijjer

DEPARTMENT: CITY MANAGER  
STAFF REPORT  
CITY COUNCIL MEETING  
COUNCIL MEETING DATE: NOVEMBER 5, 2014

To: Mayor and City Council  
From: Luis Patlan, City Manager/Director of Planning  
Subject: Resolution Approving Ninth Amendment to Fresno Council of Governments' Joint Powers Agreement

## RECOMMENDATION

Council by motion adopt resolution approving the ninth amendment to the Fresno Council of Governments' Joint Powers Agreement.

## EXECUTIVE SUMMARY

At the September 25th meeting of the Fresno COG Policy Board, an agreement was approved between Fresno COG and Yosemite Area Regional Transportation System (YARTS). This agreement is for planning activities related to the CMAQ funding award for a Fresno to Yosemite Transit Demonstration Program. Although Fresno COG has the authorization from the existing JPA to conduct the necessary planning activities in the approved agreement with YARTS, the authorization to enter into a contract with YARTS for the operation of transit services is not designated. This was identified by County Counsel as a requirement before the anticipated CMAQ program release of funding commences.

## OUTSTANDING ISSUES

None.

## DISCUSSION

In 2013, the Fresno COG Policy Board approved a feasibility study to explore providing Transit Service to Yosemite and Sequoia-Kings Canyon National Parks from the cities of Fresno and Sanger. Based on this feasibility study and at the direction of the Fresno COG Policy Board, CMAQ Funding Grant Applications were prepared for transit demonstration projects to the national parks. The City of Sanger is the lead agency for the Fresno-Sanger to Sequoia-Kings Canyon Transit Demonstration Project, and Fresno COG is the lead agency for the Fresno to Yosemite Transit Demonstration Project. The Policy Board awarded CMAQ funds to provide for the first two years of operations of both projects, and the Air District provided matching funds for both projects. Fresno COG was also awarded a \$100,000 planning grant from Caltrans to do the initial planning and start up marketing for the Fresno to Yosemite Transit Demonstration Project.

At the September 25th meeting of the Fresno COG Policy Board, an agreement was approved between Fresno COG and Yosemite Area Regional Transportation System (YARTS). This agreement is for planning activities related to the CMAQ funding award for a Fresno to Yosemite Transit Demonstration Program. Although Fresno COG has the authorization from the existing JPA to conduct the necessary planning activities in the approved agreement with

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YARTS, the authorization to enter into a contract with YARTS for the operation of transit services is not designated. This was identified by County Counsel as a requirement before the anticipated CMAQ program release of funding commences.

Fresno COG requests authorization through an amendment to the existing JPA so that Fresno COG may act as lead agency, apply for and receive grant funding, enter into agreements to provide funding, administration and oversight for interregional public transportation services. Fresno COG's role as lead agency for interregional public transportation services between Fresno County and the abutting counties of Tulare, Kings, Merced, and Madera shall include oversight to assure that operators of interregional public transportation services provided through agreements with Fresno COG comply with state, local and federal regulations and requirements.

All Fresno COG JPA amendments are required to go out to each of our member agencies for an individual City Council and Board of Supervisors action on the proposed JPA amendment. The Amendment #9 is enclosed herein as Attachment 'A'.

**FISCAL IMPACT**

None.

**PUBLIC HEARING**

None required.

**Attachments:**

- A. Resolution w/Exhibit 'A'

Attachment 'A'

RESOLUTION 14-\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING NINTH AMENDMENT TO THE FRESNO COUNCIL OF GOVERNMENTS JOINT POWERS AGREEMENT

Whereas, the member agencies entered into a Joint Powers Agreement (JPA) creating the Fresno Council of Governments (FCOG) on March 25, 1976 and thereafter amended such JPA on eight separate occasions; and

WHEREAS, the Fresno Council of Governments (FCOG) and its member agencies desire to amend the FCOG JPA for a ninth time to allow FCOG to enter into agreements with other entities to operate interregional public transportation services between Fresno county and the abutting counties of Tulare, Kings, Merced, and Madera; and

NOW, THEREFORE, the member agencies agree to the ninth amendment to the Fresno Council of Governments Joint Powers Agreements as set forth in Exhibit 'A'.

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Kerman held on November 5, 2014 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

APPROVED:

\_\_\_\_\_  
Gary Yep  
Mayor

ATTEST:

\_\_\_\_\_  
Marci Reyes  
City Clerk

Exhibit 'A'

NINTH AMENDMENT TO  
FRESNO COUNCIL OF GOVERNMENTS'  
JOINT POWERS AGREEMENT

This Ninth amendment to the Fresno Council of Governments' Joint Powers Agreement is made and entered into by and between the County of Fresno, a political subdivision of the State of California, and the Cities of Fresno, Clovis, Coalinga, Firebaugh, Fowler, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, Huron, Sanger, San Joaquin, and Selma all being municipal corporations of the State of California (hereinafter collectively referred to as "the member agencies").

WHEREAS, the member agencies entered into a Joint Powers Agreement (JPA) creating the Fresno Council of Governments (FCOG) on March 25, 1976 and thereafter amended such JPA on eight separate occasions; and

WHEREAS, the Fresno Council of Governments (FCOG) and its member agencies desire to amend the FCOG JPA for a ninth time to allow FCOG to enter into agreements with other entities to operate interregional public transportation services between Fresno county and the abutting counties of Tulare, Kings, Merced, and Madera; and

NOW, THEREFORE, the member agencies agree as set forth below:

1. Chapter 2 "Power and Duties" of the JPA shall be amended to add section 2.11, which shall state in its entirety as follows:

2.11 Interregional Public Transportation Services.

*The Fresno COG may act as lead agency, apply for and receive grant funding, enter into agreements to provide funding, administration and oversight for interregional public transportation services. Fresno COG's role as lead agency for interregional public transportation services between Fresno County and the abutting counties of Tulare, Kings, Merced, and Madera shall include oversight to assure that operators of interregional public transportation services provided through agreements with Fresno COG comply with state, local and federal regulations and requirements.*

2. All other provisions of the FCOG JPA not in conflict with this Amendment shall remain in full force and effect.

3. This Agreement shall take effect upon its execution by Authorized Signatory of the legislative bodies of all the member agencies.

IN WITNESS WHEREOF, the member agencies hereto have caused this Ninth Amendment to the FCOG JPA to be executed by their duly authorized representatives.

\_\_\_\_\_  
Gary Yep, Mayor  
City of Kerman

\_\_\_\_\_  
Date

**CITY OF KERMAN  
CD/Securities Portfolio  
As of September 30, 2014**

Institution	Account Number	Interest Rate/ Trans. Date	Opening Date	Maturity Date	6/30/2014 Book Balance	Additions/ (Deletions)	Cashed In	6/30/2015 Book Balance	Fair Value	FY to Date Interest Paid
<b>CD's:</b>										
Pacific Mercantile Bank	80900343	0.95%	1/22/08	1/22/14	99,000.00			99,000.00	99,000.00	252.13
American Express Centurion Bank	615-030525-245	1.20%	8/11/11	8/11/14	52,000.00	(52,000.00)		-	-	309.44
CIT Bank	615-030525-245	1.15%	8/10/11	8/11/14	46,000.00	(46,000.00)		-	-	263.78
World Financial Network NB	615-030525-245	1.25%	8/31/11	8/29/14	200,000.00	(200,000.00)		-	-	-
Ally Bank	615-030525-245	1.75%	10/8/10	10/8/14	100,000.00			100,000.00	100,020.00	-
CIT Bank, Salt Lake City, UT	615-030525-245	1.50%	5/4/11	11/4/14	99,000.00			99,000.00	99,094.05	-
GE Money Bank	615-030525-245	1.70%	11/5/10	11/5/14	97,000.00			97,000.00	97,106.70	-
GE Money Bank	615-030525-245	1.70%	1/21/11	1/21/15	100,000.00			100,000.00	100,376.00	843.01
State Bank of India	615-030525-245	2.00%	3/24/11	3/24/15	98,000.00			98,000.00	98,676.20	988.05
Ally Bank, Midvale	615-030525-245	1.80%	6/8/11	6/8/15	147,000.00			147,000.00	148,471.47	-
EverBank	615-030525-245	0.70%	12/14/12	6/15/15	98,000.00			98,000.00	98,332.22	-
Mercantile Bank of Michigan	615-030525-245	2.00%	1/21/11	7/21/15	150,000.00			150,000.00	151,797.00	1,487.67
GE Money Bank	615-030525-245	1.50%	8/5/11	8/5/15	50,000.00			50,000.00	50,383.50	371.92
Sallie Mae Bank	615-030525-245	1.10%	8/8/12	8/10/15	97,000.00			97,000.00	97,511.19	529.12
Safra National Bank	615-030525-245	0.70%	8/15/13	8/17/15	100,000.00			100,000.00	100,085.00	347.12
Discover Bank	615-030525-245	1.55%	9/14/11	9/14/15	99,000.00			99,000.00	100,236.51	773.56
State Bank of India	615-030525-245	2.25%	9/29/10	9/29/15	100,000.00			100,000.00	101,570.00	1,134.25
Lake City Bank	615-030525-245	0.55%	1/29/14	1/29/16	95,000.00			95,000.00	94,972.45	131.71
Discover Bank Greenwood	615-030525-245	1.35%	2/1/12	2/1/16	51,000.00			51,000.00	51,720.63	341.42
Goldman Sachs Bank	615-030525-245	1.40%	2/1/12	2/1/16	48,000.00			48,000.00	48,389.76	333.24
Synovus Bank	615-030525-245	0.50%	3/17/14	3/17/16	100,000.00			100,000.00	99,777.00	-
Doral Bank	615-030525-245	0.70%	6/12/13	6/13/16	149,000.00			149,000.00	148,897.19	-
Doral Bank San Juan PR	615-030525-245	1.20%	6/28/12	6/28/16	99,000.00			99,000.00	99,873.18	-
State Bank of India	615-030525-245	2.00%	8/12/11	8/12/16	47,000.00			47,000.00	47,902.40	466.14
Medallion Bank	615-030525-245	1.00%	8/19/13	8/19/16	100,000.00			100,000.00	100,271.00	495.89
Goldman Sachs Bank USA	615-030525-245	1.85%	8/31/11	8/31/16	200,000.00			200,000.00	203,300.00	1,865.21
Firstbank of Puerto Rico	615-030525-245	1.10%	1/25/13	1/25/17	53,000.00			53,000.00	53,089.04	146.96
Firstbank of Puerto Rico	615-030525-245	0.90%	3/1/13	3/1/17	196,000.00			196,000.00	195,929.44	294.81
CIT Bank	615-030525-245	0.90%	3/27/13	3/27/17	98,000.00			98,000.00	98,007.84	149.82
Ge Capital Bank	615-030525-245	1.10%	5/8/14	5/16/17	248,000.00			248,000.00	247,198.96	444.62
American Express Centurion Bank	615-030525-245	1.70%	7/26/12	7/26/17	98,000.00			98,000.00	99,003.52	826.15
Sallie Mae Bank	615-030525-245	1.70%	8/22/12	8/22/17	150,000.00			150,000.00	151,918.50	1,264.52
1st Merchants	615-030525-245	1.00%	3/21/14	9/21/17	96,000.00			96,000.00	95,886.72	-
Third Federal	615-030525-245	1.15%	2/21/14	11/21/17	99,000.00			99,000.00	99,008.91	564.57
Bank of Baroda	615-030525-245	1.25%	3/8/13	3/8/18	248,000.00			248,000.00	246,556.64	1,562.74
Wells Fargo Bank in SD	615-030525-245	1.00%	3/28/13	3/29/18	248,000.00			248,000.00	247,384.96	-
American Express Centurion Bank	615-030525-245	1.15%	5/16/13	5/16/18	98,000.00			98,000.00	96,931.80	625.10
Compass Bank	615-030525-245	1.70%	7/31/13	7/31/18	97,000.00			97,000.00	97,743.02	817.72
American Express Bank, FSB	615-030525-245	1.25%	8/14/14	8/14/18		98,000.00		98,000.00	97,311.06	-
Barclays Bank	615-030525-245	1.90%	4/15/14	4/15/19	248,000.00			248,000.00	247,541.20	-
BMW Salt Lake City UT	615-030525-245	1.95%	6/20/14	6/20/19	200,000.00			200,000.00	198,800.00	-
	Average Rate	<b>1.25%</b>								
Subtotal - CD's					<b>4,798,000.00</b>	<b>(200,000.00)</b>	<b>-</b>	<b>4,598,000.00</b>	<b>4,610,075.06</b>	<b>17,630.67</b>

**Government Securities:**



CITY OF KERMAN  
 CD/Securities Portfolio  
 As of September 30, 2014

Institution	Account Number	Interest Rate/ Trans. Date	Opening Date	Maturity Date	6/30/2014 Book Balance	Additions/ (Deletions)	Cashed In	6/30/2015 Book Balance	Fair Value	FY to Date Interest Paid
<b>SUCCESSOR AGENCY</b>										
Total - CD's					-	-	-	-	-	-
CVCB Money Market Accts	015029549				131,388.51			131,388.51		
Beginning Balance										
Interest			7/31/14			4.46		4.46		4.46
			8/31/14			4.46		4.46		4.46
			9/30/14			4.03		4.03		4.03
								-		-
								-		-
								-		-
								-		-
								-		-
								-		-
								-		-
Transfers In/(Out)			9/29/14			(131,397.43)		(131,397.43)		
			9/29/14					-		
								-		
								-		
<b>Subtotal CVCB Money Market</b>					131,388.51	(131,384.48)	-	4.03	4.03	12.95
<b>Subtotal SBI Money Market</b>					-	-	-	-	-	-
<b>Ending Balance - Money Market Accts</b>					131,388.51	(131,384.48)	-	4.03	4.03	12.95
<b>Subtotal All Successor Agency Investments</b>					131,388.51	(131,384.48)	-	4.03	4.03	12.95
<b>Total Investments</b>					5,280,214.02	(331,384.48)	-	4,948,829.54	4,960,904.60	18,319.13
								Market Value Adjustment	12,075.06	
								(331,384.48)		
								(331,384.48)		
								(0.00)		



# City of Kerman

*"Where Community Comes First"*

MAYOR Gary Yep  
MAYOR PRO-TEM Doug Wilcox  
COUNCIL MEMBER Raj Dhalwal  
COUNCIL MEMBER Nathan Fox  
COUNCIL MEMBER Bill Nijjer

DEPARTMENT: CITY MANAGER  
STAFF REPORT  
CITY COUNCIL MEETING  
COUNCIL MEETING DATE: NOVEMBER 5, 2014

To: Mayor and City Council  
From: Luis Patlan, City Manager/Director of Planning  
Subject: First Amendment to Solar Power Purchase Agreement with Borrego Solar

## RECOMMENDATION

Council by motion consider approving First Amendment to Solar Power Purchase Agreement with Borrego Solar to expand solar array at wastewater treatment plant and authorize the City Manager to execute the agreement.

## EXECUTIVE SUMMARY

Borrego Solar has evaluated the feasibility of expanding the solar array to produce additional solar generated power for the wastewater treatment plant (WWTP) as well as city-wide electrical use. They concluded that the existing system can be expanded from its current 487 kW DC power to 1,164 kW DC power. This additional solar production would result in a projected 33% savings on electrical costs to power the WWTP and a 17% savings on city-wide meters. The existing Power Purchase Agreement (PPA) will need to be amended to expand the solar array. The amended PPA would be for a 25 year term with a 2.25% escalation rate. The existing solar PPA is for a 20 year term with a 2% escalator. The First Amendment to the Solar Power Purchase Agreement is enclosed herein as Attachment 'A'.

## OUTSTANDING ISSUES

On October 30, 2012, the City of Kerman entered into a twenty year solar Power Purchase Agreement with Borrego Solar for the installation of a 487 kW solar array at the Wastewater Treatment Plant. The solar array went on-line in September of 2013 and is producing approximately 938,525 kWh of electricity. The solar array was designed to offset approximately 35% of the utility costs to operate the WWTP. However, the electrical demand to operate the WWTP increased after the system was installed thereby reducing the overall savings to about 5%. Although staff identified several operational issues that might have caused the increase in demand, it was concluded after evaluating the electrical load over the past three years, that these issues alone were not the cause and that the current electrical use is what is needed to operate the new plant.

## DISCUSSION

On July 16, 2014, Borrego Solar made a presentation to the Council on the status of the solar array at the wastewater treatment plant. Borrego reported that the system was performing at 105% of expected production. They determined that the electrical usage at the wastewater treatment plant was actually greater compared to the electrical usage when the solar system was designed. Because the solar system is undersized, the City is not enjoying the maximum savings projected when the system was installed.

Borrego Solar discussed two possible options for the Council to consider. The first option would be to expand the existing solar array to generate more power for the WWTP. The second option would be to expand the system to cover not only the WWTP but include all city meters under the Renewable Energy Self-Generation Bill Credit Transfer (RES-BCT) tariffs. After some discussion, the Council asked Borrego to evaluate the feasibility of the two options and report back at a later date.

Borrego Solar has completed their evaluation and determined that option two was the best option. They recommend expanding the solar array to add approximately 677 kW DC to create an additional 1,328,219 kWh of electricity. This expansion would result in an off-set of electrical costs at the WWTP by 33% and 17% for city-wide meters. Borrego does not believe that the first option is feasible due to the capitalization costs for a small expansion to the existing array.

According to Borrego, local governments are allowed to install up to 5 megawatt of renewable energy per location under the Renewable Energy Self-Generation Bill Credit Transfer (RES-BCT) tariffs approved by the CPUC. In summary, these RES-BCT tariffs allow local governments to generate electricity at one account and transfer any available excess bill credits (in dollars) to another account owned by the same local government. Thus, the City can expand the solar array and apply the excess credits to the City's 15 metered accounts.

The amended Solar Power Purchase Agreement would be for twenty five (25) years and feature a 2.25% escalator. Table 1 compares the current PPA with the amended PPA. The primary difference is the term for 25 years and the annual escalator is at 2.25%.

Current PPA				Amended PPA			
Term	Escalator	PPA Rate	System Size	Term	Escalator	PPA Rate	System Size
20 Years	2.0%	\$0.1224	487 kW	25	2.25%	\$0.1224	1.1 MW

Under the amended PPA, the cost to enlarge the solar array would be covered 100% by Borrego Solar with no cost to the City of Kerman. Borrego Solar would continue to operate and maintain the solar array. The City Attorney has reviewed the amended PPA and the agreement incorporates his revisions.

**FISCAL IMPACT**

Expansion of solar array will result in a projected off-set of electricity costs at the wastewater treatment plant by 33% and at all city meters by 17%. There is no cost to the City for the expansion of the solar array under the amended Power Purchase Agreement.

**PUBLIC HEARING**

None required

Attachments:

- A. First Amendment to Solar Purchase Agreement

Attachment 'A'

FIRST AMENDMENT TO  
SOLAR POWER PURCHASE AGREEMENT

This first Amendment (this "Amendment") dated September \_\_\_\_, 2014 (the "Amendment Date") to the Solar Power Purchase Agreement dated as of October 30, 2012 (the "Agreement") by and between the City of Kerman, a California municipal corporation (the "City") and Kerman Solar 1, LLC, a Delaware limited liability company, as such Agreement was subsequently assigned to CES Kerman Solar, LLC, a Delaware limited liability company ("CES Kerman" or "Provider") (each of the City and CES Kerman, a "Party" and, collectively, the "Parties").

WHEREAS, the Parties desire to amend certain terms of the Agreement as set forth herein in order to set forth the Parties' rights and obligations in connection with a proposed expansion in the size and output of the System.

NOW, THEREFORE, in consideration of the mutual promises set forth below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Definitions. Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Agreement.
2. Term. The first sentence of Section 2.1 of the General Terms and Conditions of the Agreement is hereby modified to read as follows: "The term of the Agreement shall commence on the Effective Date and shall continue for twenty-five (25) years from the Commercial Operation Date ("Initial Term"), unless and until terminated earlier pursuant to the provisions of the Agreement."
3. Provider Conditions of the Agreement. The first sentence of Section 2.6 of the General Terms and Conditions is hereby modified to read as follows: "In the event that any of the following events or circumstances occur prior to the Commercial Operation Date for either: (i) the System as initially installed or (ii) any subsequent expansion of the System for which an amendment to the Agreement may subsequently be executed by the Parties, Provider may (at its sole discretion, and no later than the Commercial Operation Deadline for that portion of the System then under consideration) terminate the Agreement, in which case neither Party shall have any liability to the other Party:". In addition, a new subparagraph (l) is added to Section 2.6 as follows: "(l) Provider has not received written confirmation from the California State Board of Equalization that no sales tax will be owed on the output from the expanded portion of the System."
4. Description of the Premises and the System. Schedule 1 ("Description of the Premises and the System") of the Agreement is hereby deleted in its entirety and replaced by the Schedule 1 attached hereto
5. Site Plan. Schedule 2 ("Site Plan") of the Agreement is hereby deleted in its entirety and replaced by the Schedule 2 attached hereto.
6. kWh Rate. Effective as of the Commercial Operation Date of the expansion of the System, Schedule 3 ("kWh Rate") of the Agreement is hereby deleted in its entirety and replaced by the Schedule 3 attached hereto.
7. Terminal Values. Schedule 4 ("Terminal Values") of the Agreement is hereby deleted in its entirety and replaced by the Schedule 4 attached.
8. Estimated Annual Production. Schedule 5 ("Estimated Annual Production") of the PPA is hereby deleted in its entirety and replaced by the Schedule 5 attached hereto.
9. Effect of Amendment. This Amendment shall not become effective unless and until it has been approved in writing by the Parties and the condition precedent in Section 3, above, has been satisfied. Except as specifically modified and amended in this Amendment, there are no other modifications or amendments to the Agreement and, in all other respects, the Agreement shall remain in full force and effect.

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10. Conflicts. In the event of any conflict, inconsistency, or incongruity between the provision of this Amendment and any provision of the Agreement, the provisions of this Amendment shall govern and control.

11. Counterpart Execution. This Amendment may be executed by the Parties hereto in any number of counterparts (and by each of the Parties hereto on separate counterparts), each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute but one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this First Amendment to The Solar (PV) Generation Net Metering Power Sales Agreement to be executed by their duly authorized representatives as of the Amendment Date.

CES KERMAN SOLAR, LLC

CITY OF KERMAN

By: \_\_\_\_\_  
Name: Jorge J. Lopez  
Title: President and Chief Executive Officer

By: \_\_\_\_\_  
Name: Luis Patlan  
Title: City Manager

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SCHEDULE 1

DESCRIPTION OF THE PREMISES AND THE SYSTEM

Premises: City of Kerman Waste Water Treatment Plant, 15485 W. Church  
Kerman, CA 93630

System Size: 1,163.99 STC (DC) Watts

Scope:

1. Design and install an additional 676.79 kW (201.6 kW STC + 475.19 kW) solar array on an existing parcel of real property as shown on Exhibit C of this Amendment. The original 487.2kW STC (DC) watt array is currently operational at the Premises.
2. Inverters
  - a. The inverter(s) will be mounted on a concrete slab at the center of the solar array for the original 487.2kW array.
  - b. The string inverter(s) will be located at the end of arrays for the proposed 676.79kW expanded array.
3. Conduit.
  - a. All trenching will be backfilled with slurry and capped with material matching the original surface for all road crossings or parking lots, all other trenching will be compacted to 90%.
4. Internet service
  - a. Account setup and installation of all wiring and hardware for internet service to the system. Host will pay the monthly internet service fee up to \$30 per month once the system has been set up and operational by Provider.
5. Host will allow Provider to use 50 amp 120/220 volt single phase power during construction. Provider shall furnish and install all equipment and materials for temporary power.
6. The lay down yard area during construction shall be limited to a mutually agreed upon area by both Provider and Host. All deliveries and construction activities shall be coordinated with Host to minimize conflict with operations. The construction work area and lay down yard shall be cleaned at the end of each work area as needed to minimize interference with Host access and operations.
7. Provider's employees and subcontractors will limit their activities to their work area. Provider shall furnish for their use portable toilets, dumpsters, equipment, phones, office space, and secured storage as needed for their work during construction.
8. Provider shall allow Host to review and approve, such approval shall not be unreasonably withhold or delayed, 50%, and final construction drawings before starting construction to ensure that aesthetic and scope elements are properly addressed.

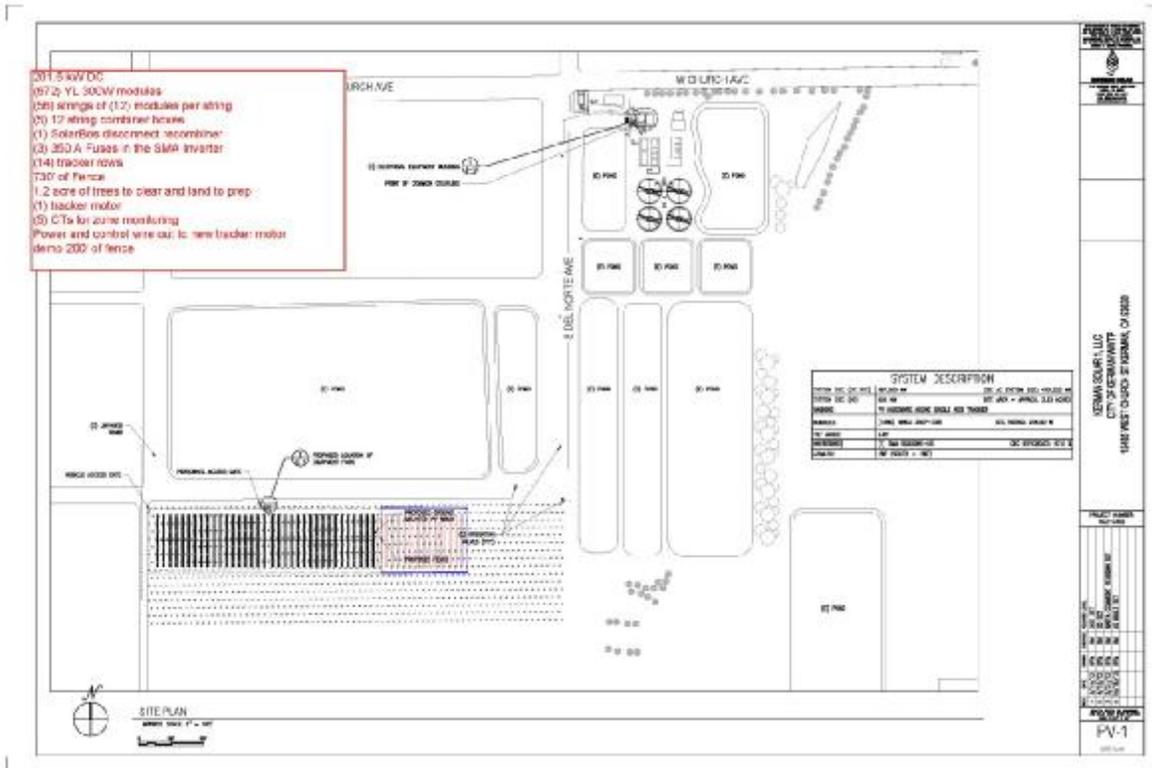
Module(s): YingLi 280W, CSI 305W, YL 300W or Equivalent

Inverter: SMA 500HE, SMA (16) SMA STP- 24TL & (1) SMA STP-12TL or Equivalent

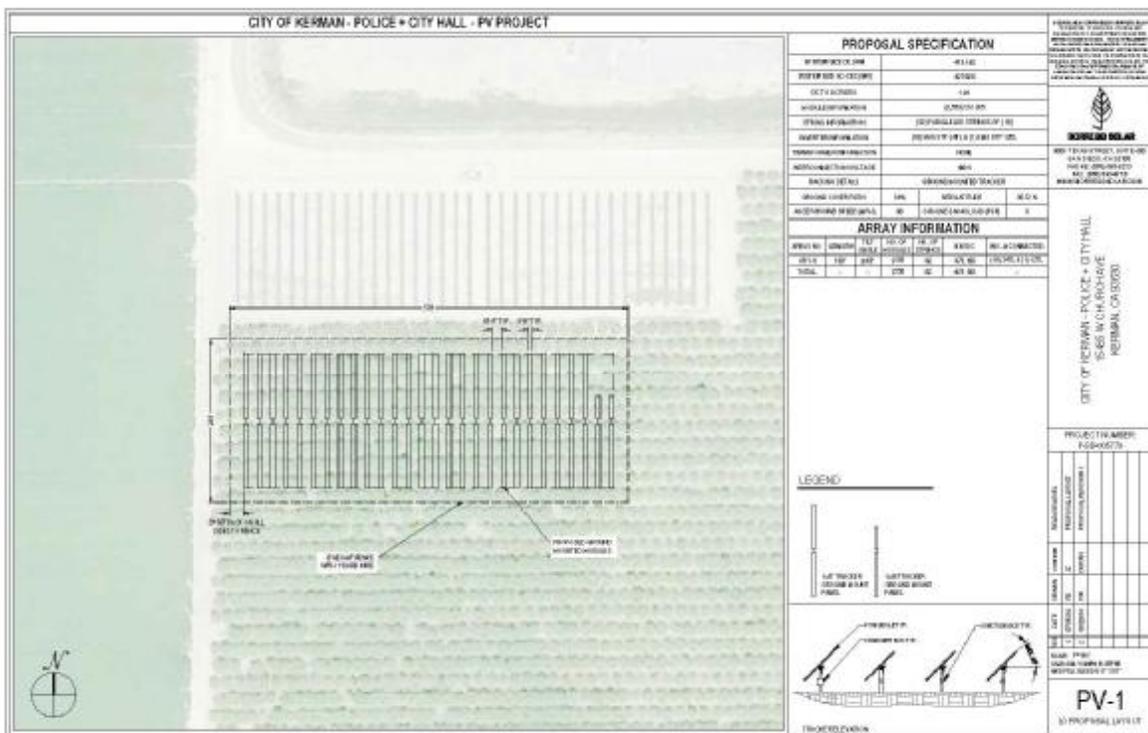
**SCHEDULE 2**

**SITE PLAN**

Existing 487.2kW and the additional adjacent 201.6kW solar photovoltaic array



Additional 475.19kW to be installed into new meter



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SCHEDULE 3

kWh RATE

The kWh Rate with respect to the System under the Agreement shall be \$0.1224/kWh for the term of the Agreement with a 2.25% annual escalator in the kWh rate.

SCHEDULE 4

TERMINAL VALUES

The applicable Terminal value with respect to the System under the Agreement shall be calculated in accordance with the following:

Terminal Value in Year of Term:	<u>Column 1</u> <u>Circumstances Under Which Host Does Not Take Title to the System (\$ including costs of removal)</u>	Purchase Date Occurs on the 91st day following: (Each "Anniversary" below shall refer to the anniversary of the Commercial Operation Date)	<u>Column 2</u> <u>Circumstances Under Which Host Takes Title to the System (\$, does not include costs of removal)</u>
1	\$4,542,355		
2	\$4,151,189		
3	\$3,686,293		
4	\$3,241,186		
5	\$2,792,473		
6	\$2,455,403	6 <sup>th</sup> Anniversary**	\$2,136,803
7	\$2,383,412	7 <sup>th</sup> Anniversary	\$2,064,812
8	\$2,308,550	8 <sup>th</sup> Anniversary	\$1,989,950
9	\$2,230,570	9 <sup>th</sup> Anniversary	\$1,911,970
10	\$2,149,201	10 <sup>th</sup> Anniversary	\$1,830,601
11	\$2,064,156	11 <sup>th</sup> Anniversary	\$1,745,556
12	\$1,975,120	12 <sup>th</sup> Anniversary	\$1,656,520
13	\$1,881,753	13 <sup>th</sup> Anniversary	\$1,563,153
14	\$1,783,690	14 <sup>th</sup> Anniversary	\$1,465,090
15	\$1,680,535	15 <sup>th</sup> Anniversary	\$1,361,935
16	\$1,571,857	16 <sup>th</sup> Anniversary	\$1,253,257
17	\$1,457,198	17 <sup>th</sup> Anniversary	\$1,138,598
18	\$1,336,057	18 <sup>th</sup> Anniversary	\$1,017,457
19	\$1,207,893	19 <sup>th</sup> Anniversary	\$889,293
20	\$1,072,123	20 <sup>th</sup> Anniversary	\$753,523
21	\$841,797	21 <sup>th</sup> Anniversary	\$523,197
22	\$749,728	22 <sup>th</sup> Anniversary	\$431,128
23	\$657,659	23 <sup>th</sup> Anniversary	\$339,059
24	\$565,590	24 <sup>th</sup> Anniversary	\$246,990
25	\$473,521	25 <sup>th</sup> Anniversary	\$154,921

\*\* Purchase Date refers to the Purchase Date as defined in the General Conditions. Any purchase of the System by Host must comply with Section 2.3 of the General Conditions.

SCHEDULE 5

ESTIMATED ANNUAL PRODUCTION

Year of Term	Estimated Production (kWh)
1	2,268,797
2	2,257,453
3	2,246,166
4	2,234,935
5	2,223,761
6	2,212,642
7	2,201,579
8	2,190,571
9	2,179,618
10	2,168,720
11	2,157,876
12	2,147,087
13	2,136,351
14	2,125,670
15	2,115,041
16	2,104,466
17	2,093,944
18	2,083,474
19	2,073,057
20	2,062,691
21	2,052,378
22	2,042,116
23	2,031,905
24	2,021,746
25	2,011,637



MAYOR Gary Yep  
MAYOR PRO-TEM Doug Wilcox  
COUNCIL MEMBER Raj Dhaliwal  
COUNCIL MEMBER Nathan Fox  
COUNCIL MEMBER Bill Nijjer

DEPARTMENT: PLANNING & DEVELOPMENT SERVICES  
STAFF REPORT  
CITY COUNCIL MEETING  
COUNCIL MEETING DATE: NOVEMBER 5, 2014

To: Mayor and City Council  
From: Gary Horn, City Engineer  
Subject: Resolution Appointing City Engineer and City Surveyor

## RECOMMENDATION

Council by motion adopt resolution appointing Jerry Jones as the City Engineer and David Horn as the City Surveyor.

## EXECUTIVE SUMMARY

Yamabe & Horn Engineering, Inc. has an agreement with the City of Kerman to provide ongoing engineering services. Gary Horn has been the designated City Engineer since 1993. He is retiring from this position on January 1, 2015 and recommends that the Council designate Jerry Jones as the new City Engineer and David Horn as the new City Surveyor.

## OUTSTANDING ISSUES

None.

## DISCUSSION

The City Engineer performs tasks as assigned by the City Manager and Public Works Director. Gary Horn has been the City Engineer since 1993. He received his Civil Engineering license in 1979 and is authorized to perform not only civil engineering tasks, but also land surveying. In his function as City Engineer Gary signs parcel maps and tract maps attesting to their technical accuracy. He is retiring as City Engineer effective January 1, 2015, but will still work for Yamabe & Horn Engineering in a limited capacity. He will be available to provide assistance on Kerman projects as needed.

Gary Horn is recommending that the City Council appoint Jerry Jones as the City Engineer and David Horn as the City Surveyor. The State of California revised the Professional Engineers' Act such that Civil Engineers licensed after 1982 could no longer practice land surveying, which includes signing survey maps. Jerry Jones received his civil engineering license after 1982 and therefore cannot sign survey maps on behalf of the City. David Horn is a licensed civil engineer and land surveyor and can sign survey maps on behalf of the City. Both are employed by Yamabe & Horn Engineering.

Jerry Jones has been the unofficial Assistant City Engineer for the past 6 years, and has assumed increasing responsibilities for design of capital improvements, development plan review, interaction with other public agencies, and working with City Staff. Jerry is well qualified to provide the City with high quality engineering services.

On a personal note, I would like to thank the City Council, City Staff and the people of Kerman for the opportunity to serve the City over the past 20 years. My experience with the City has truly been the highlight of my professional career. It has been a pleasure working with all of those on the team to make the City of Kerman a better place to live. I know that Jerry Jones will provide the City of Kerman with the quality engineering services it deserves.

**FISCAL IMPACT**

None.

**PUBLIC HEARING**

None required.

Attachments:

- A. Resolution

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Attachment 'A'

RESOLUTION NO. 14-\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN  
APPOINTING CITY ENGINEER AND CITY SURVEYOR

WHEREAS, the City of Kerman has an Agreement for Professional Engineering Services with Yamabe & Horn Engineering, Inc. dated October 12, 2009 to provide City Engineering services for the City and;

WHEREAS, Gary Horn has been designated by Yamabe & Horn as the individual to be the City Engineer and City Surveyor; and

WHEREAS, Gary Horn desires to resign as City Engineer effective January 1, 2015; and

WHEREAS, Yamabe & Horn desires to designate Jerry Jones as the civil engineer to be designated as City Engineer and David Horn as the designated City Surveyor for the City of Kerman.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN RESOLVES that effective January 1, 2015 Jerry Jones shall be designated as the City Engineer and David Horn shall be designated as City Surveyor for the City of Kerman.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 5<sup>th</sup> day of November, 2014, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

\_\_\_\_\_  
Gary Yep  
Mayor

ATTEST:

\_\_\_\_\_  
Marci Reyes  
City Clerk