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AGENDA
KERMAN CITY COUNCIL
REGULAR MEETING
Kerman City Hall
850 S. Madera Avenue
Wednesday, August 19, 2015
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

Stephen B. Hill – Mayor
Gary Yep – Mayor Pro Tem
Rhonda Armstrong – Council Member
Nathan Fox – Council Member
Bill Nijjer – Council Member

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.

OPENING CEREMONIES

- Welcome – Mayor
- 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. Swearing In of New Reserve Officers Matthew Beye, Ray Raigoza and Jose Valdovinos (JKB)

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: August 5, 2015

B. SUBJECT: Payroll

Payroll Report: July 19 - August 1, 2015; $138,055.25; Overtime: $4,300.10; Standby: $1,241.15; Comp Time Earned: 11.25

RECOMMENDATION: Council approve payroll as presented.

ATTACHMENTS: Payroll/Overtime Report

C. SUBJECT: Warrants

1. Nos. 6910 - 7010: $175,714.72
2. Expecting - Sebastian: 6964 - $2,673.38; 6998 -$260.00; 6999 - $417.29
   Valley Food Center: 6975 - $44.28

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

ATTACHMENTS: Accounts Payable

D. SUBJECT: Resolution Approving Agreement with San Joaquin Valley Railroad for the Goldenrod Avenue Crossing (JJ)

RECOMMENDATION: Council by motion adopt resolution approving agreement with San Joaquin Valley Railroad for the improvement of the Goldenrod Avenue crossing and authorize the interim City Manager to sign the agreement on behalf of the City.

ATTACHMENTS: Staff Report - SJVRR Agreement

3. PUBLIC HEARINGS

None

4. DEPARTMENT REPORTS

A. SUBJECT: First Reading and Introduction of Ordinance Adding Section 17.94 to Title 17 of the Kerman Municipal Code To Comply with AB2188 Regarding Expedited Permit Processing For Small Residential Roof Top Solar Systems (OP)

RECOMMENDATION: Council introduce and waive further reading of Ordinance adding section 17.94 to Title 17 of the Kerman Municipal Code to comply with AB 2188 regarding expedited permitting procedures for small residential roof top solar and set a public hearing for September 16, 2015.

ATTACHMENTS: Staff Report - Ordinance Rooftop Solar

B. SUBJECT: Interim Urgency Ordinance Enacted Pursuant to California Government Code Section 65858 Temporarily Prohibiting the Establishment of Businesses Offering Massages Pending Study and Adoption of Regulatory and Zoning Standards (JK/HCM)

RECOMMENDATION: Council by motion adopt the Interim Urgency Ordinance Temporarily Prohibiting the Establishment of Businesses Offering Massages Pending Study and Adoption of Regulatory and Zoning Standards.

ATTACHMENTS: Staff Report - Emergency Ordinance

C. SUBJECT: Resolution Urging the State to Provide New Sustainable Funding for State and Local Transportation Infrastructure (JK)

RECOMMENDATION: Council by motion adopt resolution urging Governor and Legislature to identity a sufficient and stable funding source for local street and road and state highway maintenance and rehabilitation.

ATTACHMENTS: Staff Report - State and Local Transportation Funding Source

D. SUBJECT: Resolution Approving Agreement for Community Development Block Grant (CDBG) Funds for the Kerman Soroptimist Park ADA Restroom Improvements Project (JJ)

RECOMMENDATION: Council by motion adopt the resolution approving the agreement for Community Development Block Grant funds for the Kerman Soroptimist Park ADA Restroom Improvements Project No. 15371.

ATTACHMENTS: Staff Report - Soroptimist CDBG

E. SUBJECT: Resolution Amending Purchasing Policy Relating to Personnel Consulting Services (JK)

RECOMMENDATION: Council by motion adopt resolution amending the City Purchasing Policy relating to Personnel Consulting Services.

ATTACHMENTS: Staff Report - Purchasing Policy

5. CITY MANAGER/STAFF COMMUNICATIONS

6. MAYOR/COUNCIL REPORTS

7. CLOSED SESSION

None

8. ADJOURNMENT

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.

MINUTES
KERMAN CITY COUNCIL
REGULAR MEETING
Kerman City Hall
850 S. Madera Avenue
Wednesday, August 05, 2015
6:30 PM

Stephen B. Hill – Mayor
Gary Yep – Mayor Pro Tem
Rhonda Armstrong – Council Member
Nathan Fox – Council Member
Bill Nijjer – Council Member

Present: Mayor Hill (SH) Rhonda Armstrong (RA) Gary Yep (GY), Nijjer (BN) Absent: Fox (NF) Also Present: City Attorney Cantú, Chief of Police, Building & Maintenance Supervisor, Finance Director, Public Works Director, City Engineer	Voting: Yes, No, Absent (Abstain if needed)
OPENING CEREMONIES	
• Welcome – Mayor • Call to Order	6:30 p.m.
• Roll Call	All present except NF
• Pledge of Allegiance – City Clerk	
AGENDA APPROVAL/ADDITIONS/DELETIONS	Approved GY/BN (4-0-1)
1. PRESENTATIONS/CEREMONIAL MATTERS	
A. Presentation from Preston Prince on the 75th Anniversary of the Fresno Housing Authority	Emily De La Guerra/ Shaneece Childress
REQUEST TO ADDRESS COUNCIL	Paulina Lusk, ACS
2. CONSENT CALENDAR	Approved excepting 6865 RA/GY (4-0-1) NF
A. SUBJECT: Minutes RECOMMENDATION: Council approve minutes as presented.	
B. SUBJECT: Payroll Payroll Report: July 5, 2015 - July 18, 2015: $144,642.26; Retro Pay: $18.17; Overtime: $7,514.68; Standby: $1,088.86; Comp Time Earned: 18.75 RECOMMENDATION: Council approve payroll as presented.	
C. SUBJECT: Warrants 1. Nos. 6787-6909: $512,269.48 2. Excepting - Valley Food 6865-$54.22 RECOMMENDATION: Council approve warrants and electronic bank transfers as presented. (Pursuant to Government Code 37208)	Approved 6865 RA/BN (3-0-1-1) NF/GY
D. SUBJECT: Water Conservation Leak Notification Report (KM) RECOMMENDATION: Informational only.	

E. SUBJECT: Monthly Investment Report Ending June 30, 2015 (TJ)

RECOMMENDATION: Council accept the Monthly Investment Report as presented

F. SUBJECT: Third Year Funding of State Law Enforcement Grant

RECOMMENDATION: Council approve Addendum No. 2 to Joint Law Enforcement Memorandum of Understating (MOU) between the County of Fresno, all fifteen cities in the County, and the California Board of State and Community Corrections (BSCC) and authorize the Chief of Police to sign on behalf of the City.

G. SUBJECT: Resolution Approving First Amendment to Employment Agreement with Police Chief Blohm (HCM)

RECOMMENDATION: Council consider and by motion adopt resolution approving First Amendment to Employment Agreement between City and Joseph Kenneth Blohm. — Res 15-41

3. PUBLIC HEARINGS — None

4. DEPARTMENT REPORTS

A. SUBJECT: Resolution Authorizing the Purchase of a Prefabricated Restroom for Katey's Kids Park — Approved GY/RA (4-0-1) NF

RECOMMENDATION: Council by motion adopt a resolution authorizing the City Manager to a sign contract for the purchase of the "Ozark II" model precast concrete double restroom from CXT, Inc. in the amount not to exceed $ 83,297.95. — Res 15-42

B. SUBJECT: Resolution Awarding Contract for the California Avenue Reconstruction Project (JJ) — Approved RA/BN (4-0-1) NF

RECOMMENDATION: Council by motion adopt resolution awarding the contract for the California Avenue Reconstruction Project to Don Berry Construction, Inc. in the amount of $678,679.24 and authorize the City Manager to sign the agreement. — Res 15-43

C. SUBJECT: Agreement with Crown Homes for the Deferment of Certain Fees Concerning Construction of 20 Homes in Kerman Estates Tract 5478 (OP) — Approved GY/BN (4-0-1) NF

RECOMMENDATION: Council by motion adopt resolution approving the agreement with Crown Homes to defer certain fees concerning construction of 20 homes in Kerman Estates Tract 5478 and authorize the Mayor to execute the agreement. — Res 15-44

5. CITY MANAGER/STAFF COMMUNICATIONS

6. MAYOR/COUNCIL REPORTS

7. CLOSED SESSION — None

8. ADJOURNMENT — GY/RA 7:20 p.m (4-0-1) NF

CITY OF KERMAN
PAYROLL REPORT

PAY PERIOD: July 19, 2015 - August 01, 2015

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME HOURS	OVERTIME AMOUNT	HOLIDAY OT at 1/2 HOURS	HOLIDAY OT at 1/2 AMOUNT	STANDBY HOURS	STANDBY AMOUNT	GROSS SALARY	COMP TIME EARNED
ADMINISTRATION										
Alvarez, Josefina	$ 1,792.15	$ -	-	$ -	-	$ -	-	$ -	$ 1,792.15	
Camacho, Josie	$ 595.62	$ -	-	$ -	-	$ -	-	$ -	$ 595.62	
Camacho-Collier, Carol	$ 2,354.77	$ -	-	$ -	-	$ -	-	$ -	$ 2,354.77	
Gonzalez, Diana	$ 1,974.69	$ -	-	$ -	-	$ -	-	$ -	$ 1,974.69	
Jones, Toni	$ 3,042.46	$ -	-	$ -	-	$ -	-	$ -	$ 3,042.46	
Kunkel, John	$ 4,153.85	$ -	-	$ -	-	$ -	-	$ -	$ 4,153.85	
Nazaroff, Helen	$ 1,958.31	$ -	-	$ -	-	$ -	-	$ -	$ 1,958.31	
Reyes, Marcia	$ 2,586.00	$ -	-	$ -	-	$ -	-	$ -	$ 2,586.00	
TOTAL	**$ 18,457.85**	**$ -**	**-**	**$ -**	**-**	**$ -**	**-**	**$ -**	**$ 18,457.85**	**0.00**
REC/SOCIAL										
Arredondo, Barbara	$ 1,542.05	$ -	-	$ -	-	$ -	-	$ -	$ 1,542.05	
Arredondo, Raquel	$ 190.00	$ -	-	$ -	-	$ -	-	$ -	$ 190.00	
Ayala, Adrien	$ 217.50	$ -	-	$ -	-	$ -	-	$ -	$ 217.50	
Barajas, Stephanie	$ 355.88	$ -	-	$ -	-	$ -	-	$ -	$ 355.88	
Burdine-Slaven, Jeanni	$ 1,526.77	$ -	-	$ -	-	$ -	-	$ -	$ 1,526.77	
Denman, Wayne	$ 341.25	$ -	-	$ -	-	$ -	-	$ -	$ 341.25	
Escamilla, Emi	$ 456.75	$ -	-	$ -	-	$ -	-	$ -	$ 456.75	
Esocbedo, Delaney	$ 589.88	$ -	-	$ -	-	$ -	-	$ -	$ 589.88	
Figueroa, Rita	$ 380.00	$ -	-	$ -	-	$ -	-	$ -	$ 380.00	
Gallegos, Philip	$ 3,734.77	$ -	-	$ -	-	$ -	-	$ -	$ 3,734.77	
Gallegos, Yenifer	$ 196.56	$ -	-	$ -	-	$ -	-	$ -	$ 196.56	
Gonzalez, Arthur	$ 477.38	$ -	-	$ -	-	$ -	-	$ -	$ 477.38	
Gonzalez, Jose Felix	$ 1,615.85	$ -	-	$ -	-	$ -	-	$ -	$ 1,615.85	
Gutierrez, Jacqueline	$ 594.00	$ -	-	$ -	-	$ -	-	$ -	$ 594.00	
Johnson, Theresa	$ 1,683.23	$ -	-	$ -	-	$ -	-	$ -	$ 1,683.23	
LeBlanc, Noah	$ 123.75	$ -	-	$ -	-	$ -	-	$ -	$ 123.75	
Lujan, Vanessa	$ 528.00	$ -	-	$ -	-	$ -	-	$ -	$ 528.00	
Martinez, Ramiro Jr	$ 499.69	$ -	-	$ -	-	$ -	-	$ -	$ 499.69	
Rangel, Jose A	$ 69.75	$ -	-	$ -	-	$ -	-	$ -	$ 69.75	
Rodrigues, Michael	$ 196.56	$ -	-	$ -	-	$ -	-	$ -	$ 196.56	
Salvador, Mark	$ 1,984.62	$ -	-	$ -	-	$ -	-	$ -	$ 1,984.62	
Sidhu, Nirmal	$ 1,479.69	$ -	-	$ -	-	$ -	-	$ -	$ 1,479.69	
Silva, Jessica	$ 584.25	$ -	-	$ -	-	$ -	-	$ -	$ 584.25	
Villa, Erika	$ 229.50	$ -	-	$ -	-	$ -	-	$ -	$ 229.50	
Villalobos, Stacey	$ 168.75	$ -	-	$ -	-	$ -	-	$ -	$ 168.75	
Villanueva, Liliana	$ 424.13	$ -	-	$ -	-	$ -	-	$ -	$ 424.13	
Villarreal, Arlene	$ 300.00	$ -	-	$ -	-	$ -	-	$ -	$ 300.00	
TOTAL	**$ 20,490.53**	**$ -**	**-**	**$ -**	**-**	**$ -**	**-**	**$ -**	**$ 20,490.53**	**0.00**
POLICE										
Antuna, Eric	$ 2,231.62	$ -	-	$ -	-	$ -	-	$ -	$ 2,231.62	8.25
Antuna, Miguel	$ 784.00	$ -	-	$ -	-	$ -	-	$ -	$ 784.00	
Barbosa, Isaias	$ 2,392.06	$ -	4.00	$ 179.40	-	$ -	-	$ -	$ 2,571.47	
Barcoma, Wilbert	$ 2,924.56	$ -	13.00	$ 712.86	-	$ -	-	$ -	$ 3,637.42	
Belding, Jeff	$ 2,526.71	$ -	-	$ -	-	$ -	-	$ -	$ 2,526.71	
Blohm, Joseph	$ 4,047.23	$ -	-	$ -	-	$ -	-	$ -	$ 4,047.23	
Chapman, Tom	$ 2,437.62	$ -	9.00	$ 411.35	-	$ -	8.00	$ 60.94	$ 2,909.91	
Cubillos, Teresa	$ 3,070.74	$ -	-	$ -	-	$ -	-	$ -	$ 3,070.74	
Davis, Jeff	$ 3,070.74	$ -	-	$ -	-	$ -	-	$ -	$ 3,070.74	
Dunn, Jacob	$ 1,699.85	$ -	3.00	$ 95.62	-	$ -	-	$ -	$ 1,795.46	

CITY OF KERMAN
PAYROLL REPORT

PAY PERIOD: July 19, 2015 - August 01, 2015

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME HOURS	OVERTIME AMOUNT	HOLIDAY OT at 1/2 HOURS	HOLIDAY OT at 1/2 AMOUNT	STANDBY HOURS	STANDBY AMOUNT	GROSS SALARY	COMP TIME EARNED
Francone, Kevin	$ 960.00	$ -	1.00	$ 18.00	-	$ -	-	$ -	$ 978.00	
Godfrey, Kyle	$ 1,182.00	$ -	-	$ -	-	$ -	-	$ -	$ 1,182.00	
Ledezma, Linda	$ 1,272.11	$ -	-	$ -	-	$ -	-	$ -	$ 1,272.11	3
Lehman, Dustin	$ 1,784.77	$ -	-	$ -	-	$ -	-	$ -	$ 1,784.77	
Madruga, Ron	$ 2,392.06	$ -	-	$ -	-	$ -	-	$ -	$ 2,392.06	
Magallon, Peter	$ 2,437.62	$ -	-	$ -	-	$ -	-	$ -	$ 2,437.62	
Medina-Labetiaux, EJ	$ 1,784.77	$ -	-	$ -	-	$ -	-	$ -	$ 1,784.77	
Mendoza, Sandra	$ 2,403.45	$ -	7.00	$ 315.45	-	$ -	-	$ -	$ 2,718.91	
Nelson, Christopher J	$ 3,145.64	$ -	16.00	$ 943.69	-	$ -	-	$ -	$ 4,089.34	
Ness, Lee	$ 2,066.31	$ -	-	$ -	-	$ -	-	$ -	$ 2,066.31	
Nevis, James	$ 2,323.72	$ -	-	$ -	-	$ -	-	$ -	$ 2,323.72	
Ramirez, Donald	$ 1,508.77	$ -	-	$ -	-	$ -	-	$ -	$ 1,508.77	
Rodrigues, Mary	$ 1,776.92	$ -	-	$ -	-	$ -	-	$ -	$ 1,776.92	
Rodriguez, Erika	$ 2,105.76	$ -	7.00	$ 276.38	-	$ -	-	$ -	$ 2,382.14	
Seroka, Dylan	$ 1,784.77	$ -	-	$ -	-	$ -	-	$ -	$ 1,784.77	
Tiwana, Manpreet	$ 2,125.44	$ -	2.00	$ 79.70	-	$ -	-	$ -	$ 2,205.14	
TOTAL:	**$ 56,239.25**	**$ -**	**62.00**	**$3,032.46**	**-**	**$ -**	**8.00**	**$ 60.94**	**$ 59,332.66**	**11.25**
PUBLIC WORKS										
Arechiga, Pastor	$ 1,759.85	$ -	-	$ -	-	$ -	-	$ -	$ 1,759.85	
Barajas, Michael	$ 1,936.78	$ -	-	$ -	-	$ -	-	$ -	$ 1,936.78	
Castro, Joseph	$ 1,804.15	$ -	18.00	$ 687.83	-	$ -	22.50	$ 507.42	$ 2,999.41	
Chavez, Fernando M.	$ 2,392.15	$ -	7.00	$ 313.97	-	$ -	22.50	$ 672.79	$ 3,378 92	
Coronado, Karl	$ 1,014.00	$ -	-	$ -	-	$ -	-	$ -	$ 1,014.00	
Gastelum, Humberto	$ 1,942.93	$ -	-	$ -	-	$ -	-	$ -	$ 1,942.93	
Gonzales, Ruben	$ 2,031.25	$ -	-	$ -	-	$ -	-	$ -	$ 2,031.25	
Gruce, Robert	$ 2,502.92	$ -	-	$ -	-	$ -	-	$ -	$ 2,502.92	
Isaak, Denise	$ 1,481.54	$ -	-	$ -	-	$ -	-	$ -	$ 1,481.54	
Madruga, Lydia	$ 1,984.57	$ -	-	$ -	-	$ -	-	$ -	$ 1,984.57	
Moore, Ken	$ 3,853.85	$ -	-	$ -	-	$ -	-	$ -	$ 3,853.85	
Prieto, Ruben	$ 1,780.20	$ -	-	$ -	-	$ -	-	$ -	$ 1,780 20	
Ramirez, Manuel	$ 1,849.26	$ -	7.00	$ 265 83	-	$ -	-	$ -	$ 2,115.09	
Rodriguez, Joe	$ 372.00	$ -	-	$ -	-	$ -	-	$ -	$ 372.00	
Sanchez, Daniel	$ 1,479.69	$ -	-	$ -	-	$ -	-	$ -	$ 1,479.69	
Tinoco, Alfonso	$ 936.00	$ -	-	$ -	-	$ -	-	$ -	$ 936.00	
Vallejo, Edward	$ 2,211.41	$ -	-	$ -	-	$ -	-	$ -	$ 2,211 41	
Zapata, Domingo	$ 1,105.70	$ -	-	$ -	-	$ -	-	$ -	$ 1,105.70	
TOTAL	**$ 32,438.25**	**$ -**	**32.00**	**$1,267.63**	**$ -**	**$ -**	**$ 45.00**	**$1,180.21**	**$ 34,886.10**	**0.00**
PLANNING										
Kufis, Chris	$ 2,417.12	$ -	-	$ -	-	$ -	-	$ -	$ 2,417.12	
Pimentel, Olivia	$ 2,220.99	$ -	-	$ -	-	$ -	-	$ -	$ 2,220.99	
TOTAL	**$ 4,638.12**	**$ -**	**-**	**$ -**	**-**	**$ -**	**-**	**$ -**	**$ 4,638.12**	**0.00**

PLANNING		COUNCIL	
Epperson, R	$ 50.00	Yep	$ -
Bandy, R	$ 50.00	Fox	$ -
Nehring K	$ 50.00	Nijjer	$ -
Wettlaufer K	$ 50.00	Hill	$ -
Jones C			
Nunez, M	$ 50.00		
Total	**$ 250.00**	**Total**	**$ -**

GRAND TOTAL:	**$132,514.00**	**$0.00**	**94.00**	**$4,300.10**	**-**	**$0.00**	**53.00**	**$1,241.15**	**$138,055.25**	**11.25**

CITY OF KERMAN
OVERTIME SUPPLEMENTAL PAYROLL REPORT
PAY PERIOD 7/19/15-8/1/15

POLICE DEPARTMENT

Overtime Categories - Number of Hours

Regular Overtime	Holiday OT at 1/2 Time	Shift Coverage	SID	Court	Avoid the 21 Grant	Special Events	Total
35		24		3			62
		(see notes below for overtime description)					
DOUBLE TIME: (Sunday)							
							0
PUBLIC WORKS DEPARTMENT						Sub Total	62

Overtime Categories - Number of Hours

Water Service	Sewer Emergencies	Animal Control	Special Events	Other or Call Back	On Call Duties	Total
9	7	1			4	21
		(see notes below for overtime description)				
DOUBLE TIME: (Sunday)						
4	2	1			4	11
COMMUNITY SERVICES DEPARTMENT					Sub Total	32.0

Overtime Categories - Number of Hours

Regular Overtime	After Hour Event	Total
		0
	Sub Total	0

FINANCE / PLANNING DEPARTMENTS

Overtime Categories - Number of Hours

Regular Overtime	Utility Billing	Payroll	Dog Clinic	Year End Audit	Total
					0
				Sub Total	0
				Total Hours (All Departments)	94.0

POLICE DEPARTMENT:

Regular Overtime – 6 hrs FTO mtg, 5.5 hrs late arrests/reports, 15.5 crime prevention/National Night Out preparation , 8 hrs investigation

Holiday Overtime – hrs - Officers working on a holiday get paid OT 1/2 time.

Shift Coverage – 24 hrs shift coverage due to officers being out on vacation, or called in sick, hrs DT due to call out on Sunday

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

Court – 3 hrs court proceedings

Grant – hrs AVOID Grant

Special Events - hrs

PUBLIC WORKS DEPARTMENT:

Water Service - Includes 9 hrs OT & 4 hrs DT for shut-off and turn-on of service, all water related emergencies.

Sewer Emergencies 7 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 & 1 hr DT 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 0 hr OT & 0 hr DT - Humberto council presentation.Called out to clean restrooms for CCC workers

Call Back - hrs OT Fernie called to help with SCADA/Power outage issues. Ruben G. and Pastor called to assist with water break on 6th street

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 - Only as needed.

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.

Accounts Payable

Checks by Date - Detail by Check Date

User: jcamacho
Printed: 8/13/2015 11:58 AM

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	Void Checks	Check Amount
6910	10859	COSTCO WHOLESALE	07/30/2015		
	07302015	ADM-OFFICE CHAIRS (6) & FANS (3)			345.90
	07302015	ADM-OFFICE CHAIRS (6) & FANS (3)			345.90
	07302015	ADM-KITCHEN SPONGES			10.60
	07302015	ADM-COFFEE PER HELEN			34.76
	07302015	ADM-CANNED AIR			19.15
			Total for Check Number 6910:	0.00	756.31
			Total for 7/30/2015:	0.00	756.31
6911	UB*00159	EVON & DANIEL ALVAREZ	08/04/2015		
		Refund Check			104.06
			Total for Check Number 6911:	0.00	104.06
6912	UB*00172	JOSE ARGUETA	08/04/2015		
		Refund Check			132.34
			Total for Check Number 6912:	0.00	132.34
6913	UB*00164	FERMIN DIAZ	08/04/2015		
		Refund Check			123.47
			Total for Check Number 6913:	0.00	123.47
6914	UB*00168	ABEL GONZALEZ	08/04/2015		
		Refund Check			2.93
		Refund Check			0.03
		Refund Check			0.85
		Refund Check			2.24
		Refund Check			1.60
		Refund Check			0.16
		Refund Check			0.10
			Total for Check Number 6914:	0.00	7.91
6915	UB*00163	DAVID HADDOCK	08/04/2015		
		Refund Check			27.57
			Total for Check Number 6915:	0.00	27.57
6916	UB*00174	MARJORIE JOHNSON	08/04/2015		
		Refund Check			96.81
			Total for Check Number 6916:	0.00	96.81
6917	UB*00166	SAM LUCIDO	08/04/2015		
		Refund Check			0.14
		Refund Check			8.03

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
		Refund Check			14.37
		Refund Check			38.10
		Refund Check			10.92
			Total for Check Number 6917:	0.00	71.56
6918	UB*00171	FELICIA MARTINEZ	08/04/2015		
		Refund Check			88.78
			Total for Check Number 6918:	0.00	88.78
6919	UB*00161	JESSICA MCFERRAN	08/04/2015		
		Refund Check			67.80
			Total for Check Number 6919:	0.00	67.80
6920	UB*00175	ROSA MENDOZA	08/04/2015		
		Refund Check			142.06
			Total for Check Number 6920:	0.00	142.06
6921	UB*00156	BRIDGIED PARRA	08/04/2015		
		Refund Check			62.23
			Total for Check Number 6921:	0.00	62.23
6922	UB*00165	GONZALO RAMIREZ	08/04/2015		
		Refund Check			149.28
		Refund Check			9.45
		Refund Check			1.29
		Refund Check			11.47
		Refund Check			10.69
		Refund Check			1.03
		Refund Check			0.35
			Total for Check Number 6922:	0.00	183.56
6923	UB*00169	SERGIO RIVAS	08/04/2015		
		Refund Check			141.16
		Refund Check			3.78
		Refund Check			2.25
		Refund Check			5.98
		Refund Check			4.27
		Refund Check			0.41
		Refund Check			0.25
			Total for Check Number 6923:	0.00	158.10
6924	UB*00158	RJ HILL HOMES	08/04/2015		
		Refund Check			0.21
		Refund Check			14.03
			Total for Check Number 6924:	0.00	14.24
6925	UB*00160	RKW HOMES INC	08/04/2015		
		Refund Check			19.52
		Refund Check			0.17
		Refund Check			5.63
		Refund Check			14.94
		Refund Check			1.03
		Refund Check			0.63

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 6925:	0.00	41.92
6926	UB*00157	NICOLE RODRIGUEZ	08/04/2015		
		Refund Check			35.78
			Total for Check Number 6926:	0.00	35.78
6927	UB*00155	BRIAN ROSS	08/04/2015		
		Refund Check			2.91
		Refund Check			0.78
		Refund Check			2.24
		Refund Check			1.59
		Refund Check			0.15
		Refund Check			0.09
			Total for Check Number 6927:	0.00	7.76
6928	UB*00173	THE ESTATE OF RUSSELL LOFTON	08/04/2015		
		Refund Check			3.95
		Refund Check			0.01
		Refund Check			0.32
		Refund Check			2.87
		Refund Check			2.47
		Refund Check			0.26
		Refund Check			0.09
			Total for Check Number 6928:	0.00	9.97
6929	UB*00167	SALVADOR VALENCIA	08/04/2015		
		Refund Check			94.26
			Total for Check Number 6929:	0.00	94.26
6930	UB*00162	MARIA VAZQUEZ	08/04/2015		
		Refund Check			61.11
			Total for Check Number 6930:	0.00	61.11
6931	UB*00170	FRANCINE VELEZ	08/04/2015		
		Refund Check			84.24
			Total for Check Number 6931:	0.00	84.24
			Total for 8/4/2015:	0.00	1,615.53
6932	10858	HODGE PRODUCTS	08/05/2015		
	276108	WTR-MASTER WATER METER PAD LOCKS			446.13
			Total for Check Number 6932:	0.00	446.13
6933	10205	INDEPENDENT STATIONERS	08/05/2015		
	IN-000526094	CTC-CTC FAX TONER			187.69
	IN-000534605	CS-MARKERS & BANKERS BOX			22.10
			Total for Check Number 6933:	0.00	209.79
6934	10816	NATIONAL MAILBOXES	08/05/2015		
	169837	16 TENANT DOOR MAILBOX UNITS			2,012.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 6934:	0.00	2,012.00
6935	10282	OFFICE DEPOT	08/05/2015		
	777912357001	BPO-OFFICE SUPPLIES			93.72
	777912711001	BPO-OFFICE SUPPLIES			31.37
	777912712001	BPO-OFFICE SUPPLIES			13.80
	778136569001	BPO-OFFICE SUPPLIES			79.06
			Total for Check Number 6935:	0.00	217.95
6936	10754	SUPPLYWORKS	08/05/2015		
	5140024-01	CTC-JANITORIAL SUPPLIES			81.60
	5141077-00	CTC-JANITORIAL SUPPLIES			270.37
			Total for Check Number 6936:	0.00	351.97
6937	10382	UNITED RENTALS NORTHWEST, INC	08/05/2015		
	128982447-004	CS-FORKLIFT PICKUP & DIESEL CHARGE			190.34
			Total for Check Number 6937:	0.00	190.34
6938	10389	VALLEY AIR CONDITIONING	08/05/2015		
	30828	CS-PREVENTATIVE MAINT CITY HALL			575.00
	30829	CS-PREVENTATIVE MAINT PD			375.00
	30830	CS-PREVENTATIVE MAINT CTC			580.00
	30831	CS-PREVENTATIVE MAINT SENIOR CTR			312.50
			Total for Check Number 6938:	0.00	1,842.50
6939	10861	Z - JOE PIZANA	08/05/2015		
	00017757	CTC-DEPOSIT REFUND SCOUT HUT			100.00
			Total for Check Number 6939:	0.00	100.00
6940	10010	ACCOUNTEMPS	08/05/2015		
	43566887	FIN-TEMP AGENCY PERSONNEL 34 HRS			59.35
	43566887	FIN-TEMP AGENCY PERSONNEL 34 HRS			207.77
	43566887	FIN-TEMP AGENCY PERSONNEL 34 HRS			178.10
	43566887	FIN-TEMP AGENCY PERSONNEL 34 HRS			148.42
			Total for Check Number 6940:	0.00	593.64
6941	10040	AT&T MOBILITY	08/05/2015		
	2857249141774	PD-JULY MDT WIRELESS SERVICE			275.90
			Total for Check Number 6941:	0.00	275.90
6942	10053	BLACK BULLET INC	08/05/2015		
	1457	SWR-BIOLAC BARGE FABRICATION/CONS			3,484.85
			Total for Check Number 6942:	0.00	3,484.85
6943	10056	BOGIE'S PUMP SYSTEMS	08/05/2015		
	9776	SWR-8 IN FLAP VALVE ASSY			453.03
			Total for Check Number 6943:	0.00	453.03
6944	10826	CROWN SERVICES CO	08/05/2015		
	602730	CS-PORTA POTTIES/SINKS			102.82
			Total for Check Number 6944:	0.00	102.82

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
6945	10715	DC HEATING AND COOLING	08/05/2015		
	0142	BPO-REPAIR AC-942 S MADERA			762.08
			Total for Check Number 6945:	0.00	762.08
6946	10124	DELRAY TIRE & RETREADING	08/05/2015		
	475071	V/E-PD-TIRE FOR #1481 & PD STOCK			536.55
			Total for Check Number 6946:	0.00	536.55
6947	10445	DELTA LIGHTING PRODUCTS INC.	08/05/2015		
	528442	CTC-LIQUID ENZYME			558.80
			Total for Check Number 6947:	0.00	558.80
6948	10151	EWING IRRIGATION PRODUCTS	08/05/2015		
	11889	BPO-SPRINKLER SUPPLIES			752.23
	41578	LLD-SPRINKLER SUPPLIES			246.70
	67254	BPO-SPRINKLER SUPPLIES			311.74
			Total for Check Number 6948:	0.00	1,310.67
6949	10154	FASTENAL COMPANY	08/05/2015		
	CAFR252666	LLD-SUPPLIES			135.35
	CAFR252666	V/E PD-SUPPLIES			37.47
	CAFR252666	WTR-SUPPLIES			21.40
	CAFR252666	V/E-SUPPLIES			9.53
	CAFR252666	STRTC-SUPPLIES			21.11
			Total for Check Number 6949:	0.00	224.86
6950	10170	FRESNO POLICE DEPARTMENT	08/05/2015		
	RTC0001711	PD-OFF NESS POST PERISHABLE SKILLS C			341.00
			Total for Check Number 6950:	0.00	341.00
6951	10166	FRESNO-MADERA AGENCY ON AGIN(	08/05/2015		
	1242	NUT-SITE SUPPLIES			37.73
			Total for Check Number 6951:	0.00	37.73
6952	10175	G & K SERVICES, INC	08/05/2015		
	08042015	VAR-UNIFORMS MATS SUPPLIES-BUILDIN			5.00
	08042015	VAR-UNIFORMS MATS SUPPLIES-REC ADM			54.14
	08042015	VAR-UNIFORMS MATS SUPPLIES-UNIFORI			22.73
	08042015	VAR-UNIFORMS MATS SUPPLIES-BLDG/PA			1,367.25
	08042015	VAR-UNIFORMS MATS SUPPLIES-WATER C			85.89
	08042015	VAR-UNIFORMS MATS SUPPLIES-SEWER C			77.79
	08042015	VAR-UNIFORMS MATS SUPPLIES-SOLID W			2.36
	08042015	VAR-UNIFORMS MATS SUPPLIES-STORM I			12.82
	08042015	VAR-UNIFORMS MATS SUPPLIES-L & L			43.43
	08042015	VAR-UNIFORMS MATS SUPPLIES-STREETS			13.77
	08042015	VAR-UNIFORMS MATS SUPPLIES-MEASUR			71.29
	08042015	VAR-UNIFORMS MATS SUPPLIES-VEHICLE			19.81
			Total for Check Number 6952:	0.00	1,776.28
6953	10191	H & J CHEVROLET INC	08/05/2015		
	CVW20536	V/E-PUMP KIT INLET #1374			223.19
	CVW20541	V/E-HEATER HOSES #1374			106.82
	VW20656-2	V/E-REAR WIPER MOTOR #1408			183.41
	VW20693-1	V/E-WEATHER STRIPPING #1408			108.96

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 6953:	0.00	622.38
6954	10196	HELENA CHEMICAL COMPANY	08/05/2015		
	69490989	SWR-ROUNDUP PRO CONCENTRATE			162.34
			Total for Check Number 6954:	0.00	162.34
6955	10514	ICAD INC.	08/05/2015		
	11832	SWR-OVERPAYMENT ON INV 11832			-200.62
	11979	SWR-RECALIB FLOWMETER RECLAM PUI			198.75
	11979	WTR-CHECK WELL 10 & 9 COMM AND WE			331.25
	11993	STR-VFD FAULT WELL 12			435.00
			Total for Check Number 6955:	0.00	764.38
6956	10205	INDEPENDENT STATIONERS	08/05/2015		
	IN-000540287	REC-LAMINATOR POUCHES			7.08
	IN-000541374	CS-CAN DUSTER/PENS			31.33
	IN-000542313	REC-PAPER ZUMBATHON FLYER			18.67
			Total for Check Number 6956:	0.00	57.08
6957	10860	LEES PAVING INC	08/05/2015		
	28574	WTR-REFUND ON WATER METER RENTAL			950.00
			Total for Check Number 6957:	0.00	950.00
6958	10273	NAFFA INTERNATIONAL INC	08/05/2015		
	22715	BPO-PLAN CHECK FEES			4,676.08
			Total for Check Number 6958:	0.00	4,676.08
6959	10487	LORA NEHRING	08/05/2015		
	07312015	REC-ZUMBA INSTRUCTOR FEE JULY 2015			311.50
	07312015	REC-ZUMBA INSTRUCTOR FEE JULY 2015			101.50
			Total for Check Number 6959:	0.00	413.00
6960	10282	OFFICE DEPOT	08/05/2015		
	72769530001	SWR-TOP LOAD SHEET PROTECTORS			5.30
	72769530001	WTR-TOP LOAD SHEET PROTECTORS			5.30
	782255706001	PD-OFFICE SUPPLIES			58.89
	782406320001	WTR-INK CARTRIDGE & PAPER			49.12
	782406320001	SWR-INK CARTRIDGE & PAPER			49.12
	782769239001	WTR-BINDERS/DIVIDERS			14.34
	782769239001	SWR-BINDERS/DIVIDERS			14.35
	782769239002	SWR-BINDERS/DIVIDERS			6.14
	782769239002	WTR-BINDERS			6.14
	782769529001	WTR-BINDERS/SCADA SOFTWARE			10.27
	782769529001	SWR-BINDERS/SCADA SOFTWARE			10.28
			Total for Check Number 6960:	0.00	229.25
6961	10285	ONTRAC	08/05/2015		
	8243603	BPO-PLAN CHECK OVERNIGHT DELIVERY			47.55
	8251570	BPO-PLAN CHECK OVERNIGHT DELIVERY			59.64
			Total for Check Number 6961:	0.00	107.19
6962	10289	P.G.& E.	08/05/2015		
	3920400666-0	STRT-MONTHLY SERVICES 7/1/15-7/29/15			3,942.85

Check No	Vendor No / Invoice No	Vendor Name / Description	Check Date / Reference	Void Checks	Check Amount
	4055166878-9	LLD-MONTHLY SERVICES 7/1/15-7/29/15			1,442.22
	4055166878-9	LLD-INSTALLMENT LOAN LED			1,207.83
	4939626163-5	V/E-MONTHLY SERVICES 6/30/15-7/28/15			947.64
	5741309690-0	BPO-MONTHLY SERVICE 6/26/15-7/26/15			496.62
	6206788690-3	CS-MONTHLY UTILITY SERVICE 6/10/15-7/			1,727.13
			Total for Check Number 6962:	0.00	9,764.29
6963	10314	QUILL CORPORATION	08/05/2015		
	5607163	WTR/SWR-POST IT TABS			7.34
	5607163	WTR/SWR-POST IT TABS			7.34
	5614135	WTR/SWR-COPY PAPER & FILE FOLDERS			79.79
	5614135	WTR/SWR-COPY PAPER & FILE FOLDERS			79.80
	5622784	WTR/SWR-FOLDERS			9.17
	5622784	WTR/SWR-FOLDERS			9.17
			Total for Check Number 6963:	0.00	192.61
6964	10332	SEBASTIAN	08/05/2015		
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			72.53
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			136.53
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			557.15
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			17.07
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			25.60
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			213.33
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			2.13
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			7.68
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			196.26
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			298.66
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			64.00
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			81.07
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			213.33
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			320.00
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			49.07
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			213.33
	10330403	VAR-MONTHLY PHONE SERVICE 7/21/15-8/			104.00
	10334281	ADM-MONTHLY BURGLAR			50.82
	10334282	ADM-MONTHLY BURGLAR 7/21/15-8/20/15			50.82
			Total for Check Number 6964:	0.00	2,673.38
6965	10862	SIGNMAX	08/05/2015		
	0022399-IN	STRTC-CAUTION SIGN			95.36
			Total for Check Number 6965:	0.00	95.36
6966	10337	SLUMBERGER LUMBER	08/05/2015		
	08032015	BPO-SUPPLIES 3 INV <$50			43.81
	08032015	STRTC-SUPPLIES 2 INV <$50			45.95
	08032015	V/E-PD-SUPPLIES 1 INV <$50			3.22
	08032015	LLD-SUPPLIES 2 INV <$50			58.35
	08042015	CS-BUILDINGS MAINT/REPAIR SUPPLIES /			92.95
	08042015	CS-PARKS MAINT/REPAIR SUPPLIES ACCT			50.07
	08042015	CS-COMM CTR MAINT/REPAIR SUPPLIES /			25.06
	A4307	SWR-FL BULBS			57.61
			Total for Check Number 6966:	0.00	377.02
6967	10603	SOLENIS LLC	08/05/2015		
	130983077	SWR-POLYMER FOR SCREW PRESS			3,749.94

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 6967:	0.00	3,749.94
6968	10754	SUPPLYWORKS	08/05/2015		
	51422361-00	CTC-JANITORIAL SUPPLIES			618.22
			Total for Check Number 6968:	0.00	618.22
6969	10863	SWRCB	08/05/2015		
	OP#28293 GRD T1	WTR-E VALLEJO T1 CERT RENEWAL			55.00
			Total for Check Number 6969:	0.00	55.00
6970	10441	TURF STAR INC.	08/05/2015		
	6904312-00	V/E-EQUIP-CASTER KIT #1278 72" TORO M			97.40
	6905628-00	V/E-EQUIP-CASTER KIT #1278 72" TORO M			378.84
			Total for Check Number 6970:	0.00	476.24
6971	10379	UNDERGROUND SERVICE ALERT OF	08/05/2015		
	15070218	STRTC-ANNUAL MEMBERSHIP ACCT #118(			237.00
			Total for Check Number 6971:	0.00	237.00
6972	10385	UPPER KINGS BASIN AUTHORITY	08/05/2015		
	3016-05	WTR-FISCAL YEAR 2016 MEMBER DUES			3,500.00
			Total for Check Number 6972:	0.00	3,500.00
6973	10386	US BANK CORPORATE PAYMENT	08/05/2015		
	08032015	VAR-CREDIT CARD CHARGES			508.40
	08032015	VAR-CREDIT CARD CHARGES			77.92
	08032015	VAR-CREDIT CARD CHARGES			160.00
	08032015	VAR-CREDIT CARD CHARGES			165.00
	08032015	VAR-CREDIT CARD CHARGES			639.99
	08032015	VAR-CREDIT CARD CHARGES			443.26
	08032015	VAR-CREDIT CARD CHARGES			330.89
	08032015	VAR-CREDIT CARD CHARGES			182.07
	08032015	VAR-CREDIT CARD CHARGES			649.00
	08032015	VAR-CREDIT CARD CHARGES			490.68
	08032015	VAR-CREDIT CARD CHARGES			149.60
	08032015	VAR-CREDIT CARD CHARGES			75.75
			Total for Check Number 6973:	0.00	3,872.56
6974	10644	US BANK EQUIPMENT FINANCE	08/05/2015		
	282696988	BPO-LANIER/MP C3503 COPIER LEASE			177.92
			Total for Check Number 6974:	0.00	177.92
6975	10392	VALLEY FOOD CENTER	08/05/2015		
	ACCT#2525	REC-DAY CAMP FOOD CRAFT SUPPLIES			21.14
	ACCT#2525	REC-DAY CAMP FOOD CRAFT SUPPLIES			15.15
	ACCT#2525	REC-CANDY FOR SWIM LESSONS			7.99
			Total for Check Number 6975:	0.00	44.28
6976	10412	XEROX CORPORATION	08/05/2015		
	080732431	ADM-COPIER LEASE			430.16
	080732432	WTR-COPIER LEASE AGREEMENT JULY 20			83.31
	080732432	SWR-COPIER LEASE AGREEMENT JULY 20			83.31
	080732433	CS-REC DEPT COPIER JULY			242.80

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 6976:	0.00	839.58
6977	10850	Z - ANDREW GUZMAN	08/05/2015		
	00028542	CTC-RENTAL FEE REFUND POWER OUTAC			300.00
			Total for Check Number 6977:	0.00	300.00
			Total for 8/5/2015:	0.00	50,783.99
6978	UB*00176	ROSA MENDOZA	08/11/2015		
		Refund Check			0.18
		Refund Check			10.39
		Refund Check			1.42
		Refund Check			12.61
		Refund Check			11.76
		Refund Check			1.14
		Refund Check			0.38
			Total for Check Number 6978:	0.00	37.88
6979	10286	O'REILLY AUTOMOTIVE, INC	08/11/2015		
	3921-222753	V/E-FUEL SENSOR #1401			94.74
			Total for Check Number 6979:	0.00	94.74
6980	10616	AAA QUALITY SERVICES, INC.	08/11/2015		
	00227727	CS-FENCE RENTAL KATEYS KIDS PARK			81.17
			Total for Check Number 6980:	0.00	81.17
6981	10010	ACCOUNTEMPS	08/11/2015		
	43618087	FIN-TEMP AGENCY PERSONNEL 32 HRS			55.86
	43618087	FIN-TEMP AGENCY PERSONNEL 32 HRS			195.55
	43618087	FIN-TEMP AGENCY PERSONNEL 32 HRS			167.63
	43618087	FIN-TEMP AGENCY PERSONNEL 32 HRS			139.68
			Total for Check Number 6981:	0.00	558.72
6982	10026	ALL STATE POLICE EQUIP. CO INC	08/11/2015		
	0095355-IN	PD-UNIFORM SUPPLIES			558.79
			Total for Check Number 6982:	0.00	558.79
6983	10094	CHEAPER THAN DIRT	08/11/2015		
	11203690A	PD-40 BOXES OF AMMO			837.04
			Total for Check Number 6983:	0.00	837.04
6984	10096	CHILDS AND COMPANY, INC.	08/11/2015		
	103145	CS-DOOR LOCK REPAIR SCOUT HUT			16.23
			Total for Check Number 6984:	0.00	16.23
6985	10452	CITY OF FRESNO WMD	08/11/2015		
	K070115	WTR-LAB ANALYSIS			75.00
	K070115	SWR-LAB ANALYSIS			124.50
	K070815	SWR-LAB ANALYSIS			73.50
	K070815	WTR-LAB ANALYSIS			30.00
	K071515	WTR-LAB ANALYSIS			30.00
	K071515	SWR-LAB ANALYSIS			68.50

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference		Void Checks	Check Amount
	K072215	SWR-LAB ANALYSIS				73.50
	K072215	WTR-LAB ANALYSIS				30.00
	K072915	SWR-LAB ANALYSIS				73.50
	K072915	WTR-LAB ANALYSIS				30.00
			Total for Check Number 6985:		0.00	608.50
6986	10098	CLEANSTREET	08/11/2015			
	79155	STRT-MONTHLY SWEEP FEE JULY 2015				6,672.90
			Total for Check Number 6986:		0.00	6,672.90
6987	10108	COOKS COMMUNICATIONS	08/11/2015			
	124862	V/E- CONT SER REPLACED ENCODER PD \				216.88
			Total for Check Number 6987:		0.00	216.88
6988	10717	DAVID CASTILLO, VORTAL ME	08/11/2015			
	2020	ADM-MONTHLY WEB HOSTING & MTG AU				50.00
			Total for Check Number 6988:		0.00	50.00
6989	10524	DUNN EDWARDS	08/11/2015			
	2036174492	STRTC-3 SWITCHES & TIP GUARD				101.49
			Total for Check Number 6989:		0.00	101.49
6990	10143	ECS IMAGING, INC	08/11/2015	VOID		
	10897	CLRK-LASERFICHE ANNUAL RENEWAL			6,920.00	
			Total for Check Number 6990:		6,920.00	0.00
6991	10162	FRESNO COUNTY TREASURER	08/11/2015			
	SO12818	PD-DISPATCHING SERVICE AUG 2015				17,427.30
	SO12819	PD-JULY 2015 RMS/JMS/CAD ACCESS FEES				167.00
			Total for Check Number 6991:		0.00	17,594.30
6992	10234	KERMAN FLORAL & GIFTS	08/11/2015			
	8884	CC-CAMACHO CONDOLENCE				54.11
			Total for Check Number 6992:		0.00	54.11
6993	10249	LEAGUE OF CALIFORNIA CITIES	08/11/2015			
	56071	ADM-CM AD WESTERN CITY MAGAZINE				1,150.00
			Total for Check Number 6993:		0.00	1,150.00
6994	10261	MID VALLEY DISPOSAL, INC	08/11/2015			
	07312015	SWA-JULY SW CHARGES				90,035.79
	07312015	SWA-CITY PORTION FOR JULY 2015				-18,007.16
	07312015	SWA-ROLL OFF/FRANCHISE FEES				-718.40
			Total for Check Number 6994:		0.00	71,310.23
6995	10286	O'REILLY AUTOMOTIVE, INC	08/11/2015			
	3921-223272	VEH MAINT-SUPPLIES 1 INV <$50				32.46
	3921-223919	VEH REP-SUPPLIES 4 INV <$50				91.02
	3921-224103	PD REP-BATTERY #1466				148.72
	3921-224104	PD REP-CREDIT ON INV #224103				-18.00
	3921-224557	V/E REP-BATTERY #1374				144.65
	3921-225026	PD MAINT-SUPPLIES 1 INV <$50				16.82

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	3921-225041	VEH REP-CREDIT ON INV #224629			-11.06
	3921-225357	PD REP-SUPPLIES 1 INV <$50			7.55
	3921-225608	EQUIP-SUPPLIES 1 INV <$50			12.73
	3921-225620	EQUIP-FILTER A/C MACHINE			96.32
	3921-225641	V/E CAP-DIAGNOSTIC SCANNER SHOP			1,996.75
	3921-226077	VEH REP-WTR PUMP FAN CLUTCH #1240			64.91
	3921-226393	PD REP-BRAKES/ROTORS #1481			411.35
			Total for Check Number 6995:	0.00	2,994.22
6996	10287	ORION SAFETY	08/11/2015		
	00245707	PD-10 CASES OF FLARES			684.42
			Total for Check Number 6996:	0.00	684.42
6997	10289	P.G.& E.	08/11/2015		
	2881141119-9	CS-TRANSIT BUS FUEL JULY			107.69
	4647279811-8	PD-MONTHLY UTILITIES JULY 2015 7/02/15			2,284.00
	6825025396-7	ADM-MONTHLY UTILITIES 7/2/15-7/30/15			1,522.15
			Total for Check Number 6997:	0.00	3,913.84
6998	10331	SEBASTIAN	08/11/2015		
	61997	FIN-TROUBLE SHOOTING/REPAIRS & PRO			260.00
			Total for Check Number 6998:	0.00	260.00
6999	10332	SEBASTIAN	08/11/2015		
	10333907	PD-JULY T 1-LINE			417.29
			Total for Check Number 6999:	0.00	417.29
7000	10335	SILVA FORD MADERA	08/11/2015		
	23237	PD REP-WATER PUMP #1401			94.68
	23527	PD REP-FUEL PUMP #1421			411.27
			Total for Check Number 7000:	0.00	505.95
7001	10337	SLUMBERGER LUMBER	08/11/2015		
	C10218	PD-HOSE & BRUSH FOR VEHICLE WASHIN			53.00
			Total for Check Number 7001:	0.00	53.00
7002	10338	SMITH AUTO	08/11/2015		
	08112015	V/E-SUPPLIES 4 INV<$50			51.78
	08112015	V/E REP-SUPPLIES 3 INV <$50			46.22
	08112015	V/E SUPPL-SUPPLIES 3 INV <$50			17.83
	101504	V/E-REURN/CREDIT			-191.61
	120066	V/E REP-SUPPLIES 1 INV <$50			1.89
	122136	V/E REP-BELT TENSIONER #1408			62.09
	122189	V/E MAINT-SUPPLIES 1 INV <$50			8.65
	127129	PD REP-SUPPLIES 1 INV <$50			20.40
	135135	PD MAINT-SUPPLIES 1 INV <$50			34.61
	140392	V/E SUPPL-TOOL BOX TENSIONER #1408			577.91
	154070	PD REP-RETURN/CREDIT INV 665635			-123.38
			Total for Check Number 7002:	0.00	506.39
7003	10754	SUPPLYWORKS	08/11/2015		
	5145221-00	CTC-JANITORIAL SUPPLIES			833.14
	5145221-01	CTC-JANITORIAL SUPPLIES			26.47

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 7003:	0.00	859.61
7004	10354	T & T PAVEMENT MARKINGS	08/11/2015		
	2015637	STRTC-40 GAL YELLOW PAINT			510.39
	2015651	STRTC-20 GAL YELLOW PAINT			255.19
			Total for Check Number 7004:	0.00	765.58
7005	10371	TJ LAW & ASSOCIATES INVESTIGATI(	08/11/2015		
	1180	PD-BACKGROUND RAIGOZA, BEYE, VALD			1,800.00
			Total for Check Number 7005:	0.00	1,800.00
7006	10377	U.S. POST OFFICE	08/11/2015		
	08112015	VAR-ADVANCE PAYMENT/UTILITY BILLIN			1,500.00
	08112015	VAR-ADVANCE PAYMENT/UTILITY BILLIN			1,500.00
	08112015	VAR-ADVANCE PAYMENT/UTILITY BILLIN			600.00
	08112015	VAR-ADVANCE PAYMENT/UTILITY BILLIN			400.00
			Total for Check Number 7006:	0.00	4,000.00
7007	10381	UNITED HEALTH CENTERS	08/11/2015		
	08052015	PD-PRE-EMPLOYMENT PHYSICAL VALDO			300.00
			Total for Check Number 7007:	0.00	300.00
7008	10399	VETERINARY MEDICAL CENTER	08/11/2015		
	212080	AAC-3 EUTHANASIA OF ANIMAL			58.40
	212135	AAC-5 EUTHANASIA OF ANIMAL			94.40
			Total for Check Number 7008:	0.00	152.80
7009	10406	WEST HILLS OIL, INC	08/11/2015		
	ACCT #12532	V/E-J DUNN FUEL			221.35
	ACCT #12533	V/E-FUEL JULY			4,802.40
	ACCT #12533	STRT-B ARRENDONDO TRANSPORT			303.06
			Total for Check Number 7009:	0.00	5,326.81
7010	10789	Z - SANDRA MENDOZA	08/11/2015		
	8102015	PD-SUBSISTENCE IAPE PROPERTY ROOM			76.00
			Total for Check Number 7010:	0.00	76.00
			Total for 8/11/2015:	6,920.00	122,558.89
			Report Total (101 checks):	6,920.00	175,714.72

US BANK

Date	Vendor	Description	Internal Acct Code	Amount		
	Joseph Blohm					
06/26/15	Holiday Inn	Room Accom Sgt Nelson	100.3011.554.01.00	$ 490.68		
07/16/15	Datamars iMax	Microchip Scanner	100.3041.521.02.00	$ 349.60		
					$ 840.28	Blohm
	Terri Cubillos					
06/25/15	WalMart	Dog Food	100.3041.521.02.00	$ 93.66		
07/01/15	Amazon	USB Hard Drive/2 yr Recovery Plan	100.3011.521.01.00	$ 149.60		
07/20/15	Amazon	Digital Recorder	100.3011.521.02.00	$ 75.75		
					$ 319.01	Cubillos
	Toni Jones					
					$ -	Jones
	Ken Moore					
07/13/15	Direct Source	Crayons	410.4041.600.03.00	$ 144.25		
07/13/15	Conservation Mart	Toilet Leak Detection Dye Kits	410.4041.600.03.00	$ 186.64		
07/15/15	A.C.E	Compressor Valve	500.4050.521.03.05	$ 77.92		
07/15/15	PAPA Seminar	For Barajas, Arechiga	880.4088.554.01.00	$ 160.00		
					$ 568.81	Moore
	Phillip Gallegos					
06/24/15	Boomers	Teen Scavenger Hunt	100.2065.521.02.00	$ 191.88		
06/24/15	Old Spaghetti Factory	Teen Scavenger Hunt	100.2065.521.02.00	$ 274.87		
06/25/15	NRPA	Membership P Gallegos	100.2002.555.00.00	$ 165.00		
07/07/15	WalMart	2 Canopies	100.2047.521.02.00	$ 162.08		
07/08/15	WalMart	Day Camp Craft Supplies	100.2065.521.02.00	$ 29.54		
06/29/15	Wayfair	Community Center Podium	100.2069.600.04.00	$ 639.99		
07/16/15	WalMart	Food Craft Supplies	100.2065.521.02.00	$ 12.11		
07/16/15	Oriental Trading	Safety Fair	100.2047.521.02.00	$ 19.99		
					$ 1,495.46	Gallegos
	Marci Reyes					
07/02/15	Western City	CM Ad	100.1002.552.02.00	$ 450.00		
07/13/15	Careers in Government Online	CM Ad	100.1002.552.02.00	$ 199.00		
					$ 649.00	Reyes
			TOTAL		$ 3,872.56	

City of Kerman

"Where Community Comes First"

MAYOR
Stephen B. Hill
MAYOR PRO-TEM
Gary Yep
COUNCIL MEMBER
Rhonda Armstrong
COUNCIL MEMBER
Nathan Fox
COUNCIL MEMBER
Bill Nijjer

DEPARTMENT: DEVELOPMENT SERVICES
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: AUGUST 19, 2015

To: Mayor and City Council
From: Gary Horn, Yamabe & Horn Engineering
Subject: Resolution Approving Agreement with San Joaquin Valley Railroad for the Goldenrod Avenue Crossing

RECOMMENDATION

Council by motion adopt resolution approving agreement with San Joaquin Valley Railroad for the improvement of the Goldenrod Avenue crossing and authorize the interim City Manager to sign the agreement on behalf of the City.

EXECUTIVE SUMMARY

Wal-Mart is obligated to install safety improvements at the Goldenrod Avenue crossing of the Union Pacific Railroad as part of the Specific Plan approved for their newly constructed store. The safety improvements will include warning lights and gates, concrete planking and widened pavement. Wal-Mart has deposited funds to pay for the improvements. Because the expanded crossing is in the public right of way, the San Joaquin Valley Railroad requires an agreement with the City. San Joaquin Valley Railroad leases the line from Union Pacific Railroad and operates the trains.

OUTSTANDING ISSUES

None

DISCUSSION

The current railroad crossing at Goldenrod Avenue has only two lanes of pavement and no warning lights or gates. The California Public Utility Commission required the installation of new safety features at the crossing in anticipation of increased traffic to and from the Wal-Mart store. Mitch Covington and Wal-Mart have been working with both the Union Pacific Railroad, who owns the right of way and tracks, and San Joaquin Valley Railroad, who operates and maintains the facilities, to improve the crossing. The railroad company design the improvements and require that only qualified contractors of their choosing may bid on the project and perform the construction.

Wal-Mart and the City entered into an agreement for the improvements at the crossing prior to the opening of the Wal-Mart store. Wal-Mart has deposited $370,000 to pay for the improvements. Under the terms of the previous agreement, Wal-Mart will be eligible to be reimbursed $250,000 from the City's Railroad Crossing Development Impact Fee account.

Construction of the crossing will commence following the approval of this agreement.

FISCAL IMPACT

Following completion of the improvements, Wal-Mart will be eligible to receive reimbursement from the Railroad Crossing Fee account. Additionally, the City is responsible for maintenance of the crossing.

PUBLIC HEARING

None.

Attachments:

A. Resolution w/Exhibits

Attachment 'A'

RESOLUTION NO. 15-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
APPROVING CONSTRUCTION AND FUNNDING AGEEMENT FOR RECONSTUCTION OF EXISTING GRADE CROSSING WITH SAN JOAQUIN VALLEY RAILROAD FOR THE GOLDENROD AVENUE CROSSING

WHEREAS, The Union Pacific Railroad Company owns a right of way and railroad track that crosses Goldenrod Avenue in the City of Kerman, DOT No. 752967Y, at Railroad Mile Post 193.9; and

WHEREAS, The San Joaquin Valley Railroad Company leases the rail line and operates rolling stock upon this track; and

WHEREAS, the City has required that Wal-Mart improve the Goldenrod Avenue crossing by widening the pavement and installing additional safety equipment; and

WHEREAS, San Joaquin Valley Railroad Company requires a Construction and Funding Agreement prior to any work being done within the right of way, as shown in attached Exhibit 1.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN approves the Public Highway At-Grade Crossing Improvement Agreement as substantially shown in Exhibit 1 and authorizes the Interim City Manager to sign the agreement on behalf of the City of Kerman.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 12th day of July, 2015, and passed at said meeting by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

The foregoing resolution is hereby approved.

_____
Stephen B. Hill
Mayor

ATTEST:

_____
Marci Reyes
City Clerk

EXHIBIT 1

SAN JOAQUIN VALLEY RAILROAD
CONSTRUCTION AND FUNDING
AGREEMENT
RECONSTRUCTION OF EXISTING GRADE
CROSSING

MILEPOST 193.90

CITY OF KERMAN, COUNTY OF FRESNO, STATE OF CALIFORNIA

THIS AGREEMENT made this_____day of_____, 2015, by and between the CITY OF KERMAN, hereinafter called "Roadway Authority", and the SAN JOAQUIN VALLEY RAILROAD CO., a California corporation, hereinafter called "Railway":

WITNESSETH:

WHEREAS, through a Service Agreement with the Port Railroad dated April 1994, the RAILWAY currently leases land from the Union Pacific Railroad Company, hereinafter called "UP", situated at or near Kerman, County of Fresno, State of California, at Mile Post 193.90, Westside Subdivision, and RAILWAY has the right to possess and operate over the Premises; and

WHEREAS, in the interest of public safety and aiding motor vehicle traffic, Roadway Authority wishes to modify an existing public crossing by widening Goldenrod Avenue resulting in its crossing Railway's tracks with greater width, specifically referred to as RAILWAY's Milepost 193.90, Westside Subdivision, with DOT#752967Y, Railroad Project # 13SJVR08R, hereinafter called "Project"; located in the City of Kerman, County of Fresno, State of California attached hereto and hereby made a part hereof as Exhibit "A" is a Project Print showing the type, size and location of the new at-grade crossing structure; and

WHEREAS, the Roadway Authority is willing to undertake the entire cost and expense of construction of the Project with City funds available for this purpose and the Railway is willing to consent to and assist with the work related to the implementation of the Project upon the terms and conditions herein stated and not otherwise; and

WHEREAS, the Roadway Authority through Public Highway At-Grade Crossing Improvement Agreement Number Folder 2896-61, hereinafter called "Crossing Improvement Agreement", has obtained additional property from UP, required to widen the roadway through the crossing, and which stipulates the details for construction and maintenance, and

WHEREAS, said Project shall be constructed in accordance with plans and designs which shall be subject to the mutual approval of Railway and Roadway Authority, and

WHEREAS, the Railway and Roadway Authority hereto desire to contract with reference to the work to be done by each of those in connection therewith, the manner of the work to be performed, and the payment of costs and expense therein involved.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, it is mutually agreed as follows:

I. Performance of Work

The Roadway Authority and Railway will each perform various items of work as described below:

A. WORK TO BE PERFORMED AND MATERIALS FURNISHED BY EITHER ROADWAY AUTHORITY OR ITS CONTRACTOR AT ROADWAY AUTHORITY EXPENSE

1. Project Plans & Specifications and Construction

Except as otherwise herein provided, furnish all plans, engineering, supervision, labor, material, supplies and equipment necessary for construction of the Project. Roadway Authority shall obtain written approval of Project Plans & Specifications from Railway and UP prior to construction of the Project.

2. Roadway Construction

Bear responsibility for the construction of the highway roadbed outside of the Railway ties and the roadway up to the edge of the railroad crossing surface to include but not limited to all pavement structure, pavement surface, shoulders, drainage, sidewalks, pavement striping, advance pavement markings, erosion control, tree cutting, mowing, and advance warning signs.

Work will involve widening Goldenrod Avenue by adding a 12' raised median and widening each lane to 14'. Install applicable signs as required, install applicable barricades as required, install applicable AC dikes as required.

3. Maintenance of Traffic

Bear responsibility for all traffic detours, maintenance of traffic, and all other roadway modifications, permanent or temporary, necessary for Railway to complete crossing warning device installations, in addition to doing the same for the adjacent street.

Roadway Authority understands a minimum 48 hour full road closure will be required and will coordinate closure.

4. Schedule & Notification

Provide project construction schedule and notify Railway sixty (60) days prior to date Railway is to perform work and/or provide flagging services.

5. In the event of any conflict between the terms of this Article and the terms of Exhibits B (General Terms and Conditions) and C (General Terms and Conditions) attached to the Crossing Improvement Agreement, hereinafter collectively called the "General Terms and Conditions", the terms contained in the General Terms and Conditions shall govern.

B. WORK TO BE PERFORMED AND MATERIALS FURNISHED BY THE RAILWAY AT ROADWAY AUTHORITY EXPENSE

1. Engineering and Bill Preparation

Perform preliminary and special engineering, review, and inspection, including field and office work and preparation of bills.

2. Construction

SIGNAL WORK

The Railway, at the Roadway Authority's expense, will install track circuitry, 2 new LED signaled gates and related crossing safety equipment to accommodate the Roadway Authority's construction plans previously provided to the Railway and in accordance the attached drawings No. 752967Y.DGN, dated August 19, 2013 (or the latest revision)

attached as Exhibit "A" with projected cost estimates for construction described in Exhibit "B".

CROSSING SURFACE/ RESURFACE WORK

The Railway, at the Roadway Authority's expense, will install 97.5 feet of new concrete crossing surface at the crossing site in accordance the attached drawing No. 752967Y.DGN, dated August 19, 2013 (or the latest revision) attached as Exhibit "A" with projected costs estimates for construction described in Exhibit "B".

The estimate provided in Exhibit "B" is not intended to be a guarantee of construction costs and actual construction cost may differ based upon variables encountered at and during construction.

For the Project, the work will commence following the release of a Notice to Proceed from the Roadway Authority.

3. Flagging

Perform flagging and furnish requested services and devices during construction operations of the Roadway Authority or its contractor, as deemed necessary by the Railway. Any flagging cost or protective services performed by the Railway or its contractor shall be at the Roadway Authority's expense.

4. Payment

The parties agree that for purposes of this Agreement, the term "Railroad" in Section 2 of the Crossing Improvement Agreement shall mean Railway.

III. Traffic Protection and Safety

All work herein provided for, to be done by the Roadway Authority or its contractors on the Railway's right-of-way, shall be performed by the Roadway Authority or its contractors in a manner satisfactory to the Railway and shall be performed at such time and in such manner as not to interfere unnecessarily with the movement of trains or traffic upon the tracks of the Railway. The Roadway Authority or its contractors shall enter into a "Right-of-Entry Agreement" with UP, in accordance with the terms of Section 6 of the Crossing Improvement Agreement, and provide Railway a copy of the actual signed agreement prior to the first entry onto Railway's right-of-way. The Roadway Authority shall reimburse the Railway for all actual costs thereof, including, without limitation, both direct and indirect labor additives. The Railway will submit bills for flagging and other protective services and devices currently during the progress of the work contemplated by this Agreement. The Railway shall have one hundred twenty (120) days to submit complete billing for flagging and other protective services and devices, and the Roadway Authority shall pay such bills within thirty (30) days of it receipt of billing. Wherever the safeguarding of trains or traffic of the Railway is mentioned in this Agreement, it is intended to cover and include all users of the Railway's tracks having permission for such use.

IV. Compensation

[Intentionally omitted.]

V. Conditions, Restrictions, and Limitations

All the aforementioned rights are granted subject to the terms, provisions, conditions, restrictions, limitations, covenants, reservations and exceptions contained in this agreement; and Roadway Authority, in the exercise of the rights and in the conduct of the Project, shall and will do, keep, observe and perform each and all of the terms, provisions, conditions, restrictions, limitations, covenants, reservations and exceptions.

The Roadway Authority shall ensure that its contractor(s) obtain and provide to Railway evidence that such contractor(s) have procured the insurance coverage described in Exhibit "C", attached to the Right of Entry Agreement that is attached to the Crossing Improvement Agreement, hereinafter called "Insurance Requirements", covering their work on Railway's property covering this Project. The parties acknowledge and agree that the term "Railroad" in the Insurance Requirements shall mean Railway, including as named and additional insured, as specified therein, and copies of all insurance correspondence, binders, policies, certificates and endorsements shall be sent to SAN JOAQUIN VALLEY RAILROAD CO. (SJVR); Attn.: Property Management Dept., 221 N. "F" Street, P.O. Box 937, Exeter, CA 93221.

The Roadway Authority acknowledges and reaffirms its obligation under Section 10 of the General Terms and Conditions (Exhibit "C to the Crossing Improvement Agreement) to indemnify Railway.

VI. Compliance with Federal Regulations

If the Railway enters into a contract or agreement with a contractor to perform any of the work, which the Railway is required to perform under the terms of this Agreement, the Railway, for itself, its assigns and successors in interest, agrees that it will not unlawfully discriminate in its choice of contractors.

VII. Signatory Warranty

Each signatory to this agreement certifies that he has the authority to enter into this agreement on behalf of his respective organization.

VIII. Term and Maintenance Responsibilities

The term of this Agreement commences on the date on the top of page one hereof and shall continue for a period not to exceed the earlier of the 12 months from the date construction commences within the Railway's Right-of-Way or completion of the construction of the Project as determined by the Railway.

The Roadway Authority acknowledges and reaffirms its obligations to maintain (i) the crossing signals in accordance with the terms contained in Section 11 and Section 14 of the Crossing Improvement Agreement and (ii) the facilities described in Section 5 of the General Terms and Conditions. The Roadway Authority shall pay such invoices if presented by Railway, either on behalf of UP or itself, if Railway performs such maintenance work. This provision shall survive expiration or termination of this Agreement.

IX. Assignment

Neither party has the right to assign this Agreement without the consent of the other.

X. Termination

[Intentionally omitted.]

XI. Construction

The Roadway Authority shall complete all construction within one (1) year of the execution date of this agreement. If construction has not commenced within one (1) year, this agreement becomes null and void. If construction has commenced and is not complete, the Roadway Authority shall provide the Railway a time line for the completion of the construction. The Railway will review the time line and determine if amendments to the terms of this agreement or supplemental agreements are required prior to the completion of construction.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year hereinafter written.

WITNESS: CITY OF KERMAN
AGENCY

By:_____

JOHN KUNKEL

Interim City Manager

APPROVED AS TO CONTENT:
PUBLIC WORKS
DEPARTMENT

By: _____

KEN MOORE

Public Works Director

APPROVED AS TO FORM:

By: _____

HILDA CANTŪ MONTOY

City Attorney

Insurance: _____

COUNTERSIGNED:

By: _____
TBD

Finance Director

WITNESS: SAN JOAQUIN VALLEY
RAILROAD CO., a California Corporation

_____
Authorized Representative Signature

RE Contract: _____
RR Project#: 13SJVR08R
XORAIL#: VEM13-32447

Exhibit "A"
RR PROJECT # 13SJVR08R
At-Grade Crossing Construction
MP 193.90
KERMAN, CALIFORNIA
Print date: 03/13/14

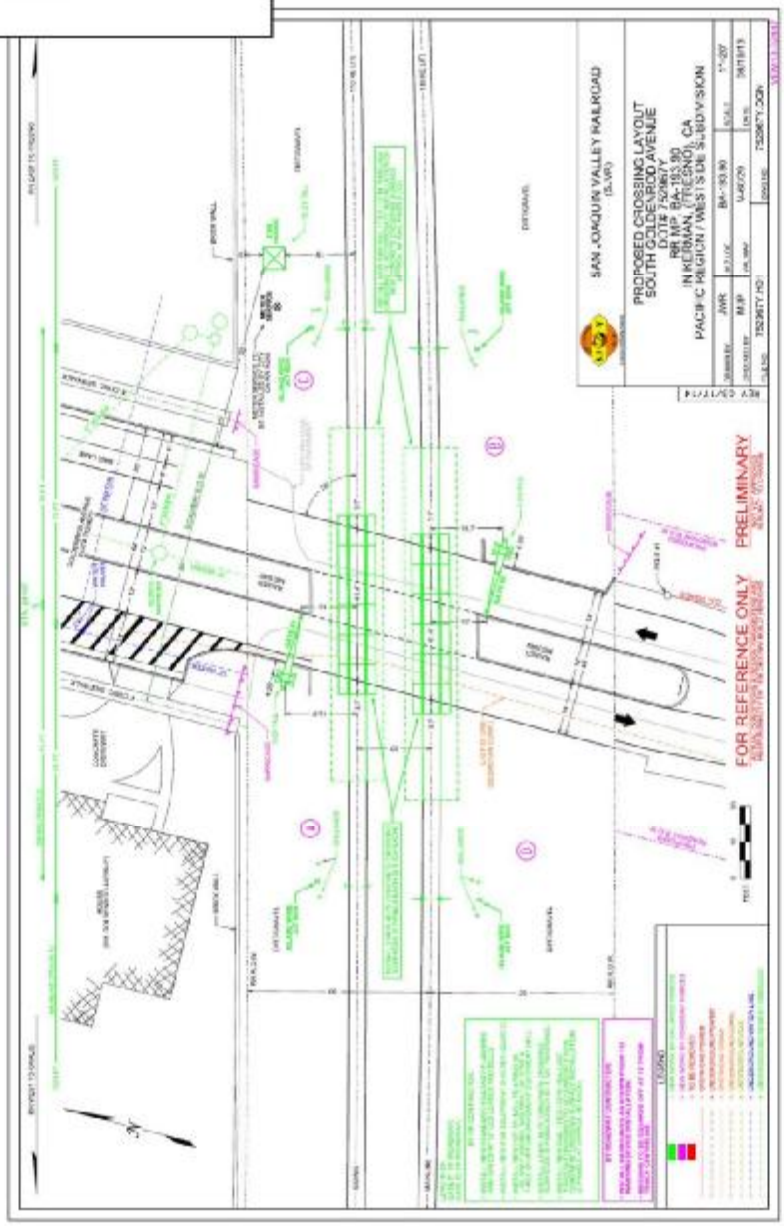

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Exhibit "B"
RR PROJECT # 13SJVR08R
Preliminary Cost Estimate for Total Railroad costs of Construction of PROJECT to Roadway Authority

RE Contract: _____
RR Project#: 13SJVR08R
XORAIL#: VEM13-32447

a Genesee & Wyoming Company

Estimate No.: 752567Y - 03/17/14

San Joaquin Valley Railroad (SJVR)

KERMAN, (FRESNO), CA - Goldenrod Ave.

DOT# : 752567Y
RR MP : 193.9

Pacific Region
Westside Subdivision

RAILROAD# : 13SJVR08R
XORAIL# : VEM13-32247

Summary

CROSSING WARNING SYSTEM (Includes all design, requisition, labor, materials, shop wiring, and installation)	$229,252.24
CROSSING SURFACE/RESURFACE (Includes all design, requisition, labor, materials, and installation)	$123,636.00
TRACK GRADE AND REHABILITATION (Includes all design, requisition, labor, materials, and installation)	$0.00
Crossing Control Circuit Design (Includes all circuit plan engineering)	$7,643.00
PRELIMINARY ENGINEERING (Phase 1) (Includes CONTRACT Labor for all Engineering, Agency Coordination, and Project Management)	$8,000.00
AGREEMENTS & APPROVALS (Phase 2) (Includes CONTRACT Labor for all Engineering, Agency Coordination, and Project Management)	$5,223.00
CONSTRUCTION ENGINEERING (Phase 3) (Includes CONTRACT Labor for all Engineering, Agency Coordination, and Project Management)	$15,716.00
CONSTRUCTION ENGINEERING INSPECTION (Estimated Construction Engineering Inspection cost based on 4 days @ $1500 per day)	$6,000.00
UTILITY CROSSING (1 new utility crossings @ $4000 per crossing, includes application, engineering review, and right of entry)	$4,000.00
RIGHT OF ENTRY FEE (Right of Entry Fee of $1,500 is valid for 60 days, after 60 days, additional fees of $750 per 30 days are required.)	$1,500.00
FLAGGING SERVICES (Estimated Flagging Services cost based on 20 days @ $1050 per day)	$21,000.00
AC POWER SERVICE (Includes all Power Service Charges not included in other costs)	$0.00
OTHER (Description Required)	$0.00
TOTAL ESTIMATE COST	**$421,990.24 (USD)**

DATE: 03/17/14

RESPONSIBLE PARTY:
Name: City Of Kerman
Number: TBA
Contact: Mitch Covington

NOTE: This Estimate has been prepared based on site conditions, anticipated work duration periods, material prices, labor rates, manpower, resource availability, and other factors known as of the date prepared. The actual cost for Railroad work may differ based upon the agency's requirements, their contractors work procedures, and/or other conditions that become apparent once construction commences or during the progress of the work. If any extended time elapses from the date of this Estimate, the Railroad will reserve the right to update the estimate to current price values, and require agency's approval before any work by Railroad will commence.

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City of Kerman

A Place Where "Community Comes First"

MAYOR Stephen B. Hill
MAYOR PRO-TEM Gary K. Yep
COUNCIL MEMBER Rhonda Armstrong
COUNCIL MEMBER Nathan Fox
COUNCIL MEMBER Bill Nijjer

DEPARTMENT: PLANNING & DEVELOPMENT
STAFF REPORT
CITY COUNCIL MEETING
MEETING DATE: AUGUST 19, 2015

To: Mayor and Council

From: Olivia Pimentel, Planning Technician

Subject: First Reading and Introduction of Ordinance Adding Section 17.94 to Title 17 of the Kerman Municipal Code To Comply with AB2188 Regarding Expedited Permit Process For Small Residential Roof Top Solar Systems

RECOMMENDATION

Council introduce and waive further reading of Ordinance Adding 17.94 to Title 17 of the Kerman Municipal Code to comply with AB 2188 regarding expedited permit process for small residential roof top solar and set a public hearing for September 16, 2015.

EXECUTIVE SUMMARY

On July 27, 2015 the Planning and Development Department staff introduced a proposed zoning ordinance amendment to the Kerman Planning Commission based on provisions of Senate Bill AB 2188 that requires that on or before September 30, 2015, every city, county or city and county must adopt an ordinance that creates an expedited, streamlined permitting process for small residential roof top solar energy systems. The Planning Commission set a public hearing for August 10, 2015 to recommend a resolution of intent in order to proceed to Council and comply with state law deadline.

Section 65850.5(a) of the California Government Code provides that it is the policy of the State to promote and encourage the installation and use of solar energy systems by limiting obstacles to their use and by minimizing the permitting costs of such systems. In furtherance of that objective, Section 65850.5(g)(1) of the California Government Code requires that, on or before September 30, 2015, every city, county, or city and county must adopt an ordinance that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems.

The City currently expedites the review of such applications which meets the required intent of AB 2188 by reviewing and issuing applications (Our current plans are processed for residential solar projects in a very short time, normally ten (10) days for processing and permitting, etc.)

The Solar Guidebook states "for eligible projects, plan review and permit issuance are completed "over the counter" for walk-in applications or electronic submittals, or automatically through online software. If over-the-counter approvals is not offered, a maximum timeframe of 1-3 days in which to review the permit application is provided." The key language to consider here is "review and application". It does not say approve the plans. Also, note that these are guidelines and not law. The City should be cautious not to state a time frame because it is not a requirement.

The City, however, needs to adopt the ordinance mandated by Section 65850.5(g)(1). The attached ordinance is intended to satisfy that requirement. The ordinance codifies the requirements of Section 65850.5(g)(1), such as accepting and approving applications electronically, directing the City's Building Official to develop a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review, and authorizing the Building Official to administratively approve such applications.

PLANNING COMMISSION ACTION

On August 10, 2015, the Kerman Planning Commission conducted a public hearing and adopted Resolution No. 15-03, Resolution of Intent to Recommend Adoption of Ordinance Amending Title 17 of the Kerman Municipal Ordinance Relating to Expedited Permitting Procedures for Small Residential Roof Top Solar Systems.

OUTSTANDING ISSUES

The City of Kerman's Zoning Ordinance must be in compliance with provisions of AB2188 relating to expedited permitting procedures for small residential roof top solar systems on or before September 30, 2015.

FISCAL IMPACT

There is no anticipated fiscal impact, as the costs would be recovered through existing building permit fees.

DISCUSSION

In order to meet the September 30, 2015 deadline and all requirements for public hearing notices, the City Planning Commission scheduled a special meeting for a public hearing on August 10, 2015 and approved a Resolution of Intent to Recommend Adoption of Ordinance Amending Title 17 of the Kerman Municipal Ordinance Relating to Expedited Permitting Procedures For Small Residential Roof Top Solar Systems.

Staff recommends that the Council provide input and direction, introduce and waive further reading and set a public hearing for September 16, 2015 to adopt Ordinance adding 17.94 to Title 17 of the Kerman Municipal Ordinance regarding expedited permit process for small residential roof top solar systems.

This would meet the September 30, 2015 deadline.

PUBLIC HEARING

A public hearing notice on the proposed ordinance will be published in the Kerman News for the September 16, 2015 Council meeting

Attachments:

A. Ordinance
B. Streamline Permitting Checklist

Attachment 'A'

ORDINANCE NO. 15-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KERMAN ADDING 17.94 TO TITLE 17 OF THE KERMAN MUNICIPAL CODE TO COMPLY WITH AB 2188 REGARDING EXPEDITED PERMIT PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS

THE CITY COUNCIL OF THE CITY OF KERMAN DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 17.94 is added to Title 17 of the Kerman Municipal Code to read as follows:

EXPEDITED PERMIT PROCESS FOR SMALL

RESIDENTIAL ROOFTOP SOLAR SYSTEMS

Sections:

17.94.010 Purpose and intent.
17.94.020 Definitions.
17.94.030 Applicability.
17.94.040 Solar energy system requirements.
17.94.050 Applications and documents.
17.94.060 Permit review and inspection requirements.

17.94.010 Purpose and intent.

The purpose of this chapter is to provide an expedited, streamlined solar permitting process that complies with the Solar Rights Act and AB 2188 (Chapter 521, Statutes 2014, California Government Code Section 65850.5) in order to achieve timely and cost-effective installations of small residential rooftop solar energy systems. This chapter encourages the use of solar systems by removing unreasonable barriers, minimizing costs to property owners and the city and expanding the ability of property owners to install solar energy systems. This chapter allows the city to achieve these goals while protecting the public health and safety.

17.94.020 Definitions.

As used in this chapter:

A. "Solar energy system" means either of the following:

1. Any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating.

2. Any structural design feature of a building, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating or cooling, or for water heating.

B. "Small residential rooftop solar energy system" means all of the following:

1. A solar energy system that is no larger than ten kilowatts alternating current nameplate rating or thirty kilowatts thermal.

2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the city, and all state and city health and safety standards.

3. A solar energy system that is installed on a single- or two-family dwelling.

4. A solar panel or module array that does not exceed the maximum legal building height as defined by the city.

C. "Electronic submittal" means the utilization of electronic email or submittal via the Internet.

D. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

E. "Reasonable restrictions" on a solar energy system are those restrictions that do not significantly increase the cost of the system or significantly decrease its efficiency or specified performance, or that allow for an alternative system of comparable cost, efficiency, and energy conservation benefits.

F. Restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance" means:

1. For water heater systems or solar swimming pool heating systems: an amount exceeding ten percent of the cost of the system, but in no case more than one thousand dollars, or decreasing the efficiency of the solar energy system by an amount exceeding ten percent, as originally specified and proposed.

2. For photovoltaic systems: an amount not to exceed one thousand dollars over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding ten percent as originally specified and proposed.

17.94.030 Applicability.

A. This chapter applies to the permitting of all small residential rooftop solar energy systems in the city.

B. Small residential rooftop solar energy systems legally established or permitted prior to the effective date of the ordinance codified in this chapter are not subject to the requirements of this chapter unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small rooftop energy system in such a way as to require new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit.

C. A use permit and/or architectural review may be required for properties on the city's list of historic resources as deemed necessary by the community development director.

17.94.040 Solar energy system requirements.

A. All solar energy systems shall meet applicable health and safety standards and requirements imposed by the state and the city.

B. Solar energy systems for heating water in single-family residences and for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing and Mechanical Code.

C. Solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers,

and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

17.94.050 Applications and documents.

A. All documents required for the submission of an expedited solar energy system application shall be made available on the city website.

B. Electronic submittal of the required permit application and documents by email or the Internet shall be made available to all small residential rooftop solar energy system permit applicants.

C. The Planning and Development Services Department shall adopt a standard plan and checklist of all requirements with which small residential rooftop solar energy systems shall comply to be eligible for expedited review.

D. The small residential rooftop solar system permit process, standard plan(s), and checklist(s) shall substantially conform to recommendations for expedited permitting, including the checklist and standard plans contained in the most current version of the California Solar Permitting Guidebook adopted by the Governor's Office of Planning and Research.

17.94.060 Permit review and inspection requirements.

A. The Planning Director or his or her designee shall implement an administrative, nondiscretionary review process to expedite approval of small residential rooftop solar energy systems. The Planning and Development Services Department shall issue a building permit, the issuance of which is nondiscretionary, on the same day for over-the-counter applications or within one to three business days for electronic applications upon receipt of a complete application that meets the requirements of the approved checklist and standard plan. The chief building official may require an applicant to apply for an administrative use permit if the official finds, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety. Such decisions may be appealed to the city Planning Commission.

B. Review of the application shall be limited to the chief building official's review of whether the application meets local, state, and federal health and safety requirements.

C. If an administrative use permit is required, the city may deny such application if it makes written findings based upon substantive evidence in the record that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid, as defined, the adverse impact. Such findings shall include the basis for the rejection of the potential feasible alternative for preventing the adverse impact. Such decisions may be appealed to the city planning commission.

D. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.

E. "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the city on another similarly situated application in a prior successful application for a permit. The city shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of Section 714 of the Civil Code defining restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance.

F. If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

G. Only one inspection shall be required and performed by the building and safety division for small residential rooftop solar energy systems eligible for expedited review.

H. The inspection shall be done in a timely manner and should include consolidated inspections.

I. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized.

SECTION 2. Severance. If any section, subsection, phrase, or clause of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3. Effective Date. This ordinance shall become effective on the thirtieth (30th) day following adoption by the City Council. Publication of this ordinance or a summary of the same within fifteen days (15) of passage pursuant to the laws of the State of California in the Kerman News, a newspaper of general circulation published and circulated in the City of Kerman is hereby ordered and directed.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Kerman held on the 19th day of August, 2015, and was passed after a duly noticed public hearing at a regular meeting of the City Council on the 16th day of September 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing ordinance is hereby approved.

ATTEST:

_____
Stephen B. Hill
Mayor

_____
Marci Reyes
City Clerk

Attachment 'B'

STREAMLINED SOLAR CHECKLIST

CITY OF KERMAN
PLANNING & DEVELOPMENT DEPARTMENT, BUILDING DIVISION
850 S. MADERA AVENUE, KERMAN, CA 93630
BUSINESS PHONE: (559) 846-6121
INSPECTION REQUEST- 24 HOUR RECORDER: (559)846-6121

This checklist must be completed by the contractor or an authorized agent of the contractor in order to determine if the roof top solar project is eligible for streamlined solar permitting.

GENERAL REQUIREMENTS:

System size is 10 kW AC CEC rating or less.	YES **o**	NO **o**
The solar array is roof-mounted on one- or two-family dwelling.	YES **o**	NO **o**
The solar system is utility interactive and without battery storage.	YES **o**	NO **o**
Installation of the system will not require any excavation more than 10 feet from the structure the solar panel/module arrays are mounted on.	YES **o**	NO **o**
A minimum clear space of three feet is provided on the control side of roof mounted HVAC equipment.	YES **o**	NO **o**

ELECTRICAL REQUIREMENTS:

No more than four photovoltaic module strings are connected to each Maximum Power Point Tracking (MPPT) input where source circuit fusing is included in the inverter.	YES **o**	NO **o**
No more than two strings per MPPT input where source circuit fusing is not included.	YES **o**	NO **o**
Fuses (if needed) are rated to the series fuse rating of the PV module.	YES **o**	NO **o**
No more than one inverter-integrated DC combiner is utilized per inverter.	YES **o**	NO **o**
or central inverter systems: No more than two inverters are utilized.	YES **o**	NO **o**
The PV system is connected to the load side of the utility distribution equipment.	YES **o**	NO **o**
A Solar PV Standard Plan and supporting documentation is completed and attached illustrating disconnects, AC/DC, wiring sizing, panel size.	YES **o**	NO **o**

ROOF REQUIREMENTS:

The roof has a single roof covering without a reroof overlay.	YES **o**	NO **o**
Has the roof structure been verified to be structurally sound, without signs of alterations or significant structural deterioration or deflection?	YES **o**	NO **o**

FIRE SAFETY REQUIREMENTS:

Access pathways at least three feet in width are provided on hip roofs from the eave to the ridge. Panels shall be located at least 18 inches from a hip or valley

if located on both sides of a hip or valley.	YES **o**	NO **o**
Access pathways at least three feet in width are provided between multiple arrays.	YES **o**	NO **o**
To allow for smoke ventilation there is a minimum of three feet between the ridge and the panels.	YES **o**	NO **o**
There are no conductors within the three foot area between the panels and the ridge which are closer than 12 inches of the roof sheathing.	YES **o**	NO **o**
The panel fire classification is provided and meets the rating required for the structure.	YES **o**	NO **o**
The plans include a sheet showing the location and verbiage of the required labels	YES **o**	NO **o**

SOLAR ARRAY REQUIREMENTS:

Is the distance between the underside of modules and the roof surface at least two inches but not greater than 10 inches?	YES **o**	NO **o**
Is the plane of the modules (panels) parallel to the plane of the roof?	YES **o**	NO **o**
The layout of the modules is designed to not overhang any ridges, hips, gable ends and eaves.	YES **o**	NO **o**
Has the weight of the modules plus support components been verified to weigh no more than: 4 psf for photovoltaic arrays or 5 psf for solar thermal arrays?	YES **o**	NO **o**
Are the support component manufacturer's project-specific worksheets and tables completed with relevant information identified?	YES **o**	NO **o**
Is a roof plan of the module and anchor layout included in the plans?	YES **o**	NO **o**

PERMIT ISSUANCE REQUIREMENTS:

If any items are checked NO, the project is not eligible for streamlined solar permitting and must go through the standard application process.

AGREEMENT:

As the responsible contractor or authorized agent for the project I understand that I am responsible for the accuracy of all information provided in this application. I also understand that revisions to this project will result in a revised application and plan review submitted to the building department which will not be eligible for expedited solar permit issuance.

Contractor/Authorized Agent Name: _____

Contractor/Authorized Agent Signature: _____Date:_____

NOTES and OTHER INFORMATION:

1. Size of existing service main:
   o 200 amp **o** 125 amp **o** 100 amp **o** other please specify _____
2. Will the service main be upgraded and / or replaced? Yes **o** No **o**
3. Size of new service main:
   o 200 amp **o** 125 amp **o** 100 amp **o** other please specify _____

City of Kerman

"Where Community Comes First"

MAYOR
Stephen B. Hill
MAYOR PRO-TEM
Gary Yep
COUNCIL MEMBER
Rhonda Armstrong
COUNCIL MEMBER
Nathan Fox
COUNCIL MEMBER
Bill Nijjer

DEPARTMENT: CITY MANAGER
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: AUGUST 19, 2015

To: Mayor and City Council

From: John Kunkel, City Manager

Subject: Interim Urgency Ordinance Enacted Pursuant to California Government Code Section 65858 Temporarily Prohibiting the Establishment of Businesses Offering Massages Pending Study and Adoption of Regulatory and Zoning Standards

EXECUTIVE SUMMARY

In 2008, the Governor signed into law Senate Bill 731, which preempts local government controls relating to massage establishments. All local regulation of massage establishments were superseded by the law that took effect in September 2009. The bill created a non-profit organization, the California Massage Therapy Council (CAMTC) that issues licenses to massage therapists and practitioners. These laws were amended in 2011 and 2012, further limiting local governments' abilities to regulate massage establishments. The results have been a proliferation of massage establishments throughout California. In September 2014, the Governor signed into law AB 1147, which returns some authority to regulate massage establishments to local governments effective January 1, 2015. Currently, there is nothing in the Kerman Municipal Code to address businesses offering massage services. City staff and the Police Chief are concerned that under the current Municipal Code, the City would be unable to prevent a proliferation of massage establishments in the City similar to what many California cities have been experiencing. The intent of this moratorium is to provide staff the opportunity to prepare an ordinance to address massage establishments.

In order to ensure the protection of the public health, safety, and welfare, City staff requires time to study the effects of these massage parlors on the City and to determine what, if any, new regulations might best serve the interests of the City. This interim urgency ordinance would prohibit the issuance of new business licenses or other permits or entitlements for massage establishments for an initial forty-five (45) day period to allow the City to study this issue in more depth.

FISCAL IMPACT

There is no anticipated fiscal impact from adopting this interim urgency ordinance.

RECOMMENDATION

Council by motion adopt the interim urgency Ordinance Temporarily Prohibiting the Establishment of Businesses Offering Massages Pending Study and Adoption of Regulatory and Zoning Standards

.Attachments:

A. Ordinance

Attachment 'A'

ORDINANCE NO. 15-__

INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KERMAN ENACTED UNDER GOVERNMENT CODE SECTION 65858 TEMPORARILY PROHIBITING THE ESTABLISHMENT OF BUSINESSES OFFERING MASSAGES PENDING STUDY AND ADOPTION OF REGULATORY AND ZONING STANDARDS

WHEREAS, Article 11, Section 7 of the California Constitution authorizes the City of Kerman ("City") to make and enforce within its limits all ordinances and regulations not in conflict with general laws; and

WHEREAS, currently the City has no explicit rules or regulations governing the establishment of businesses offering massages; and

WHEREAS, the City Council desires to address the threat to health and safety posed by the establishment of businesses offering massages in the City; and

WHEREAS, Senate Bill 731 adopted in 2008 has been widely criticized by local agencies and other groups for providing massage businesses with unprecedented protection from local zoning and land use authority, and interfering with local law enforcement efforts to close massage businesses allowing prostitution and other illegal activities; and

WHEREAS, the increased number of massage parlors in cities across California has resulted in an increase of police and code enforcement calls and services to many of those establishments, some of which are suspected of allowing and encouraging sexually explicit activity that is illegal to occur on the premises; and

WHEREAS, the California Legislature passed Assembly Bill 1147, which went into effect on January 1, 2015, in response to widespread criticism of Senate Bill 731; and

WHEREAS, Assembly Bill 1147 authorizes cities to use zoning and licensing processes to regulate massage establishments by imposing reasonable zoning, business licensing, and health and safety requirements on massage establishments; and

WHEREAS, this interim ordinance is adopted to evaluate new regulatory options in compliance with the newly expanded authority granted by Assembly Bill 1147; and

WHEREAS, City staff requires time to gather data about the adverse impacts of massage establishments and to research, study, and consider ways to possibly amend the City's business license process and the Kerman Municipal Code to reduce potential illegalities occurring at massage establishments; and

WHEREAS, City staff and the Police Department are conducting research into the possible and likely impacts of regulating massage establishments in the City in order to mitigate adverse impacts being experienced in other communities; and

WHEREAS, City staff is gathering factual data regarding the adverse impacts experienced by other cities that permit massage establishments; and

WHEREAS, there is insufficient time for the City Council to adopt a regular, non-urgency ordinance applicable to businesses offering massages; and

WHEREAS, unless adopted on an urgency basis, the establishment of businesses offering massages could be established without any specific regulation applicable to them and could create inconsistent and incompatible land use; and

WHEREAS, based on the foregoing, the City Council desires to institute a forty-five (45) day moratorium to allow staff and the City Council the opportunity to research and select the best course of action for the City's citizens and the community at large; and

WHEREAS, the City Council finds there is a current and immediate threat to the public health, safety, or welfare posed by the establishment of businesses offering massages unless there is time for study and development of regulatory and development standards.

THE COUNCIL OF THE CITY OF KERMAN DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. URGENCY FINDINGS.

A. The City Council finds that the facts set forth in the Recitals above are true and correct.

B. The City council hereby finds and determines that the dramatic change in regulatory authority created by the passage of Assembly Bill 1147, the proliferation of massage establishments at locations in cities throughout the state as well as reports of prostitution, human trafficking, and other disturbances and code enforcement violations constitutes an immediate threat to the public health, safety and welfare.

C. The approval of massage establishments under the City's current regulations will threaten public health, safety, or welfare.

D. The establishment and operation of businesses offering massages within the City without due consideration and before the City has an opportunity to study impacts and potential regulation would result in adverse impacts, constitute a public nuisance, and present a risk to public health, safety, and welfare.

E. The adoption of this Ordinance is necessary for the immediate protection of the public safety, health and welfare.

SECTION 2. IMPOSITION OF MORATORIUM

A. The City of Kerman hereby enacts an interim urgency ordinance pursuant to Government Code Section 65858 prohibiting the establishment of businesses offering massages in the City of Kerman pending the study and development of standards and regulations relating to massage establishments.
B. During the time this Ordinance is in effect, no business license or other permit or entitlement shall be issued for the establishment or operation of a massage establishment as defined in Assembly Bill 1147 unless this moratorium is extended or terminated by the City Council.

C. It is the City Council's intention that nothing in this Ordinance shall be deemed to conflict with state law.

D. This Ordinance is hereby found to be categorically exempt from environmental review pursuant to CEQA Guidelines Section 15061 (b) (3).

SECTION 3. TERM.

This Ordinance shall be in effect for forty-five (45) days from its adoption unless earlier repealed.

SECTION 4. SEVERANCE PROVISIONS.

If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance and each and all provisions thereof irrespective of the fact that any one or more of said provisions be declared unconstitutional, unlawful or otherwise invalid.

SECTION 5. EFFECTIVE DATE.

This Ordinance is an urgency measure to prevent a current and immediate threat to the public health, safety, or welfare, adopted pursuant to Section 65858 of the Government Code of the State of California, is effective immediately upon adoption by a four-fifths (4/5) vote of the City Council, and shall remain in effect for 45 days unless extended pursuant to California Government Code Section 65858.

The foregoing Interim Urgency Ordinance was introduced and adopted at a regular meeting of the City Council of the City of Kerman held on the 19th day of August 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing ordinance is hereby approved.

_____
Stephen B. Hill
Mayor

ATTEST:

_____
Marci Reyes
City Clerk

City of Kerman

"Where Community Comes First"

MAYOR
Stephen B. Hill
MAYOR PRO-TEM
Gary Yep
COUNCIL MEMBER
Rhonda Armstrong
COUNCIL MEMBER
Nathan Fox
COUNCIL MEMBER
Bill Nijjer

DEPARTMENT: CITY MANAGER
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: AUGUST 19, 2015

To: Mayor and City Council

From: John Kunkel, Interim City Manager

Subject: Resolution Urging the State to Provide New Sustainable Funding for State and Local Transportation Infrastructure

RECOMMENDATION

Council by motion adopt resolution urging Governor and Legislature to identity a sufficient and stable funding source for local street and road and state highway maintenance and rehabilitation.

EXECUTIVE SUMMARY

California lacks adequate funding to fix crumbling roads, highways, bridges and transportation infrastructure.

OUTSTANDING ISSUES

California's network of roads and highways are critical to our quality of life and economy. Yet the condition of our deteriorating network of roads is staggering:

- Our crumbling roads cost motorists nearly $600 a year per driver for vehicle maintenance.
- California has the second highest share of roads in "poor condition" in the nation.
- 58% of state roads need rehabilitation or pavement maintenance.
- California has 6 of 10 cities with the worst road conditions in the nation.
- 55% of local bridges require rehabilitation or replacement.
- Nearly 70% of California's urban roads and highways are congested.
- Without additional funding, 1/4 of local streets and roads will be in failed condition by 2024.
- Our state lacks adequate funding to address these critical deficiencies:
- Local streets and roads face an estimated shortfall of $78 billion in deferred maintenance and an annual shortfall of $7.8 billion.
- CalTrans faces a $59 billion backlog in deferred maintenance and an annual shortfall in the State Highway Operation and Protection Program (SHOPP) of $5.7 billion.

DISCUSSION

A broad coalition of cities, counties, labor, business, public safety and transportation advocates has formed to meet the Governor's call to address California's chronic transportation infrastructure funding shortfall. During the 2015 special session on transportation, we support the following priorities:

1. Make a significant investment in transportation infrastructure.
If we are to make a meaningful dent that demonstrates tangible benefits to taxpayers and drivers, any package should seek to raise at least $6 billion annually and should remain in place for at least 10 years or until an alternative method of funding our transportation system is agreed upon.

2. Focus on maintaining and rehabilitating the current system.
Repairing California's streets and highways involves much more than fixing potholes. It requires major road pavement overlays, fixing unsafe bridges, providing safe access for bicyclists and pedestrians, replacing storm water culverts, as well as operational improvements that necessitate, among other things, the construction of auxiliary lanes to relieve traffic congestion choke points and fixing design deficiencies that have created unsafe merging and other traffic hazards.

Efforts to supply funding for transit in addition to funding for roads should also focus on fixing the system first.

3. Invest a portion of diesel tax and/or cap & trade revenue to high-priority goods movement projects.
While the focus of a transportation funding package should be on maintaining and rehabilitating the existing system, California has a critical need to upgrade the goods movement infrastructure that is essential to our economic well-being. Establishing a framework to make appropriate investments in major goods movement arteries can lay the groundwork for greater investments in the future that will also improve air quality and reduce greenhouse gas emissions.

4. Raise revenues across a broad range of options.
Research by the California Alliance for Jobs and Transportation California shows that voters strongly support increased funding for transportation improvements. They are much more open to a package that spreads potential tax or fee increases across a broad range of options rather than just one source. Additionally, any package should move California toward an all-users pay structure in which everyone who benefits from the system contributes to maintaining it - from traditional gasoline-fueled vehicles, to hybrids, alternative fuel and or electric vehicles, to commercial vehicles. Our coalition supports:

- Reasonable increases in:
    - Gasoline and diesel excise taxes.
    - Vehicle registration and vehicle license fees.
- Dedicating a portion of the cap and trade revenue paid by motorists at the pump to transportation projects that reduce greenhouse emissions.
- Ensuring existing transportation revenues are invested in transportation-related purposes (i.e. truck weight fees and fuel taxes for off-road vehicles that are currently being diverted into the general fund).
- User charge for electric and other non-fossil fuel powered vehicles that currently do not contribute to road upkeep.

5. Equal split between state and local projects.
We support sharing revenue for roadway maintenance equally (50/50) between the state and cities and counties. Funding to local governments should be provided directly (no intermediaries) to accelerate projects and ensure maximum accountability.

6. Strong accountability requirements to protect the taxpayers' investment.
Voters and taxpayers must be assured that all transportation revenues are spent responsibly. Authorizing legislation should:

- Constitutionally protect transportation revenues for transportation infrastructure only. Time and again (Prop 42, 2002; Prop 1A, 2006; Prop 22, 2010), voters have overwhelmingly supported dedicating and constitutionally protecting transportation dollars for those purposes. We strongly support protections that prohibit using transportation dollars for other purposes.
- Repay existing transportation loans and end ongoing diversions of transportation revenues, including approximately $850 million in loans to the general fund and the annual loss of approximately $140 million in off-highway vehicle fuel taxes.
- Establish performance and accountability criteria to ensure efficient and effective use of all funding. All tax dollars should be spent properly, and recipients of new revenues should be held accountable to the taxpayers, whether at the state or local level. Counties and cities should adopt project lists at public hearings and report annually to the State Controller's Office regarding all transportation revenues and expenditures. Local governments should also commit to ensuring any new revenues supplement revenues currently invested in transportation projects. Both Caltrans and local governments can demonstrate and publicize the benefits associated with new transportation investments.
- Caltrans reform and oversight. To increase Caltrans effectiveness, provide stronger oversight by the state transportation commission of the programs funded by new revenues and establish an Inspector General office to provide accountability. Reduce Caltrans administrative budgets through efficiency reviews with all savings to be spent on road improvements.
- Expedite project delivery. More should be done to streamline project delivery, including but not limited to:
  - Establishing timelines for actions required by state agencies and eliminating other permit delays.
  - Increased implementation of alternative delivery systems that encourage more investment from the private sector.
  - Reforms to speed project completion.

7. Provide Consistent Annual Funding Levels.
Under current statute, the annual gas tax adjustment by the Board of Equalization is creating extreme fluctuations in funding levels -- a $900 million drop in this budget year alone. A transportation funding package should contain legislation that will create more consistent revenue projections and allow Caltrans and transportation agencies the certainty they need for longer term planning. While this change would not provide any new revenue to transportation, it would provide greater certainty for planning and project delivery purposes.

FISCAL IMPACT

Possible Allocation of $657,956 (see Attachment 'B')

PUBLIC HEARING
None

Attachments:

A. Resolution
B. Proposed Local Streets & Roads Funding

Attachment 'A'
RESOLUTION NO. 15-__

A RESOLUTION URGING THE STATE TO PROVIDE NEW SUSTAINABLE FUNDING FOR STATE AND LOCAL TRANSPORTATION INFRASTRUCTURE

WHEREAS, Governor Edmund G. Brown, Jr. has called an extraordinary session to address the immense underfunding of California's transportation infrastructure; and

WHEREAS, cities and counties own and operate more than 81 percent of streets and roads in California, and from the moment we open our front door to drive to work, bike to school, or walk to the bus station, people are dependent upon a safe, reliable local transportation network; and

WHEREAS, the City of Kerman has participated in efforts with the California State Association of Counties, League of California Cities, and California's Regional Transportation Planning Agencies to study unmet funding needs for local roads and bridges, including sidewalks and other essential components; and

WHEREAS, the resulting 2014 California Statewide Local Streets and Roads Needs Assessment, which provides critical analysis and information on the local transportation network's condition and funding needs, indicates that the condition of the local transportation network is deteriorating as predicted in the initial 2008 study; and

WHEREAS, the results show that California's local streets and roads are on a path of significant decline. On a scale of zero (failed) to 100 (excellent), the statewide average pavement condition index (PCI) is 66, placing it in the "at risk" category where pavements will begin to deteriorate much more rapidly and require rehabilitation or rebuilding rather than more cost-effective preventative maintenance if funding is not increased; and

WHEREAS, the results show that the City of Kerman's overall PCI is 73 and the overall PCI for the collector streets is currently a 65, placing them in the "good category"; and

WHEREAS, if funding remains at the current levels, in 10 years, 25 percent of local streets and roads in California will be in "failed" condition; and

WHEREAS, cities and counties need an additional $1.7 billion just to maintain a status quo pavement condition of 66, and much more revenue to operate the system with Best Management Practices, which would reduce the total amount of funding needed for maintenance in the future; and

WHEREAS, models show that an additional $3 billion annual investment in the local streets and roads system is expected to improve pavement conditions statewide from an average "at risk" condition to an average "good" condition; and

WHEREAS, if additional funding isn't secured now, it will cost taxpayers twice as much to fix the local system in the future, as failure to act this year will increase unmet funding needs for local transportation facilities by $11 billion in five years and $21 billion in ten years; and

WHEREAS, modernizing the local street and road system provides well-paying construction jobs and boosts local economies; and

WHEREAS, the local street and road system is also critical for farm to market needs, interconnectivity, multimodal needs, and commerce; and

WHEREAS, police, fire, and emergency medical services all need safe reliable roads to react quickly to emergency calls and a few minutes of delay can be a matter of life and death; and

WHEREAS, maintaining and preserving the local street and road system in good condition will reduce drive times and traffic congestion, improve bicycle safety, and make the pedestrian experience safer and more appealing, which leads to reduce vehicle emissions helping the State achieve its air quality and greenhouse gas emissions reductions goals; and

WHEREAS, restoring roads before they fail also reduces construction time which results in less air pollution from heavy equipment and less water pollution from site run-off; and

WHEREAS, in addition to the local system, the state highway system needs an additional $5.7 billion annually to address the state's deferred maintenance; and

WHEREAS, in order to bring the local system back into a cost-effective condition, at least $7.3 billion annually in new money going directly to cities and counties; and

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF KERMAN strongly urges the Governor and Legislature to identity a sufficient and stable funding source for local street and road and state highway maintenance and rehabilitation to ensure the safe and efficient mobility of the traveling public and the economic vitality of California.

RESOLVED FURTHER, that the CITY OF Kerman strongly urges the Governor and Legislature to adopt the following priorities for funding California's streets and roads.

1. Make a significant investment in transportation infrastructure. Any package should seek to raise at least $6 billion annually and should remain in place for at least 10 years or until an alternative method of funding our transportation system is agreed upon.

2. Focus on maintaining and rehabilitating the current system. Repairing California's streets and highways involves much more than fixing potholes. It requires major road pavement overlays, fixing unsafe bridges, providing safe access for bicyclists and pedestrians, replacing storm water culverts, as well as operational improvements that necessitate the construction of auxiliary

lanes to relieve traffic congestion choke points and fixing design deficiencies that have created unsafe merging and other traffic hazards. Efforts to supply funding for transit in addition to funding for roads should also focus on fixing the system first.

3. Equal split between state and local projects. We support sharing revenue for roadway maintenance equally (50/50) between the state and cities and counties, given the equally-pressing funding needs of both systems, as well as the longstanding historical precedent for collecting transportation user fees through a centralized system and sharing the revenues across the entire network through direct subventions. Ensuring that funding to local governments is provided directly, without intermediaries, will accelerate project delivery and ensure maximum accountability.

4. Raise revenues across a broad range of options. Research by the California Alliance for Jobs and Transportation California shows that voters strongly support increased funding for transportation improvements. They are much more open to a package that spreads potential tax or fee increases across a broad range of options, including fuel taxes, license fees, and registration fees, rather than just one source. Additionally, any package should move California toward an all-users pay structure, in which everyone who benefits from the system contributes to maintaining it – from traditional gasoline-fueled vehicles, to new hybrids or electric vehicles, to commercial vehicles.

5. Invest a portion of diesel tax and/or cap & trade revenue to high-priority goods movement projects. While the focus of a transportation funding package should be on maintaining and rehabilitating the existing system, California has a critical need to upgrade the goods movement infrastructure that is essential to our economic well-being. Establishing a framework to make appropriate investments in major goods movement arteries can lay the groundwork for greater investments in the future that will also improve air quality and reduce greenhouse gas emissions.

6. Strong accountability requirements to protect the taxpayers' investment. Voters and taxpayers must be assured that all transportation revenues are spent responsibly. Local governments are accustomed to employing transparent processes for selecting road maintenance projects aided by pavement management systems, as well as reporting on the expenditure of transportation funds through the State Controller's Local Streets and Roads Annual Report.

7. Provide Consistent Annual Funding Levels. Under current statute, the annual gas tax adjustment by the Board of Equalization is creating extreme fluctuations in funding levels – a $900 million drop in this budget year alone. A transportation funding package should contain legislation that will create more consistent revenue projections and allow Caltrans and transportation agencies the certainty they need for longer term planning.

The foregoing resolution was introduced and adopted at the regular meeting of the City Council of the City of Kerman held on the 19th day of August, 2015, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

The Resolution is hereby approved.

_____
Stephen B. Hill
Mayor

ATTEST:

_____
Marci Reyes
City Clerk

Attachment 'B'

Proposed New Local Streets&Roads Funding

Estimated 2 July 2015

Allocation: half of total among cities on a population basis, half of total among counties proportionate to registered vehicles and maintained miles.

$3 Billion / yr = $1.5B cities, $1.5B counties

MARIPOSA COUNTY	
MADERA COUNTY	
MADERA	$ 2,882,725
FRESNO COUNTY	
CLOVIS	$ 4,675,278
COALINGA	$ 874,270
FIREBAUGH	$ 357,275
FOWLER	$ 269,157
FRESNO	$ 23,590,003
HURON	$ 369,765
KERMAN	$ 657,956
KINGSBURG	$ 534,609
MENDOTA	$ 513,563
ORANGE COVE	$ 505,511
PARLIER	$ 687,145
REEDLEY	$ 1,199,931
SAN JOAQUIN	$ 186,255
SANGER	$ 1,174,172
SELMA	$ 1,096,989
KERN COUNTY	
ARVIN	$ 925,374
BAKERSFIELD	$ 16,805,296
DELANO	$ 2,491,044
MARICOPA	$ 53,987
MCFARLAND	$ 637,871
SHAFTER	$ 798,871
TAFT	$ 426,726
TEHACHAPI	$ 664,452
WASCO	$ 1,196,819
KINGS COUNTY	
AVENAL	$ 765,747
CORCORAN	$ 1,191,695
HANFORD	$ 2,529,293
LEMOORE	$ 1,164,885
TULARE COUNTY	
DINUBA	$ 1,082,760
EXETER	$ 491,923
FARMERSVILLE	$ 501,942
LINDSAY	$ 578,759
PORTERVILLE	$ 2,548,234
TULARE	$ 2,830,065
VISALIA	$ 5,928,601
WOODLAKE	$ 362,674

City of Kerman

"Where Community Comes First"

MAYOR
Stephen B. Hill
MAYOR PRO-TEM
Gary Yep
COUNCIL MEMBER
Rhonda Armstrong
COUNCIL MEMBER
Nathan Fox
COUNCIL MEMBER
Bill Nijjer

DEPARTMENT: PLANNING AND DEVELOPMENT
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: AUGUST 19, 2015

To: Mayor and City Council

From: Jerry Jones, City Engineer

Subject: Resolution Approving Agreement for Community Development Block Grant (CDBG) Funds for the Kerman Soroptimist Park ADA Restroom Improvements Project

RECOMMENDATION

Council by motion adopt the resolution approving the agreement for Community Development Block Grant funds for the Kerman Soroptimist Park ADA Restroom Improvements Project No. 15371.

EXECUTIVE SUMMARY

The City's application for fiscal year 2015-2016 CDBG funds for the Kerman Soroptimist Park ADA Restroom Improvements Project has been approved by the County of Fresno (County). The project will install a pre-fabricated restroom and associated infrastructure at Soroptimist Park. CDBG funds in the amount of $79,305 are available to the City for the project. In order to proceed with the project and receive CDBG funds, the City must execute the attached Agreement with the County.

OUTSTANDING ISSUES

None.

DISCUSSION

The County is designated as the sponsoring agency to administer and implement the CDBG Program for the County and its participating Cities, which includes Kerman. CDBG funds are allocated to each of the participating Cities on an annual basis. The City submitted an application for CDBG funds for the Soroptimist Park ADA Restroom Improvements Project in September 2014 for fiscal year 2015-2016 CDBG funding. The project consists of the installation of a pre-fabricated restroom building and associated infrastructure at Soroptimist Park. The project is eligible for CDBG funding because it will directly benefit disabled residents who visit the park. The City held the required public hearing for the CDBG Application on September 17, 2014.

FISCAL IMPACT

CDBG funds in the amount of $79,305 are available to the City for the project.

PUBLIC HEARING

Not Required.

Attachments:

A. Resolution
B. CDBG Agreement

Attachment 'A'

RESOLUTION NO. 15-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
APPROVING THE AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR
THE KERMAN SOROPTIMIST PARK ADA RESTROOM IMPROVEMENTS PROJECT NO. 15371

WHEREAS, a Public Hearing was held by the City Council on September 17, 2014 to discuss an application for Community Development Block Grant (CDBG) Funds for 2015-2016; and

WHEREAS, the City submitted an application for CDBG funding to the County of Fresno for the Kerman Soroptimist Park ADA Restroom Improvements Project No. 15371; and

WHEREAS, the County has approved the application for the Kerman Soroptimist Park ADA Restroom Improvements Project No 15371 and is ready to proceed with the Project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN HEREBY APPROVES the Agreement for CDBG funds for the Kerman Soroptimist Park ADA Restroom Improvements Project No. 15371 and authorizes the Mayor to sign the Agreement on behalf of the City.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 19th day of August, 2015 and passed at said meeting by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

The foregoing resolution is hereby approved.

Stephen B. Hill
Mayor

ATTEST:

Marci Reyes
City Clerk

Attachment 'B'

AGREEMENT

THIS AGREEMENT is made this _____ day of _____, 2015, by and between the COUNTY OF FRESNO, a political subdivision of the State of California, hereinafter referred to as the "County", and the CITY OF KERMAN, hereinafter referred to as the "City".

WITNESSETH

WHEREAS, the County has been designated as the sponsoring agency to administer and implement the Community Development Block Grant (CDBG) Program activities for the County, and its participating cities, in accordance with the provisions of Title I of the Housing and Community Development Act of 1974, as amended, and the laws of the State of California; and

WHEREAS, CDBG funding has been made available to the County for housing and community development activities; and

WHEREAS, the City has submitted the Kerman Soroptomist Park ADA Restroom Improvements Project No. 15371 for CDBG funding; and

WHEREAS, the total cost of the Project is estimated to be $79,305 and the City has requested the sum of $79,305 in CDBG funds be made available for the Project; and

WHEREAS, the Project is consistent with the objectives of the Fresno County Consolidated Plan, including the annual Action Plan.

NOW THEREFORE, in consideration of their mutual promises as hereinafter set forth, the City and County agree as follows:

I. PROJECT DESCRIPTION, LOCATION AND BUDGET

A. The Project consists of the installation of a pre-fabricated restroom building and necessary utility services that meet Americans with Disability Act (ADA) requirements at the Kerman Soroptomist Park. Concrete improvements will be installed as needed to provide an accessible path to the building. The improvements will provide ADA-compliant restroom facilities at the City's only park with fully accessible picnic and

play structures.

B. The Project site is within the City's existing easements or public rights-of-way.

C. The work to be funded with CDBG funds is as follows:

1. Obtain all necessary permits.

2. Perform all necessary design engineering including, but not limited to, surveying; testing; preparation of plans, specifications, and cost estimates; bid documents and a cost or price analysis; review of bids and recommendation for award.

3. Prepare and advertise Project bid notices and award construction contracts including, but not limited to, the printing of bid documents; publishing of notices; and preparation of bid summary.

4. Perform all construction engineering including, but not limited to, shop drawing review and approval; contract change order preparation; surveying; staking; inspection; soil testing; materials testing; preparation of "as-built" drawings; labor compliance; and contract administration.

5. Provide related eligible improvements.

D. The Project budget is estimated to be as follows:

Construction	$61,000
Design & Construction Engineering	9,500
Contingency, Permits & Misc.	8,805
Total	$79,305

E. Notwithstanding the estimates described in the above preliminary Project budget, payments for the Project from CDBG funds will be based on the actual costs and shall not exceed the total amount of $79,305.

F. The proposed funding for the Project will be provided from the following sources:

CDBG	$79,305
Local Financial Contribution	0
Total	$79,305

///

G. Prior to any changes that may occur which would modify the scope of the Project, the City shall submit a written request to the County. The City shall send its written request to:

Community Development Grants
County of Fresno
Department of Public Works and Planning
Community Development Division
2220 Tulare Street, 6th Floor
Fresno, CA 93721
Telephone: (559) 600-4292

If the Director of the County Department of Public Works and Planning determines that the modified Project is still eligible under the Federal CDBG regulations, the Director is authorized to permit such modifications. The County shall specify in a letter to the City that any modifications to the scope of the Project are authorized and that the City may proceed.

II. OBLIGATIONS OF THE COUNTY

A. The County shall provide up to, but not more than, $79,305 from the City's allocation of CDBG funds for the Project. All funds shall be paid to the City in accordance with Section V-A of this Agreement.

B. The County shall review, within thirty (30) calendar days of receipt from the City, the engineer selection process description and summary of the analysis as prepared by the City to verify that a competitive process was conducted in accordance with U.S. Department of Housing and Urban Development (HUD) procurement standards. The County shall specify in a letter to the City that these conditions have been met and that the engineering contract can be awarded.

C. The County shall review, within thirty (30) calendar days of receipt from the City, the design plans and specifications for the Project as prepared by the City for compliance with Federal regulations, and the total Project cost estimate to ensure sufficient funds are available to complete the Project. The County shall specify in a letter to the City that these conditions have been met and that the Project can be advertised.

D. The County shall also review, within twenty one (21) calendar days of receipt from the City, the name of the low bidder and cost or price analysis of the low bid proposal prepared by the City to determine whether the contractor will be reasonably compensated in accordance with Federal requirements, and to verify the contractor is bonded and has not been disbarred or suspended from participating in Federal projects. The County shall specify in a letter to the City that the conditions of this Section have been met and that the contract can be awarded.

E. The County shall attend the pre-construction meeting between the City and the contractor to discuss labor compliance requirements for the Project, Project monitoring, and to inform the City and contractor that the County will conduct field reviews to ensure labor compliance and other conditions of the construction contract are being met.

F. The County shall conduct periodic inspections of the Project, as may be required, to ensure that the intended use and group of beneficiaries of the Project have not changed. Upon completion of the Project, but prior to the City's acceptance of the Project, the County shall conduct a final inspection of the Project. The County shall specify in a letter to the City that the conditions of this Section have been met.

III. OBLIGATIONS OF THE CITY

A. The City shall provide any and all sums of money in excess of $79,305 that may be necessary to complete the Project. For the purposes of awarding the construction of the Project within the Agreement amount, the bid documents should include any proposed additive or deduct alternatives.

B. The City shall perform, or cause to be performed, all engineering work required for the Project.

C. In selecting an engineer to perform any engineering work required for the Project, the City shall go through a competitive process in accordance with County Policy and HUD procurement standards. Prior to selection of the engineer, the

City shall prepare a written description of the process, perform a cost or price analysis, and submit the process description and summary of the analysis to the County Community Development Division for review. The City shall obtain a letter from the County specifying that the conditions of this Section have been met.

D. The City shall specify in agreements with its consultants that all engineering work funded with CDBG funds shall become the property of the City upon payment by the City for the cost of such engineering work.

E. The City shall furnish evidence that it has free and clear title to all parcels of land on which Project improvements will be located, with any liens or encumbrances noted, and/or that it has obtained or can obtain all necessary easements, rights-of-way, licenses, permits and State and local approvals required for the completion of the Project.

F. Upon completion of the design engineering, the City shall submit the plans and specifications to the County Community Development Division. The County will ensure Federal CDBG requirements have been adhered to and review cost estimates to ensure sufficient funds are available. The City shall obtain a letter from the County specifying these conditions have been met and that the City is approved to advertise for bids to construct the Project.

G. The City shall advertise for bids and shall award the construction contract to the lowest responsible bidder. At least ten (10) calendar days prior to the bid opening, the City shall notify the County of the date, time, and location of the bid opening.

H. Within seven (7) calendar days following the bid opening, the City shall furnish the County Community Development Division with the name of the low bidder and cost or price analysis of the low bid proposal prepared by the City so that the County can verify with the Labor Relations and Equal Opportunity Division of the HUD Area Office that the low bidder is bonded and has not been debarred or suspended from participating in Federal projects, and that the contractor will be reasonably compensated

in accordance with Federal requirements. The City shall obtain a letter from the County specifying those conditions have been met and that the City is approved to award the Project for construction.

I. The City shall conduct a pre-construction meeting with the contractor and shall notify the County Community Development Division at least ten (10) calendar days prior to the meeting so a representative of the County can be in attendance to discuss CDBG labor compliance requirements for the Project.

J. Prior to the construction start date, the City shall give written notice thereof to the County Community Development Division.

K. All proposed construction contract change orders shall not proceed until prior written approval has been given by the County. Request for approval of a change order(s) shall include a narrative description of the work, a cost or price analysis in accordance with HUD requirements, a map depicting the location of the work addressed with the requested change order, and a written certification from the City that the approval of the change order is consistent with the final construction cost estimate approved by the County. In addition, the City shall certify that the change order is within the scope of the Project and is necessary to complete the Project.

L. The City shall send its written description of the engineer selection process, cost or price analyses, design plans, specifications, name of low bidder and low bid proposal, public notices, and all written correspondence to:

Community Development Grants
County of Fresno
Department of Public Works and Planning
Community Development Division
2220 Tulare Street, 6th Floor
Fresno, CA 93721 (559) 600-4292

M. The City shall comply with the mitigation measures, conditions and notes identified in Initial Study/Environmental Assessment No. 6963 (the "Assessment"). A copy of the Assessment will be provided to the City.

N. Upon completion of the Project, the City shall notify the County Community Development Division thereof so a representative of the Division can perform an inspection of the Project to determine that it was completed in accordance with the scope of work approved and authorized pursuant to this executed Agreement.

O. Upon approval of Project completion by the County, the City shall provide the County Community Development Division with a resolution of acceptance, or similar documentation, demonstrating that the Project was completed in accordance with the scope of work approved and authorized pursuant to this executed Agreement and any approved subsequent amendments thereto and/or change orders, and that the City has accepted the Project. Prior to the final request for payment, the City shall also provide the County with a copy of the recorded Notice of Completion (NOC), a written summary of all Project work completed with CDBG and other funds, and documentation to demonstrate compliance with Section 3 of the Housing and Urban Development Act of 1968, as amended.

P. During the contract period, the City shall complete and submit annually each June 1, and upon completion of the Project, a Project Outcome Measurement Report (POM) form, a copy of which is attached hereto as Exhibit 1 and incorporated herein by reference. The POM shall contain the following information for the County's Federal reporting purposes to the U.S. Department of Housing and Urban Development (HUD):

1. Total number of households/persons assisted.
2. Number of total households/persons assisted that:
   a. Now have new access to this type of public facility or infrastructure improvement.
   b. Now have improved access to this type of public facility or infrastructure improvement.
   c. Now are served by a public facility or infrastructure that is no longer substandard.

Q. The City shall be responsible for maintenance of the improvements after construction is completed and shall do so from non-CDBG resources.

R. The City must inform the County in writing of any program income generated by the expenditure of CDBG funds. Any program income generated as a result of the Project must be paid to the County. For purposes of this Agreement, program income is defined as proceeds from the disposition of CDBG-acquired real property, and principal and interest on CDBG loans. If the City contributed financially to the improvement Project, the City may retain a share of the program income in proportion to the City's contribution to the Project, after the City has provided a written accounting acceptable to the County.

S. The City must obtain prior written approval from the County whenever there is any modification or change in the use of any real property improved, in whole or in part, using CDBG funds. If any real property improved with CDBG funds is sold and/or is utilized by the City for a use which does not qualify under the CDBG Program, the City shall reimburse the County in an amount equal to the current fair market value for the property, less any proportional share thereof attributable to expenditures of non-CDBG funds. These requirements shall continue in effect for the life of the improvements. In the event the CDBG Program is closed-out, the requirements of this Section shall remain in effect for activities or property funded with CDBG funds, unless action is taken by the Federal government to relieve the County of these obligations.

T. The City acknowledges that the County may periodically inspect the Project to ensure the property is being used as described in this Agreement. The City agrees to provide any necessary information to the County to carry out such inspections. Furthermore, the City agrees to take corrective action if the County determines that modifications to the use and location of the Project have resulted in a violation of the Federal CDBG regulations.

///

IV. CONFORMANCE WITH APPLICABLE LAWS AND REGULATIONS

A. The City, its consultants, contractors, and subcontractors shall comply with all applicable State and Federal laws and regulations governing projects that utilize Federal funds.

B. Whenever the City uses the services of a contractor, the City shall require that the contractor comply with all Federal, State and local laws, ordinances, regulations and Fresno County Charter provisions applicable in the performance of their work.

C. This Project is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701(u). Accordingly, the City shall require the prime contractor to complete and submit documentation prior to award of the construction contract and upon Project completion that compliance with the Section 3 clause has been met.

D. Whenever the City receives at least $100,000 for a project from the County's CDBG Program under this Agreement, the City shall complete and submit to the County Community Development Division a "Certification of Payments to Influence Federal Transactions" form and a "Standard Form LLL - Disclosure of Lobbying Activities" form. Likewise, before the City awards a contract using at least $100,000 of such CDBG funds, the City shall require the consultant and/or contractor and all their sub-consultants and/or subcontractors to complete and submit these two (2) forms described hereinabove to both the City and the County.

V. PAYMENT FOR THE PROJECT

A. At monthly intervals, the City shall submit a written request to the County for payment of specified costs incurred in the performance of this Agreement. The request for payment shall be accompanied by a written certification from the City that the request for payment is consistent with the amount of work that has been completed, and that said work is in accordance with the contract documents and this Agreement. The request for payment shall also be accompanied by documentation

acceptable to the County, such as invoices or vouchers for services or materials purchased, contractor's costs, or other costs chargeable to the Project. After appropriate review and inspection, the County shall make payment from CDBG funds provided in this Agreement for all eligible costs specified herein.

B. Any savings realized in the final cost of the Project, due to Project cost and/or scope of work reductions, liquidated damages, or any other reason, shall be used to reduce the amount of this Project paid for with CDBG funds and shall be credited to the City's CDBG allocation. If the City is required to provide any funds toward the Project, any cost savings shall be first used to reimburse the City for its contribution in excess of the total amount provided by this Agreement.

C. Payment for advertising and award shall be based on the actual costs of printing and noticing.

D. The County will not be bound by any agreement between the City and its agents.

E. Upon the completion of the Project, the City shall submit to the County Community Development Division a written request for final payment of costs which shall provide a detailed description of the Project pay items and costs. The County shall not be obligated to make any payments under this Agreement if the request for payment is submitted by the City more than sixty (60) days after the Notice of Completion has been filed with the County Recorder's Office. An extension to the sixty (60) day period may be granted by the Director of the County Department of Public Works and Planning prior to the deadline if the City can demonstrate just cause for the delay.

F. The County may withhold reimbursement to the City until a final POM, recorded NOC, and written summary of all Project work completed with CDBG and other funds, and evidence of compliance with the Section 3 clause as specified in Sections III-O and IV-C, have been submitted to the County.

G. All requests for payment and supporting documentation shall be

sent to:

Financial Services Manager
County of Fresno
Department of Public Works and Planning
Financial Services Division
2220 Tulare Street, 6th Floor
Fresno, CA 93721
Telephone: (559) 600-4298

H. The City shall establish accounting and bookkeeping procedures in accordance with standard accounting and bookkeeping practices, including, but not limited to, employee time cards, payrolls, and other records of all transactions to be paid with CDBG funds in accordance with the performance of this Agreement. All records and accounts shall be available for inspection by the County, the State of California, if applicable, the Comptroller General of the United States, and HUD or any of their duly authorized representatives, at all reasonable times, for a period of at least five (5) years following final payment under this Agreement or the closure of all other pending matters, whichever is later. The City shall certify accounts when required or requested by the County.

I. The City, as a sub-recipient of Federal financial assistance, is required to comply with the provisions of the Single Audit Act of 1984 (31 U.S.C. Sections 7501 et seq.), as amended. Whenever the City expends and/or receives CDBG funds from the County for the Project, a copy of any audit performed by the City in accordance with said Act shall be forwarded to the County Community Development Grants within nine (9) months of the end of any City fiscal year in which funds were expended and/or received for the Project. Failure to perform the requisite audit functions as required by this paragraph may result in the County performing any necessary audit tasks, or, at the County's option, the County contracting with a public accountant to perform the audit. All audit costs related to the City's failure to perform the requisite audit are the sole responsibility of the City and such audit work costs incurred by the County shall be billed to the City as determined by County's Auditor-Controller/Treasurer-Tax Collector. In the event the City is only required to perform an

audit under the provisions of the Act because the City is receiving CDBG funds, the County may perform, or cause to be performed, the required audit to determine whether funds provided through this Agreement have been expended in accordance with applicable laws and regulations. Any audit-related costs incurred by the County under this provision shall be charged to the County CDBG Program. The City agrees to take prompt and appropriate corrective action on any instance of material non-compliance with applicable laws and regulations.

J. The City shall send a copy of the audit to:

Community Development Grants
County of Fresno
Department of Public Works and Planning
Community Development Division
2220 Tulare Street, 8th Floor
Fresno, CA 93721
Telephone: (559) 600-4292

VI. INDEMNIFICATION

Each party to this Agreement shall indemnify, defend and hold harmless the other party, its officers, agents, employees and representatives, from any and all loss, liability, costs, expenses and damage to persons or property, and from any and all claims, demands and actions in law or equity (including attorney's fees and legal expenses) arising or alleged to have arisen directly from any wrongful acts caused by its respective activities pursuant to this Agreement.

VII. TIME OF PERFORMANCE

A. The following schedule shall commence on the date this Agreement is executed by the County.

1. Complete Design Engineering and Submit to the County for Review – October 1, 2015.

2. Complete County Review and Approval of Plans – December 15, 2015.

3. Begin Advertising for Bids – January 6, 2016.

4. Award Contract – March 2, 2016.

B. The Project's Notice of Completion shall be filed with the Fresno County Recorder's Office no later than July 8, 2016.

C. The final POM Report, written summary of all work completed, documentation demonstrating compliance with the Section 3 clause, and request for final payment shall be submitted to the County no later than September 8, 2016.

D. The City shall give immediate written notification to the County Community Development Division of any events that occur which may affect the above time schedule and completion date and the time schedule specified in the contract documents, or any event that may have significant impact upon the Project or affect the attainment of the Project's objectives. The Director of the County Department of Public Works and Planning is authorized to make adjustments in the above schedule if, in the Director's judgment, any delay is beyond the control of the parties involved.

VIII. BREACH OF AGREEMENT

In the event the City fails to comply with any of the terms of this Agreement, the County may, at its option, deem the City's failure a material breach of this Agreement and utilize any of the remedies set forth in 24 CFR 85.43 or that it deems appropriate. Should the County deem a breach of this Agreement material, the County shall immediately be relieved of its obligations to make further payment as provided herein. Termination of this Agreement due to breach shall not, in any way whatsoever, limit the rights of the County in seeking any other legal relief in a court of law or equity, including the recovery of damages. In addition to the Agreement being terminated by the County in accord with a material breach of this Agreement by the City, this Agreement may also be terminated for convenience by the County in accord with 24 CFR 85.44.

IX. TERMINATION OF PROJECT

A. If the City decides to cancel the Project covered by this Agreement, the City shall submit a request in writing to the County Department of Public Works and Planning, Community Development Division explaining just cause for the request. The

Director of the Department is authorized to approve such a request if, in the Director's judgment, there is just cause for the Project's cancellation.

B. If the Director approves the City's request to cancel the Project, any unexpended CDBG funds budgeted to the Project under this Agreement may be credited to the City's CDBG allocation, as appropriate.

X. VENUE; GOVERNING LAW

Venue for any action arising out of or relating to this Agreement shall be only in Fresno County, California. The rights and obligations of the parties and all interpretation and performance of this Agreement shall be governed in all respects by the laws of the State of California.

XI. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the City and the County with respect to the subject matter hereof and supersedes all previous negotiations, proposals, commitments, writings, advertisements, publications, and understandings of any nature whatsoever unless expressly included in this Agreement.

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IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth above.

REVIEWED AND RECOMMENDED FOR APPROVAL

By: _____
Alan Weaver, Director
Department of Public Works and Planning

APPROVED AS TO ACCOUNTING FORM:

By: _____
Vicki Crow, C.P.A.
Auditor-Controller/ Treasurer-Tax Collector

APPROVED AS TO LEGAL FORM:
DANIEL C. CEDERBORG,
COUNTY COUNSEL

By: _____
Deputy

FUND NO: 0001
SUBCLASS NO: 10000
ORG NO: 7205
ACCOUNT NO: 7885
PROJECT NO: N15371
ACTIVITY CODE: 7219

COUNTY OF FRESNO

_____
Deborah A. Poochigian, Chairman
Board of Supervisors

ATTEST: Bernice E. Seidel, Clerk
Board of Supervisors

By: _____
Deputy

CITY OF KERMAN

_____
Mayor

ATTEST:

_____
City Clerk, City of Kerman

APPROVED AS TO LEGAL FORM

_____
City Attorney

REMIT TO:

City of Kerman
Attn: City Manager
850 S. Madera Avenue
Kerman, CA 93630

Telephone: (559) 846-9384

AW:JA:jc
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July 15, 2015

Exhibit 1
County of Fresno
Project Outcome Measurement Report

Project #: _____ Project Name: _____

The County of Fresno is required to submit information annually on each project funded with Community Development Block Grant (CDBG) funds, per U.S. Department of Housing and Urban Development (HUD) guidelines. As a recipient of CDBG funds from the County, we request that you provide the following information:

1. Years Reported: _____ through _____

2. Enter the number of persons assisted that:

   a. Now have **new access** to this type of public facility or infrastructure improvement: _____ or N/A

   (New access to a public facility or infrastructure is when the facility did not previously exist and is provided for the first time.)

   b. Now have **improved access** to this type of public facility or infrastructure improvement: _____ or N/A

   (Improved access to a public facility or infrastructure is when the facility or infrastructure is improved or expanded, enabling the grantee to expand the number of people or type of service the facility provides.)

   c. Are served by this public facility or infrastructure improvement that **is no longer substandard:** _____ or N/A

   (A public facility or infrastructure is no longer substandard when the CDBG funds were used to meet a quality standard, or measurably improve the quality of the facility or infrastructure.)

   (Note: The numbers of persons entered in a, b, and c, above, must add up to the total number of persons entered in question 3.)

3. Total number of persons assisted: _____

4. Please describe the accomplishments made on this project in the past year (i.e. construction progress). If the project is complete, please describe the overall accomplishments made on the project.

_____

_____

_____

_____

Form Completed By: _____

[illegible]
July 16, 2015

City of Kerman

"Where Community Comes First"

MAYOR
Stephen B. Hill
MAYOR PRO-TEM
Gary Yep
COUNCIL MEMBER
Rhonda Armstrong
COUNCIL MEMBER
Nathan Fox
COUNCIL MEMBER
Bill Nijjer

DEPARTMENT: CITY MANAGER
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: AUGUST 19, 2015

To: Mayor and City Council
From: John Kunkel, City Manager
Subject: Resolution Amending Purchasing Policy Relating to Personnel Consulting Services

EXECUTIVE SUMMARY

The City adopted a Purchasing Policy on November 19, 2014. The Purchasing Policy, at pages 9 to 13, sets forth the procedures for Professional Consulting Services. The provisions in the Purchasing Policy provide for utilization of professional consulting services including in relevant part such utilization when the nature of the services requires third party objectivity or when staff does not possess the required expertise.

The Purchasing Policy provides that the City Council shall award a contract in accordance with the Purchasing Policy for consulting services contracts of less than $25,000. From time to time the City may need consulting services relating to confidential personnel matters such as work place investigations. In order to continue with the efficient and orderly operation of City business, and to protect confidential personnel matters and privacy interests of City personnel, it is in the best interest of the City that personnel consulting services be awarded without formal approval of such contracts by Council. This resolution delegates the authority to approve personnel consulting services to the City Manager in consultation with the City Attorney. All other requirements in the Purchasing Policy are to be followed.

RECOMMENDATION

Council by motion adopt resolution amending the City Purchasing Policy relating to Personnel Consulting Services.

Attachments:

A. Amendment to City of Kerman Purchasing Policy

Attachment 'A'

RESOLUTION NO. 15-__

A RESOLUTION OF CITY COUNCIL OF THE CITY OF KERMAN APPROVING AN AMENDMENT TO THE CITY PURCHASING POLICY RELATING TO PERSONNEL CONSULTING SERVICES

WHEREAS, pursuant to Chapter 3.20 of the Kerman Municipal Code the City of Kerman adopted a Purchasing Policy on November 19, 2014; and

WHEREAS, the Purchasing Policy at pages 9 to 13 sets forth the procedures for Professional Consulting Services; and

WHEREAS, the provisions in the Purchasing Policy provide for utilization of professional consulting services including in relevant part such utilization when the nature of the services requires third party objectivity or when staff does not possess the required expertise; and

WHEREAS, the Purchasing Policy provides that the City Council shall award a contract in accordance with the Purchasing Policy for consulting services contracts of less than $25,000; and

WHEREAS, from time to time the City may need consulting services relating to confidential personnel matters such as work place investigations; and

WHEREAS, in order to continue with the efficient and orderly operation of City business and to protect confidential personnel matters and privacy interests of City personnel, it is in the best interest of the City that personnel consulting services be awarded without formal approval of such contracts by Council.

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

1. The recitals set forth above are incorporated herein by reference.

2. The City Council hereby amends the Purchasing Policy requirement for City Council approval of contracts for personnel consulting services of $25,000 or less. The Council delegates the authority to contract for personnel consulting services of $25,000 or less to the City Manager to use in his best discretion and in consultation with the City Attorney. The City Attorney shall send a memorandum to the City Council advising the Council of any such contract award within twenty-four hours of execution.

3. Except as expressly modified in this resolution, the requirements, terms, and conditions of the Purchasing Policy are unchanged and remain in full force and effect.

4. This resolution shall be effective upon adoption.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 19th day of August 2015, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

_____
Stephen B. Hill
Mayor

ATTEST:

_____
Marci Reyes
City Clerk