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AGENDA
KERMAN CITY COUNCIL
REGULAR MEETING
Kerman City Hall
850 S. Madera Avenue
Wednesday, February 17, 2016
6:30 PM

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

None

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: [February 3, 2016](#)

B. SUBJECT: Payroll

Payroll Report: 01/17/2016 - 01/30/2016: \$137,187.79; Overtime: \$1,487.60; Holiday at 1/2 time: \$1,573.27; Standby: \$1,185.38; Comp Time Earned: 42.50

RECOMMENDATION: Council approve payroll as presented.

ATTACHMENTS: [Payroll/Overtime Report](#)

C. SUBJECT: Warrants

1. Nos. 8052-8128: \$407,437.84
2. Excepting - Sebastian 8083-\$3,127.08

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

ATTACHMENTS: [Accounts Payable](#)

D. SUBJECT: Second Reading and Adoption of Proposed Revisions to Section 17.92.030 of the Kerman Municipal Code Relating to Emergency Shelters, Transitional and Supportive Housing Zones (OP)

RECOMMENDATION: Council waive second reading and adopt amendment to Section 17.92.030 of Title 17 of the Kerman Municipal Code relating to Emergency Shelters, Transitional and Supportive Housing Zones.

ATTACHMENTS: [Staff Report - Emergency Shelters, Transitional Housing Zones](#)

E. SUBJECT: Monthly Investment Report Ending January 31, 2016 (TJ)

RECOMMENDATION: Council accept the Monthly Investment Report as presented.

ATTACHMENTS: [Investment Report](#)

3. PUBLIC HEARINGS

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

- A. **SUBJECT**: Public Hearing of Urgency Ordinance Amendment to Add Chapter 17.96 to Title 17 of the Kerman Municipal Code Relating to the Prohibition of Marijuana Cultivation and Dispensaries in All Zone Districts in the City (OP)

RECOMMENDATION: Council open public hearing, receive any public comments, close public hearing, waive full reading and by motion adopt Urgency Ordinance Adding Chapter 17.96 to Title 17 of the Kerman Municipal Code Relating Prohibition of Marijuana Cultivation and Dispensaries in All Zone Districts in the City.

ATTACHMENTS: [Staff Report- Adopt Marijuana Ordinance](#)

4. DEPARTMENT REPORTS

- A. **SUBJECT**: Resolution Approving the Purchase of Prefabricated Restroom and Approval of Additional Funding for Soroptimist Park Project (PG)

RECOMMENDATION: Council take the following actions:

1. By motion adopt a resolution authorizing the City Manager to execute and sign purchase documents for the Ozark I model precast concrete unisex restroom from CXT, Inc. in the amount not to exceed \$54,712.29.
2. Approve allocation of an additional \$12,456.29, authorizing staff to use general fund reserves and adjust budget accordingly.

ATTACHMENTS: [Staff Report - Soroptimist Park Restroom](#)

- B. **SUBJECT**: Adoption of Street Median Landscape Master Plan for Collector Streets (JJ)

RECOMMENDATION: Council by motion approve resolution adopting the Street Median Landscape Master Plan for collector streets.

ATTACHMENTS: [Staff Report - SMLP](#)

- C. **SUBJECT**: Resolution Approving the Application Submittal and Related Authorizations for the Beverage Container Recycling Payment Program Through California Department of Resources Recycling and Recovery (CalRecycle) (PG)

RECOMMENDATION: Council by motion adopt resolution authorizing the City Manager to submit payment requests related to the administration of the Beverage Container Recycling Payment Program offered by CalRecycle.

ATTACHMENTS: [Staff Report & Resolution](#)

D. **SUBJECT**: Consideration of Sales Tax Initiative for 2016 General Election (JK)

RECOMMENDATION: Council determine and direct staff accordingly regarding the placing of a sales tax initiative on the November 8, 2016 ballot.

ATTACHMENTS: [Staff Report - Sales Tax Initiative](#)

5. CITY MANAGER/STAFF COMMUNICATIONS

6. MAYOR/COUNCIL REPORTS

7. CLOSED SESSION

None

8. ADJOURNMENT

Agenda packet is available for review 72 hours prior to the 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.

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, February 3, 2016
 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), Fox (NF), Nijjer (BN)
 Absent: None
 Also Present: City Attorney Cantú, Chief of Police, Community Services Director,
 Finance, Public Works Director, City Engineer

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

OPENING CEREMONIES

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

6:34 pm
 All present
 SH

Performed

Approved
 GY/BN (5-0-0)

AGENDA APPROVAL/ADDITIONS/DELETIONS

1. PRESENTATIONS/CEREMONIAL MATTERS

- A. Sustainable Groundwater Management Act (KM)

Presented

REQUEST TO ADDRESS COUNCIL

2. CONSENT CALENDAR

Approved

- A. SUBJECT: Minutes

RECOMMENDATION: Council approve minutes as presented.

- B. SUBJECT: Payroll

Payroll Report: Jan 3-16, 2016: \$137,639.50: Retro & Other: \$270.74; OT: \$896.42; Standby: \$1,410.40; Comp Time Earned: 39.75

RECOMMENDATION: Council approve payroll as presented.

C. SUBJECT: Warrants

1. Nos 7957-8051: \$267,972.28

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

3. PUBLIC HEARINGS

A. SUBJECT: Introduction and Public Hearing for Proposed Revisions to Section 17.92.030 of the Kerman Municipal Code Relating to Emergency Shelters, Transitional and Supportive Housing Zones (OP)

RECOMMENDATION: Council introduce proposed ordinance, open public hearing, receive public comment, close public hearing and by motion waive full reading of amendment to Section 17.92.030 of Title 17 of the Kerman Municipal Code relating to Emergency Shelters, Transitional and Supportive Housing Zones.

Opened PH
Addressed CC
Louis Lopez
Elena
Bustamante
Alan Payne
Closed PH

Approved
NF/RA (5-0-0)

4. DEPARTMENT REPORTS

A. SUBJECT: First Reading and Introduction of Amendment to add Chapter 17.96 to Title 17 of the of the Kerman Municipal Code Relating to the Prohibition of Marijuana Cultivation and Dispensaries in all Zone Districts in the City (OP)

RECOMMENDATION: Council introduce, waive full reading and set for public hearing for February 17, 2016 for adoption of ordinance adding Chapter 17.96 to Title 17 of the Kerman Municipal Code Relating Prohibition of Marijuana Cultivation and Dispensaries in all zone districts in the City.

Approved
GY/NF set PH
for Feb 17
(5-0-0)

Item will be on
Feb 17 as an
Urgency Ord.

5. CITY MANAGER/STAFF COMMUNICATIONS

6. MAYOR/COUNCIL REPORTS

A. Kerman Chamber Appreciation Dinner, Thursday, February 11, 6 p.m., CTC

7. CLOSED SESSION

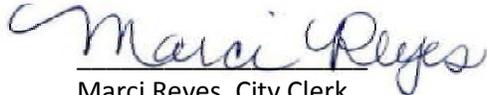
8. ADJOURNMENT

7:35 p.m.
GY/RA
(5-0-0)

MINUTES CERTIFICATION

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

Date: February 4, 2016


Marci Reyes, City Clerk

CITY OF KERMAN PAYROLL REPORT

PAY PERIOD: January 17, 2016 - January 30, 2016

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME		HOLIDAY at 1/2 TIME		STANDBY		GROSS SALARY	COMP TIME EARNED
			HOURS	AMOUNT	HOURS	AMOUNT	HOURS	AMOUNT		
ADMINISTRATION										
Alvarez, Josefina	\$ 1,792.15	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,792.15	
Camacho, Josie	\$ 1,154.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,154.00	
Camacho-Collier, Caroline	\$ 2,472.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,472.00	
Gonzalez, Diana	\$ 1,974.69	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,974.69	
Jones, Toni	\$ 3,042.46	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 3,042.46	
Kunkel, John	\$ 5,884.62	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 5,884.62	
Mendoza, Gabriela	\$ 957.23	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 957.23	
Nazaroff, Helen	\$ 1,958.31	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,958.31	
Reyes, Marcia	\$ 2,715.69	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,715.69	
TOTAL	\$ 21,951.16	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 21,951.16	0.00
REC/SOCIAL										
Arredondo, Barbara	\$ 1,542.05	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,542.05	
Arredondo, Raquel	\$ 253.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 253.00	
Ayala, Adrien	\$ 20.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 20.00	
Burdine-Slaven, Jeanna	\$ 1,602.92	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,602.92	
Gallegos, Philip	\$ 3,734.77	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 3,734.77	
Gonzalez, Jose Felix	\$ 1,656.46	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,656.46	
Johnson, Theresa	\$ 1,683.23	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,683.23	
LeBlanc, Noah	\$ 345.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 345.00	
Lujan, Vanessa	\$ 504.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 504.00	
Salvador, Mark	\$ 1,984.62	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,984.62	
Sidhu, Nirmal	\$ 1,538.77	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,538.77	
Silva, Jessica	\$ 500.63	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 500.63	
Villa, Erika	\$ 305.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 305.00	
Villalobos, Stacey	\$ 385.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 385.00	
Villarreal, Arlene	\$ 1,410.92	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,410.92	
TOTAL	\$ 17,466.36	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 17,466.36	0.00
POLICE										
Antuna, Eric	\$ 2,343.28	\$ -	-	\$ -	12.00	\$ 175.75	6.50	\$ 47.60	\$ 2,566.62	9
Antuna, Miguel	\$ 808.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 808.00	
Barbosa, Isaias	\$ 2,392.06	\$ -	-	\$ -	12.00	\$ 179.40	-	\$ -	\$ 2,571.47	
Barcoma, Wilbert	\$ 2,924.56	\$ -	-	\$ -	12.00	\$ 219.34	-	\$ -	\$ 3,143.90	7.5
Belding, Jeff	\$ 2,526.71	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,526.71	
Blohm, Joseph	\$ 4,463.31	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 4,463.31	
Chapman, Tom	\$ 2,437.62	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,437.62	
Cornell, Rex	\$ 576.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 576.00	
Davis, Jeff	\$ 3,070.74	\$ -	-	\$ -	12.00	\$ 230.31	-	\$ -	\$ 3,301.05	
Dunn, Jacob	\$ 1,784.77	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,784.77	
Francone, Kevin	\$ 735.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 735.00	
Gill, Kevin	\$ 360.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 360.00	
Godfrey, Kyle	\$ 1,182.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,182.00	
Golden, John	\$ 3,535.75	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 3,535.75	
Ledezma, Linda	\$ 1,272.11	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,272.11	
Lehman, Dustin	\$ 1,874.31	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,874.31	
Madruga, Ron	\$ 2,437.62	\$ -	-	\$ -	10.00	\$ 152.35	-	\$ -	\$ 2,589.98	3.75
Magallon, Peter	\$ 2,437.62	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,437.62	5
Medina-Labetiaux, EJ	\$ 1,874.31	\$ -	3.00	\$ 105.43	12.00	\$ 140.57	1.00	\$ 5.86	\$ 2,126.17	
Mendoza, Sandra	\$ 2,403.45	\$ -	-	\$ -	-	\$ -	8.00	\$ 60.09	\$ 2,463.54	
Nelson, Christopher J	\$ 3,145.64	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 3,145.64	
Ness, Lee	\$ 2,335.11	\$ -	-	\$ -	8.00	\$ 116.76	-	\$ -	\$ 2,451.86	
Nevis, James	\$ 2,323.72	\$ -	-	\$ -	10.00	\$ 145.23	1.50	\$ 10.89	\$ 2,479.84	6

CITY OF KERMAN PAYROLL REPORT

PAY PERIOD: January 17, 2016 - January 30, 2016

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME		HOLIDAY at 1/2 TIME		STANDBY		GROSS SALARY	COMP TIME EARNED
			HOURS	AMOUNT	HOURS	AMOUNT	HOURS	AMOUNT		
Ramirez, Donald	\$ 1,508.77	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,508.77	
Raigoza, Ray	\$ 825.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 825.00	
Rodrigues, Mary	\$ 1,776.92	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,776.92	
Rodriguez, Erika	\$ 2,105.76	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,105.76	
Seroka, Dylan	\$ 1,784.77	\$ -	-	\$ -	12.00	\$ 133.86	-	\$ -	\$ 1,918.63	
Tiwana, Manpreet	\$ 2,125.44	\$ -	-	\$ -	6.00	\$ 79.70	-	\$ -	\$ 2,205.14	
Valdovinos, Jose	\$ 705.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 705.00	
TOTAL:	\$ 60,075.36	\$ -	3.00	\$ 105.43	106.00	\$ 1,573.27	17.00	\$ 124.43	\$ 61,878.49	31.25
PUBLIC WORKS										
Arechiga, Pastor	\$ 1,759.85	\$ -	-	\$ -	-	\$ -	1.50	\$ 33.00	\$ 1,792.84	
Barajas, Michael	\$ 1,936.78	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,936.78	
Castro, Joseph	\$ 1,804.15	\$ -	19.00	\$ 744.21	-	\$ -	21.75	\$ 490.50	\$ 3,038.87	
Chavez, Fernando M.	\$ 2,451.96	\$ -	2.50	\$ 114.94	-	\$ -	-	\$ -	\$ 2,566.90	
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	
Lutz, Laura	\$ 465.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 465.00	
Madruaga, 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	\$ -	13.50	\$ 491.21	-	\$ -	23.25	\$ 537.44	\$ 2,877.91	
Sanchez, Daniel	\$ 1,538.77	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,538.77	
Tinoco, Alfonso	\$ 1,131.23	\$ -	1.50	\$ 31.82	-	\$ -	-	\$ -	\$ 1,163.05	
Vallejo, Edward	\$ 2,211.41	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,211.41	2.25
Zapata, Domingo	\$ 1,081.13	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,081.13	
TOTAL	\$ 31,806.79	\$ -	36.50	\$ 1,382.17	\$ -	\$ -	\$ 46.50	\$ 1,060.94	\$ 34,249.91	2.25
PLANNING										
Kufis, Chris	\$ 2,417.12	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,417.12	4.50
Pimentel, Olivia	\$ 2,220.99	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,220.99	4.50
Garza, Amy	\$ 550.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 550.00	
TOTAL	\$ 5,188.12	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 5,188.12	9.00
PLANNING					COUNCIL					
Epperson, R	\$ -							Yep, G	\$ 125.00	
Bandy, R	\$ -							Fox, N	\$ 125.00	
Nehring, K	\$ -							Nijjer, D	\$ 125.00	
Espino, L	\$ -							Armstrong, R	\$ 125.00	
Wettlaufer, K	\$ 75.00							Hill, S	\$ 125.00	
Jones, C	\$ -									
Nunez, M	\$ -									
Total	\$ 75.00			Total				\$ 625.00		
GRAND TOTAL:	\$137,187.79	\$0.00	39.50	\$1,487.60	106.00	\$1,573.27	63.50	\$1,185.38	\$ 141,434.04	42.50

**CITY OF KERMAN
OVERTIME SUPPLEMENTAL PAYROLL REPORT**

PAY PERIOD 1/17/16-1/30/16

POLICE DEPARTMENT

Overtime Categories - Number of Hours						
Regular Overtime	Shift Coverage	Court	Training	Avoid the 21 Grant	Special Events	Total
		3				3
(see notes below for overtime description)						
DOUBLE TIME: (Sunday)						0
PUBLIC WORKS DEPARTMENT						Sub Total 3

Overtime Categories - Number of Hours						
Water Service	Sewer Emergencies	Animal Control	Special Events	Other or Call Back	On Call Duties	Total
12.5	6	1	0	2	4	25.5
(see notes below for overtime description)						
DOUBLE TIME: (Sunday)						6
2	2	1				11
COMMUNITY SERVICES DEPARTMENT						Sub Total 36.50

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)					39.50

POLICE DEPARTMENT:

Regular Overtime – hrs late arrests, hrs explorers, hrs late arrests/reports, hrs travel time, hr writing eval,
Shift Coverage – 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 appearance
Grant – hrs AVOID Grant
Special Events - hrs July 3rd Fireworks show

PUBLIC WORKS DEPARTMENT:

Water Service - 12.5 hrs OT & 2 hrs DT for shut-off and turn-on of service, all water related emergencies
Sewer Emergencies - 6 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 -
Other 2 hr OT - Alarms
Call Back -
On-Call Duties 4 hrs OT & 6 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



Prepared by: jcamacho
 Printed: 2/10/2016 10:06 AM

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
8052	10916 VAR	FOLSOM LAKE FORD PD-2016 EXPLORERS (7)	01/27/2016	198,471.49
Total for Check Number 8052:				198,471.49
Total for 1/27/2016:				198,471.49
8053	UB*00266	IRMA BAILEY Refund Check Refund Check Refund Check Refund Check Refund Check Refund Check Refund Check	02/01/2016	169.77 0.21 1.62 14.33 15.41 1.29 0.43
Total for Check Number 8053:				203.06
8054	UB*00270	GJ GARDNER HOMES Refund Check Refund Check Refund Check	02/01/2016	30.56 0.19 16.71
Total for Check Number 8054:				47.46
8055	UB*00277	GJ GARDNER HOMES Refund Check	02/01/2016	41.22
Total for Check Number 8055:				41.22
8056	UB*00275	MARK HOPKINS Refund Check	02/01/2016	2.85
Total for Check Number 8056:				2.85
8057	UB*00267	JIMMY & VERA KURNOSOFF Refund Check Refund Check Refund Check Refund Check Refund Check Refund Check Refund Check	02/01/2016	19.77 0.21 1.62 14.33 13.36 1.29 0.43
Total for Check Number 8057:				51.01
8058	UB*00273	BIANCA LOPEZ Refund Check	02/01/2016	131.20

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 8058:	131.20
8059	UB*00269	ABRIL MENDOZA Refund Check	02/01/2016	88.39
			Total for Check Number 8059:	88.39
8060	UB*00268	JUAN MORA Refund Check Refund Check Refund Check Refund Check Refund Check Refund Check Refund Check	02/01/2016	156.32 8.50 5.07 13.45 9.62 0.93 0.57
			Total for Check Number 8060:	194.46
8061	UB*00278	THOMAS OAKS Refund Check	02/01/2016	135.98
			Total for Check Number 8061:	135.98
8062	UB*00274	NADINE RABADAN Refund Check Refund Check Refund Check Refund Check Refund Check	02/01/2016	0.02 0.94 0.56 1.49 0.18
			Total for Check Number 8062:	3.19
8063	UB*00272	REBECCA SANCHEZ Refund Check Refund Check Refund Check Refund Check Refund Check	02/01/2016	0.10 5.67 0.78 6.88 5.70
			Total for Check Number 8063:	19.13
8064	UB*00276	DAVID YENSER Refund Check Refund Check Refund Check Refund Check Refund Check	02/01/2016	0.04 2.36 1.41 3.74 2.52
			Total for Check Number 8064:	10.07
8065	UB*00271	ESTELA ZAVALA Refund Check	02/01/2016	150.00
			Total for Check Number 8065:	150.00
			Total for 2/1/2016:	1,078.02
8066	10040 287249141774	AT&T MOBILITY PD-JAN MDT WIRELESS SERVICE 12/20/15	02/02/2016	276.10

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 8066:	276.10
8067	10106 2734791	CONSOLIDATED EDISON SOLUTIONS SWR-SOLAR POWER 12/1/15-1/10/16	02/02/2016	4,841.90
			Total for Check Number 8067:	4,841.90
8068	10109 02-02-16	COUNTY OF FRESNO PD-DEC.PARKING ACTIVITY	02/02/2016	125.00
			Total for Check Number 8068:	125.00
8069	10118 42820144	DAPPER TIRE VE REP-3 TIRES FOR #1421 1 STOCK TIRE	02/02/2016	397.56
			Total for Check Number 8069:	397.56
8070	10154 CAFR255280 CAFR255280 CAFR255280 CAFR255280 CAFR255334	FASTENAL COMPANY VE SUPP-SUPPLIES 2 LINE ITEMS <\$50 WTR-LG NITRILE GLOVES STRIC- SUPPLIES - 2 LINE ITEMS <\$50 PARKS-SUPPLIES- 2 LINE ITEMS <\$50 SWR- SUPPLIES- 1 LINE ITEMS <\$50	02/02/2016	26.50 104.72 32.95 7.30 10.53
			Total for Check Number 8070:	182.00
8071	10994 00048084	ALYCIA FLORES CTC-REFUND SCOUT HUT EVENT CANCEL	02/02/2016	185.00
			Total for Check Number 8071:	185.00
8072	10162 SO13290 SO13303	FRESNO COUNTY TREASURER PD- FSO ASSISTANCE WITH IA INVESTIGA PD-DEC PRISONER PROCESSING SERVICE	02/02/2016	212.84 144.00
			Total for Check Number 8072:	356.84
8073	10169 25084	FRESNO PET CEMETERY AAC- 14 ANIMAL CARCASSES DISPOSED (02/02/2016	205.60
			Total for Check Number 8073:	205.60
8074	10170 RTC0001888 RTC0001888	FRESNO POLICE DEPARTMENT PD- SEARCH/ARREST WARRANT CLASS S PD- SEARCH/ARREST WARRANT CLASS S	02/02/2016	113.00 113.00
			Total for Check Number 8074:	226.00
8075	10185 9002664648	GRAINGER CS-FLUSH VALVE COUNCIL CHAMBERS	02/02/2016	129.06
			Total for Check Number 8075:	129.06
8076	10754 5158495-02 5159675-00	INTERLINE BRANDS INC CTC-JANITORIAL SUPPLIES CTC-JANITORIAL SUPPLIES	02/02/2016	63.90 77.43
			Total for Check Number 8076:	141.33
8077	10235 02012016	KERMAN HIGH SCHOOL-TEEN SUMM CC-DONATION 2016 KERMAN TEEN SUMM	02/02/2016	500.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 8077:	500.00
8078	10239 40824	KERWEST INC CC- PH NOTICE TRANSITIONAL HOUSING	02/02/2016	99.00
			Total for Check Number 8078:	99.00
8079	10273 25330	NAFFA INTERNATIONAL INC BPO-PLAN CHECK FEES	02/02/2016	3,801.20
			Total for Check Number 8079:	3,801.20
8080	10487 02022016	LORA NEHRING REC-INSTRUCTOR FEE JAN 2016	02/02/2016	315.00
			Total for Check Number 8080:	315.00
8081	10457 028666 028666 075167 075167	OFFICEMAX INC SWR-OFFICE SUPPLIES WTR-OFFICE SUPPLIES SWR-COPIER PAPER WTR-COPIER PAPER	02/02/2016	13.03 28.13 88.47 88.48
			Total for Check Number 8081:	218.11
8082	10319 204	RENO'S HARDWARE CS-LIGHT SENSOR KERCKHOFF PARK	02/02/2016	13.26
			Total for Check Number 8082:	13.26
8083	10332 10363520 10363520 10363520 10363520 10363520 10363520 10363520 10363520 10363520 10363520 10363520 10363520 10363520 10363520 10363520 10363520 10363520 10363520 10366869 10367225 10367226	SEBASTIAN VAR-MONTHLY PHONE SERVICE VAR-MONTHLY PHONE SERVICE PD-JAN. T 1-LINE VAR-MONTHLY BURGLAR ALARM SERV - VAR-MONTHLY BURGLAR ALARM SERV -	02/02/2016	561.91 17.19 25.78 214.86 2.15 7.74 197.67 300.81 64.46 81.65 214.86 322.29 49.42 214.86 104.00 73.05 137.51 429.79 55.04 52.04
			Total for Check Number 8083:	3,127.08
8084	10355 P10374986	TARGET SPECIALTY PRODUCTS STRTC-RONSTAR G PRE-EMERGENT HERE	02/02/2016	514.07
			Total for Check Number 8084:	514.07
8085	10386 02022016	US BANK CORPORATE PAYMENT VAR- CREDIT CARD CHARGES	02/02/2016	37.94

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	02022016	VAR- CREDIT CARD CHARGES		31.60
	02022016	VAR- CREDIT CARD CHARGES		64.87
	02022016	VAR- CREDIT CARD CHARGES		92.94
	02022016	VAR- CREDIT CARD CHARGES		155.00
	02022016	VAR- CREDIT CARD CHARGES		156.00
	02022016	VAR- CREDIT CARD CHARGES		39.50
	02022016	VAR- CREDIT CARD CHARGES		27.63
	02022016	VAR- CREDIT CARD CHARGES		5.19
Total for Check Number 8085:				610.67
8086	10394	VALLEY IRON, INC	02/02/2016	
	637416	STRTC-BACKFLOW SUPPLIES		54.11
	637416	SWR-WWTP FENCE SUPPLIES		105.66
Total for Check Number 8086:				159.77
8087	10412	XEROX CORPORATION	02/02/2016	
	083003501	WTR-COPIER LEASE AGREEMENT DEC 15		151.74
	083003501	SWR-COPIER LEASE AGREEMENT DEC 15		151.73
Total for Check Number 8087:				303.47
Total for 2/2/2016:				16,728.02
ACH	10147	Employment Development Department	02/05/2016	
	02052016	C PR TAX DEPOSIT SIT PAYABLE=PIT AMO		3,790.93
	02052016	C PR TAX DEPOSIT SDI PAYABLE=SDI AMC		1,166.26
Total for this ACH Check for Vendor 10147:				4,957.19
ACH	10517	Federal Taxes-Payroll	02/05/2016	
	02052016	C PAYROLL TAX DEPOSIT FIT PAYABLE=T/		14,599.87
	02052016	C PAYROLL TAX DEPOSIT FICA PAYABLE=		17,231.14
	02052016	C PAYROLL TAX DEPOSIT FICA MED PAYA		4,029.80
Total for this ACH Check for Vendor 10517:				35,860.81
ACH	10518	Kerman Police Officers Assn.	02/05/2016	
	02052016	C MEMBERSHIP DUES 2/5/16		648.12
Total for this ACH Check for Vendor 10518:				648.12
ACH	10519	Kerman Municipal Employees Assn.	02/05/2016	
	02052016	C MEMBERSHIP DUES 2/5/16		165.00
Total for this ACH Check for Vendor 10519:				165.00
ACH	10520	ICMA-RC	02/05/2016	
	02052016	C DEFERRED COMP 2/5/16		4,069.40
Total for this ACH Check for Vendor 10520:				4,069.40
ACH	10522	CalPERS	02/05/2016	
	02052016	C EMPLOYER PAID CONTRIBUTIONS		10,876.72
	02052016	EMPLOYEE PAID CONTRIBUTIONS		9,121.54
	02052016	ROUNDING ADJ		-0.03
Total for this ACH Check for Vendor 10522:				19,998.23

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
Total for 2/5/2016:				65,698.75
8088	10003 50480	A R TRANSMISSION INC New transmission installation for vehicle #1402	02/09/2016	1,998.32
Total for Check Number 8088:				1,998.32
8089	10814 INV32579	ACCELA INC #774375 FIN-MONTHLY WEB PAYMENTS JAN 2016	02/09/2016	327.00
Total for Check Number 8089:				327.00
8090	10923 0334355-IN	AMBER CHEMICAL INC WTR-200 GALLONS BULK CHLORINE	02/09/2016	454.55
Total for Check Number 8090:				454.55
8091	10545 02222016	WILBERT BARCOMA PD-3 DAY SUBSISTENCE + 1 DINNER FTO	02/09/2016	133.00
Total for Check Number 8091:				133.00
8092	10108 127037	COOKS COMMUNICATIONS CORP VE REP-NOISE CANCELLING MIC STOCK	02/09/2016	107.14
Total for Check Number 8092:				107.14
8093	10116 2042016	CSMFO FIN-2016 MEMBERSHIP RENEWAL	02/09/2016	110.00
Total for Check Number 8093:				110.00
8094	10715 0214 0214	DC HEATING AND COOLING CTC-INDUCTION MOTOR PARTS CTC-INDUCTION MOTOR LABOR	02/09/2016	386.36 170.00
Total for Check Number 8094:				556.36
8095	10618 SO-3278	DISCOVERY DOOR DISTRIBUTION BLDG-KEYS	02/09/2016	60.91
Total for Check Number 8095:				60.91
8096	10654 390150	DIVINE DESSERTS CC-FEB COUNCIL MEETING REFRESHMEN	02/09/2016	30.00
Total for Check Number 8096:				30.00
8097	10285 8363695	EXPRESS MESSENGER SYSTEMS INC BPO-PLAN CHECK OVERNIGHT DELIVERY	02/09/2016	55.96
Total for Check Number 8097:				55.96
8098	10154 CAFR255376 CAFR255376 CAFR255376 CAFR255376	FASTENAL COMPANY WTR-SUPPLIES 3 LINE ITEM <\$50 LLD-SUPPLIES 1 LINE ITEM <\$50 BLDG-SUPPLIES 1 LINE ITEM <\$50 STRTC-SUPPLIES 1 LINE ITEM <\$50	02/09/2016	32.78 52.40 2.19 21.09
Total for Check Number 8098:				108.46

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
8099	10995 02092016	FRESCAL DJ ENTERTAINMENT - SAM REC-DJ PAYMENT 2/12/16 TEEN EVENT	02/09/2016	300.00
Total for Check Number 8099:				300.00
8100	10162 SO1333 SO1333	FRESNO COUNTY TREASURER PD-DISPATCHING SERVICE FEB 2016 PD-JAN 2016 RMS/JMS/CAD ACCESS FEES	02/09/2016	17,427.30 167.00
Total for Check Number 8100:				17,594.30
8101	10191 CTCS58868 CVW22637 VW226638-1	H & J CHEVROLET INC VE-ALIGNMENT FOR #1404 VEH REP-HARNESS FOR #1392 VE REP-LT REAR BRAKE LAMP #1446	02/09/2016	59.95 27.61 129.14
Total for Check Number 8101:				216.70
8102	10710 9767626	HACH COMPANY SWR-SENSOR CAP ASSY, PROBE	02/09/2016	211.52
Total for Check Number 8102:				211.52
8103	10199 1088000239137 10880005761135 10880005761135	HOME DEPOT CREDIT SERVICES CS-CORDLESS DRILL & DRIVER CS-WEATHERPROOF PAINT CS-RETURNED WEATHERPROOF PAINT	02/09/2016	213.84 102.80 -102.80
Total for Check Number 8103:				213.84
8104	10205 IN-000583357 IN-000583569 IN-000583688	INDEPENDENT STATIONERS REC-CASH BAGS LABELS WHITEOUT CS-PENS TAPE DISPENSERS CS-MAINTENANCE BINDER TABS	02/09/2016	65.14 14.00 32.64
Total for Check Number 8104:				111.78
8105	10754 5160553-00	INTERLINE BRANDS INC CTC-JANITORIAL SUPPLIES	02/09/2016	330.59
Total for Check Number 8105:				330.59
8106	10239 40799 40885 40887	KERWEST INC BPO-PLANNING COMMISSION PUBLIC HE CC-PH NOTICE DISPENSARIES BPO-PLANNING COMMISSION PUBLIC HE	02/09/2016	90.00 90.00 99.00
Total for Check Number 8106:				279.00
8107	10872 02152016	RON MADRUGA PD-10 COMMUTER LUNCHES ICI MANOR I	02/09/2016	80.00
Total for Check Number 8107:				80.00
8108	10261 01312016 01312016 01312016	MID VALLEY DISPOSAL, INC SWA-JAN 2016 SW CHARGES SWA-CITY PORTION FOR JAN 2016 SWA-ROLL OFF/FRANCHISE FEES	02/09/2016	89,264.89 -17,852.98 -383.00
Total for Check Number 8108:				71,028.91
8109	10265	MONTOY LAW CORPORATION	02/09/2016	

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	01312016	ADM-JANUARY LEGAL SERVICES		3,589.00
Total for Check Number 8109:				3,589.00
8110	10286	O'REILLY AUTOMOTIVE, INC	02/09/2016	
	02092016	PD REP-SUPPLIES 5 INV <\$50		113.49
	02092016	VE REP-SUPPLIES 4 INV <\$50		106.25
	3921-252134	PD REP-BATTERY #1481		53.27
	3921-253074	PD REP-RETURN		-12.97
	3921-253188	EQUIP-BATTERY CAT BACKHOE		130.72
	3921-253255	PD REP-HANDLE WIPER MOTOR DARE CA		322.78
	3921-253275	VE REP-WIPERS #1446		56.26
	3921-253590	PD REP-RETURN		-206.26
	3921-253645	PD REP-BATTERY #1372		148.72
	3921-254001	PD REP-RETURN		-18.00
	3921-254059	WTR-SUPPLIES 1 INV <\$50		21.62
	3921-254407	VE REP-FAN BELTS HARNESS HEAD LIGH		57.00
	3921-254426	EQUIP-SUPPLIES 1 INV <\$50		8.81
	3921-254446	SWR-SUPPLIES 1 INV <\$50		22.71
	3921-256695	VE REP-RETURN		-21.65
Total for Check Number 8110:				782.75
8111	10996	CHRISTINA OREGAL	02/09/2016	
	00040752	CTC-RENTAL DEPOSIT 2/6/16		400.00
	00048246	CTC-RENTAL DEPOSIT SCOUT HUT 2/7/16		100.00
Total for Check Number 8111:				500.00
8112	10289	P.G.& E.	02/09/2016	
	2881141119-9	CS-TRANSIT BUS FUEL JAN 2016		236.92
	3920400666-0	STRT-MONTHLY UTILITIES 12/30/15-1/28/16		4,212.80
	4055166878-9	LLD-MONTHLY SERVICE 12/26/15-1/27/16		1,477.62
	4055166878-9	LLD-INSTALLMENT LOAN LED		1,207.83
	4647279811-8	PD-JAN. 2016 PG&E BILL 12/31/15 - 01/31/16		1,473.79
	4939626163-5	V/E-MONTHLY SERVICE		810.22
	5467738309-0	WTR/SWR/SD-UTILITY SERVICE 12/17/15-1		2,683.06
	5467738309-0	WTR/SWR/SD SERVICE 12/17/15-12/31/15		21.69
	5741309690-0	BPO-MONTHLY SERVICE 12/24/15-01/25/16		536.67
	6825025396-7	ADM-MONTHLY UTILITIES 12/31/15-1/31/16		1,337.98
Total for Check Number 8112:				13,998.58
8113	10304	PITNEY BOWES GLOBAL FIN SERV LI	02/09/2016	
	976767	VAR-INK & TAPE STRIPS FOR POSTAGE M		74.27
	976767	VAR-INK & TAPE STRIPS FOR POSTAGE M		74.27
	976767	VAR-INK & TAPE STRIPS FOR POSTAGE M		74.27
	976767	VAR-INK & TAPE STRIPS FOR POSTAGE M		74.26
Total for Check Number 8113:				297.07
8114	10319	RENO'S HARDWARE	02/09/2016	
	817934	CS-160 AMP BREAKER KP		74.85
Total for Check Number 8114:				74.85
8115	10997	SIGN A RAMA OF FRESNO	02/09/2016	
	20884	PD-10 ALUMIUM SIGNS CRIME PREVENTI		215.95
Total for Check Number 8115:				215.95
8116	10338	SMITH AUTO	02/09/2016	

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	04IN000118	PD REP-COMPRESSOR #1401		234.70
	04IN001958	PD REP-HEAD LIGHTS #1466		14.45
	04IN001984	PD REP-FAN BELT #1482		29.46
	04IN002806	EQUIP-WIRE FOR CRACK SEALER MACHII		20.78
	04IN002921	EQUIP-WIRE FOR CRACK SEALER MACHII		4.32
	04IN003108	PD REP-WASHER FLUID/AIR FILTERS		7.66
	04IN003108	VE REP-WASHER FLUID/AIR FILTERS		7.66
	04IN003109	PD REP-AIR FILTER PANEL		22.34
			Total for Check Number 8116:	341.37
8117	10561	SOUTHERN COMPUTER WAREHOUSE	02/09/2016	
	IN-000306917	WTR-REPLACE CHECK 7903-COMPUTER F		443.75
	IN-000306917	WTR-REPLACE CHECK 7903-COMPUTER F		443.74
	IN-000317332	FIN-HP PRODESK DESKTOP COMPYTER X!		5,298.84
			Total for Check Number 8117:	6,186.33
8118	10348	STATE WATER RESOURCES CNTL	02/09/2016	
	OP#29044/GR 2	SWR-D ZAPATA GR-2 RENEWAL & REINST/		330.00
			Total for Check Number 8118:	330.00
8119	10399	VETERINARY MEDICAL CENTER	02/09/2016	
	213263	AAC-1 EUTHANASIA OF ANIMAL		24.70
			Total for Check Number 8119:	24.70
8120	10406	WEST HILLS OIL INC	02/09/2016	
	229600	V/E DIESEL FUEL 450 GALLONS		854.28
	50430	FUEL- JAN 16-31 1189.043 GALLONS		2,945.65
	50430	B. ARREDONDO- TRNSPRT		105.79
			Total for Check Number 8120:	3,905.72
8121	10412	XEROX CORPORATION	02/09/2016	
	083262571	WTR-COPIER LEASE AGREEMENT JAN 201		83.31
	083262571	SWR-COPIER LEASE AGREEMENT JAN 201		83.31
	083262572	CS-REC DEPT COPIER JAN 2016		246.55
			Total for Check Number 8121:	413.17
8122	UB*00280	JOHN GEBHARDT	02/09/2016	
		Refund Check		76.61
			Total for Check Number 8122:	76.61
8123	UB*00281	LISA HERNANDEZ	02/09/2016	
		Refund Check		209.10
			Total for Check Number 8123:	209.10
8124	UB*00283	RJ HILL HOMES	02/09/2016	
		Refund Check		17.96
		Refund Check		11.57
			Total for Check Number 8124:	29.53
8125	UB*00284	RJ HILL HOMES	02/09/2016	
		Refund Check		82.82
			Total for Check Number 8125:	82.82

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
8126	UB*00282	MARIO T CONTRERAS Refund Check	02/09/2016	20.68
Total for Check Number 8126:				20.68
8127	UB*00279	VALLEY VANGUARD PROPERTIES Refund Check	02/09/2016	2.36
Total for Check Number 8127:				2.36
8128	UB*00285	DAVID VILLA Refund Check	02/09/2016	72.63
Total for Check Number 8128:				72.63
Total for 2/9/2016:				125,461.56
Report Total (83 checks):				407,437.84

US BANK						
Date	Vendor	Description	Internal Acct Code	Amount		
Marci Reyes						
12/28/15	INTER INSTITUTE	ANNUAL MEMBERSHIP	100.6004.555.00.00	\$ 155.00		
01/20/16	RITE AID	COUNCIL SUPPLIES	100.6001.521.00.00	\$ 5.19		
					\$ 160.19	Reyes
Joseph Blohm						
01/13/16	WAL-MART	DOG FOOD - 3 BAGS	100.3041.521.02.00	\$ 64.87		
					\$ 64.87	Blohm
Toni Jones						
12/30/15	AMAZON	GENERAL SUPPLIES	100.5005.521.02.00	\$ 79.99		
01/12/16	WAL-MART	GENERAL SUPPLIES-CLOCK	100.5005.521.02.00	\$ 12.95		
					\$ 92.94	Jones
Ken Moore						
12/21/15	CA INDUSTRIAL	HYCAR GASKETS	420.4042.521.02.00	\$ 39.50		
12/31/15	CHEVRON	PROPRANE FOR FORKLIFT	500.4050.515.02.00	\$ 27.63		
					\$ 67.13	Moore
Phillip Gallegos						
12/28/15	ENERGY LIGHT INC	LIGHT POLE COVERS	100.8000.600.03.10	\$ 156.00		
01/12/16	WAL-MART	HACIENDA SNACK SUPPLIES	100.2065.521.02.00	\$ 31.60		
01/15/16	AMAZON	PRINTER INK	100.2002.521.01.00	\$ 37.94		
					\$ 225.54	Gallegos
TOTAL				\$ 610.67		



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

DEPARTMENT: PLANNING & DEVELOPMENT
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: FEBRUARY 17, 2016

To: Mayor and Council Members
From: Olivia Pimentel, Planning Technician and Dave Brletic, Contract Planner
Subject: Second Reading and Adoption of Proposed Revisions to Section 17.92.030 of the Kerman Municipal Code Relating to Emergency Shelters, Transitional and Supportive Housing Zones

RECOMMENDATION

Council waive second reading and adopt amendment to Section 17.92.030 of Title 17 of the Kerman Municipal Code relating to Emergency Shelters, Transitional and Supportive Housing Zones.

EXECUTIVE SUMMARY

Council held a Public hearing and introduction of the proposed ordinance on February 3, 2016 and is waiving the full second reading and adopting proposed amendment in order to meet a state mandated deadline relating to the Housing Element which is being scheduled for Planning Commission recommendation in March 2016. The Planning Commission held a public hearing on January 11, 2016 and is recommending approval of some minor revisions to a recent zone ordinance amendment that was approved earlier in the year.

By way of background, the Planning Commission and City Council considered and approved Ordinance No. 15-01 regarding various Code Amendments to comply with SB2's requirements relating to Emergency Shelters, Transitional Housing, and Supportive Housing, to ensure the City will comply with the Housing Element Update. The Code Amendments adopted as part of Ordinance 15-01 are now codified in the Kerman Municipal Code.

In reviewing the amendments made as part of Ordinance 15-01, the project manager of Mintier Harnish, the City of Kerman's consultants who are preparing the multijurisdictional housing element, notified staff that there is an inconsistency in the City's treatment of transitional and supportive housing that will need to be corrected. The definitions for transitional housing and supportive housing that the City adopted are correct and comply with State law because they include the statement that these uses are "residential uses allowed in all zones that allow residential uses, subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone."

However, Section 17.92.030 Transitional and Supportive Housing – Zones, says "Transitional housing and supportive housing shall be considered a residential use of property in the multifamily zone district, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone." (emphasis added)

The restriction to only the multifamily zone district is inconsistent with State law requirements. The original version of the code amendments that were part of Ordinance No. 15-01 somehow got changed along the way. However unfortunately we were notified that this will need to be fixed in order for HCD to certify the City's Housing Element.

FISCAL IMPACTS

There is no anticipated fiscal impact.

OUTSTANDING ISSUES

Staff was assured by the consultants that the City would be fine as long as this inconsistency is cleared in the next couple of months. The issue is that HCD will not certify the City's Housing Element as in compliance with State law until the City has implemented the code amendments for emergency shelters and transitional and supportive housing. The City will be submitting the Housing Element to HCD for certification in mid-March.

PUBLIC HEARING:

City Council held a public hearing, received public comments, and closed public hearing on February 3, 2016. This is second reading and adoption of amendment to Kerman Municipal Code Section 17.92.030 Transitional and Supportive Housing-Zones to read as follows:

Section 17.92.030 Transitional and Supportive Housing – Zones, Transitional housing and supportive housing shall be considered a residential use of property allowed in all zones that allow residential uses, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

Attachments:

A. Ordinance

Attachment 'A'

ORDINANCE NO. 16-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KERMAN AMENDING
SECTION 17.92.030 OF TITLE 17 OF THE KERMAN MUNICIPAL CODE RELATING TO
TRANSITIONAL AND SUPPORTIVE HOUSING ZONES

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

SECTION 1. Section 17.92.030 of Title 17, Chapter 17.92 of the Kerman Municipal Code is amended to read as follows:

17.92.030 Transitional and Supportive Housing—Zones.

Transitional housing and supportive housing shall be considered a residential use of property allowed in all zones that allow residential uses, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

SECTION 2. Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, the adoption of this ordinance is exempt from CEQA review pursuant to 14 California Code of Regulations section 15-61(b)(3), and a Notice of Exemption will be filed with the County Recorder upon adoption of this ordinance.

SECTION 3. This ordinance shall become effective thirty days after adoption.

SECTION 4. Upon passage, this ordinance or a summary of the same shall be published within fifteen (15) days of passage pursuant to the laws of the State of California in the Kerman News, a newspaper of general circulation published and circulated in said City of Kerman.

The foregoing ordinance was introduced, given its first reading and noticed public hearing held pursuant to law at a regular meeting of the City Council of the City of Kerman held on the 3rd day of February, and was passed after a second reading at a regular meeting of the City Council of the City of Kerman on the 17th day of February, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Stephen Hill
Mayor

ATTEST:

Marci Reyes
City Clerk

**CITY OF KERMAN
CD/Securities Portfolio
As of January 31, 2016**

Institution	Account Number	Interest Rate/ Trans. Date	Opening Date	Maturity Date	6/30/2015 Book Balance	Additions/ (Deletions)	Cashed In	6/30/2016 Book Balance	Fair Value	FY to Date Interest Paid
CD's:										
Mercantile Bank of Michigan	615-030525-245	2.00%	1/21/11	7/21/15	150,000.00	(150,000.00)	-	-	-	1,487.67
GE Money Bank	615-030525-245	1.50%	8/5/11	8/5/15	50,000.00	(50,000.00)	-	-	-	371.92
Sallie Mae Bank	615-030525-245	1.10%	8/8/12	8/10/15	97,000.00	(97,000.00)	-	-	-	534.96
Safra National Bank	615-030525-245	0.70%	8/15/13	8/17/15	100,000.00	(100,000.00)	-	-	-	350.96
Discover Bank Greenwood	615-030525-245	1.55%	9/14/11	9/14/15	99,000.00	(99,000.00)	-	-	-	773.56
State Bank of India	615-030525-245	2.25%	9/29/10	9/29/15	100,000.00	(100,000.00)	-	-	-	1,134.25
Lake City Bank	615-030525-245	0.55%	1/29/14	1/29/16	95,000.00	(95,000.00)	-	-	-	306.37
Discover Bank Greenwood	615-030525-245	1.35%	2/1/12	2/1/16	51,000.00	(51,000.00)	-	51,000.00	51,000.00	341.42
Goldman Sachs Bank	615-030525-245	1.40%	2/1/12	2/1/16	48,000.00	(48,000.00)	-	-	48,000.00	333.24
Synovus Bank	615-030525-245	0.50%	3/17/14	3/17/16	100,000.00		100,000.00	99,999.00	99,999.00	252.05
State Bank of India	615-030525-245	2.00%	8/12/11	8/12/16	47,000.00		47,000.00	47,329.47	47,329.47	466.14
Medallion Bank	615-030525-245	1.00%	8/19/13	8/19/16	100,000.00		100,000.00	100,181.00	100,181.00	495.89
Goldman Sachs Bank USA	615-030525-245	1.85%	8/31/11	8/31/16	200,000.00		200,000.00	201,322.00	201,322.00	1,865.21
Ally Bank	615-030525-245	0.95%	10/2/14	10/11/16	100,000.00		100,000.00	100,141.00	100,141.00	476.30
Capital One Bank Glen Allen VA	615-030525-245	1.00%	11/12/14	11/14/16	96,000.00		96,000.00	96,095.04	96,095.04	483.95
Firstbank of Puerto Rico	615-030525-245	1.10%	1/25/13	1/25/17	53,000.00		53,000.00	53,191.33	53,191.33	341.84
Firstbank of Puerto Rico	615-030525-245	0.90%	3/1/13	3/1/17	196,000.00		196,000.00	196,558.60	196,558.60	1,034.25
Cit Salt Lake City UT	615-030525-245	0.90%	3/27/13	3/27/17	98,000.00		98,000.00	98,301.84	98,301.84	444.62
Ge Capital Bank	615-030525-245	1.10%	5/8/14	5/16/17	248,000.00		248,000.00	248,322.40	248,322.40	1,375.21
Cap One NA Mclean VA	615-030525-245	1.15%	7/22/15	7/24/17	-	150,000.00	150,000.00	149,778.00	149,778.00	869.59
American Express Centurion Bank	615-030525-245	1.70%	7/26/12	7/26/17	98,000.00		98,000.00	98,865.34	98,865.34	1,666.00
Whitney Bank Gulfport MS	615-030525-245	1.20%	8/12/15	8/14/17	-	50,000.00	50,000.00	50,002.50	50,002.50	
Sallie Mae Bank	615-030525-245	1.70%	8/22/12	8/22/17	150,000.00		150,000.00	151,575.00	151,575.00	1,264.52
Ally Bank Midvale UT CD	615-030525-245	1.25%	9/17/15	9/18/17	-	99,000.00	99,000.00	99,055.44	99,055.44	
1st Merchants	615-030525-245	1.00%	3/21/14	9/21/17	96,000.00		96,000.00	96,296.64	96,296.64	483.95
Third Federal Cleveland OH	615-030525-245	1.15%	2/21/14	11/21/17	99,000.00		99,000.00	99,414.81	99,414.81	564.57
Capital One Bank Glen Allen VA	615-030525-245	1.25%	1/22/15	1/22/18	100,000.00		100,000.00	99,917.00	99,917.00	1,250.00
BMO Harris BK Chicago IL	615-030525-245	1.20%	2/4/16	2/2/18	-	51,000.00	51,000.00	51,000.00	51,000.00	-
Bank of Baroda New York City NY	615-030525-245	1.25%	3/8/13	3/8/18	248,000.00		248,000.00	248,295.12	248,295.12	1,562.74
Wells Fargo Bank in SD	615-030525-245	1.00%	3/28/13	3/29/18	248,000.00		248,000.00	248,171.12	248,171.12	1,243.40
Discover Greenwood DE	615-030525-245	1.15%	4/8/15	4/9/18	98,000.00		98,000.00	97,523.72	97,523.72	565.04
Everbank CD Jacksonville FL	615-030525-245	1.10%	4/15/15	4/13/18	150,000.00		150,000.00	149,092.50	149,092.50	827.26
Rollstone Bank Fitchburg MA	615-030525-245	1.10%	4/15/15	4/16/18	248,000.00		248,000.00	246,474.80	246,474.80	1,367.74
American Express Centurion Bank	615-030525-245	1.15%	5/16/13	5/16/18	98,000.00		98,000.00	97,828.50	97,828.50	568.13
Compass Bank	615-030525-245	1.70%	7/31/13	7/31/18	97,000.00		97,000.00	98,040.81	98,040.81	1,649.00
American Express Salt Lake City Ut	615-030525-245	1.25%	8/14/14	8/14/18	98,000.00		98,000.00	98,115.64	98,115.64	777.56
Sallie Mae Bank Salt Lake City UT	615-030525-245	1.50%	1/27/16	1/28/16	-	95,000.00	95,000.00	95,084.55	95,084.55	
Goldman Sachs New York NY	615-030525-245	1.45%	2/3/16	2/4/19	-	48,000.00	48,000.00	48,000.00	48,000.00	
Third Federal Cleveland OH	615-030525-245	1.55%	3/26/15	3/26/19	98,000.00		98,000.00	98,341.04	98,341.04	765.74
Barclays Bank	615-030525-245	1.90%	4/15/14	4/15/19	248,000.00		248,000.00	250,207.20	250,207.20	2,362.45
BMW Salt Lake City UT	615-030525-245	1.95%	6/20/14	6/20/19	200,000.00		200,000.00	201,456.00	201,456.00	1,955.34
ST Bank of India CD Chicago IL	615-030525-245	2.15%	8/18/15	8/19/19	-	100,000.00	100,000.00	100,934.00	100,934.00	
Discover Greenwood	615-030525-245	2.00%	9/30/15	9/30/19	-	100,000.00	100,000.00	100,630.00	100,630.00	
Cit Salt Lake City UT	615-030525-245	2.15%	11/13/14	11/13/19	100,000.00		100,000.00	100,953.00	100,953.00	1,083.84
Synchrony Draper UT	615-030525-245	1.95%	3/13/15	3/13/20	150,000.00		150,000.00	150,093.00	150,093.00	1,474.52

**CITY OF KERMAN
CD/Securities Portfolio
As of January 31, 2016**

Institution	Account Number	Interest Rate/ Trans. Date	Opening Date	Maturity Date	6/30/2015 Book Balance	Additions/ (Deletions)	Cashed In	6/30/2016 Book Balance	Fair Value	FY to Date Interest Paid
JP Morgan Chase Bank	615-030525-245	2.10%	3/31/15	3/31/20	98,000.00			98,000.00	98,224.42	1,037.46
Comenity Bank Jumbo Formerly World F	615-030525-245	2.10%	6/10/15	6/10/20	200,000.00			200,000.00	199,236.00	2,370.41
Amex Centurion Salt Lake City Ut	615-030525-245	2.30%	6/24/15	6/24/20	52,000.00			52,000.00	51,933.44	599.64
Capital One Bank Glen Allen VA	615-030525-245	2.20%	6/24/15	6/24/20	46,000.00			46,000.00	45,941.12	507.39
Capital One NA Mclean VA	615-030525-245	2.30%	8/12/15	8/12/20	-	97,000.00		97,000.00	98,011.71	
Average Rate		1.46%								
Subtotal - CD's					5,048,000.00	-	-	5,048,000.00	5,158,934.10	39,686.10
Pacific Mercantile Bank	80900343	0.95%	1/22/08	1/22/16	99,000.00	(99,000.00)		-	(99,000.00)	377.39
Local Agency Investment Fund										
Beginning Balance	98-10-400		7/28/15			2,000,000.00		2,000,000.00	2,000,000.00	
Interest			9/30/15			1,137.86		1,137.86		2,990.05
			12/31/15			1,852.19		1,852.19		
Subtotal - LAIF					-	2,002,990.05	-	2,002,990.05	2,000,000.00	2,990.05
Central Valley Comm Bank CD										
		1.34	6/8/12	6/8/17	200,000.00			200,000.00	200,000.00	903.12
Total CD and Local Agency Investments					5,347,000.00	1,903,990.05	-	7,250,990.05	7,259,934.10	43,956.66
Chandler Asset Management										
Beginning Balance					-			-		
Interest	(City of Kerman)				152,606.85			152,606.85	152,606.85	-
Chandler Ending Balance					152,606.85	-	-	152,606.85	152,606.85	-
Central Valley Money Market Acct										
Beginning Balance	015030960				3,606,160.43			3,606,160.43		
Interest			7/31/15			320.39				320.39
			8/31/15			103.27				103.27
			9/30/15			96.45				96.45
			10/31/15			59.98				59.98
			11/30/15			44.61				44.61
			12/31/15			43.00				43.00
			1/31/16			47.45				47.45
Transfers In/(Out)			7/7/15			(50,000.00)		(50,000.00)		
			7/10/15			(50,000.00)		(50,000.00)		
			7/14/15			(100,000.00)		(100,000.00)		
			7/23/15			(150,000.00)		(150,000.00)		
	To LAIF		7/28/15			(2,000,000.00)		(2,000,000.00)		
			9/17/15			(250,000.00)		(250,000.00)		
			10/14/15			(100,000.00)		(100,000.00)		
			11/12/15			(60,000.00)		(60,000.00)		
			11/17/15			(200,000.00)		(200,000.00)		
			12/10/15			250,000.00		250,000.00		
			12/16/15			(150,000.00)		(150,000.00)		
			12/22/15			(225,000.00)		(225,000.00)		
			12/30/15			600,000.00		600,000.00		
			1/5/16			(425,000.00)		(425,000.00)		
			1/28/16			200,000.00		200,000.00		
Subtotal All City Investments					5,248,000.00	-	-	5,248,000.00	5,358,934.10	40,589.22
Total Investments					5,499,606.85	1,903,990.05	-	7,403,596.90	7,412,540.95	43,956.66
								Market Value Adjustment	8,944.05	
								<u>1,903,990.05</u>		
								<u>1,903,990.05</u>		



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 & DEVELOPMENT
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: FEBRUARY 17, 2016

To: Mayor and Council Members
From: Olivia Pimentel, Planning Technician and Dave Brletic, Contract Planner
Subject: Public Hearing of Urgency Ordinance Amendment to Add Chapter 17.96 to Title 17 of the of the Kerman Municipal Code Relating to the Prohibition of Marijuana Cultivation and Dispensaries in All Zone Districts in the City

RECOMMENDATION

Council open public hearing, receive any public comments, close public hearing, waive full reading and by motion adopt Urgency Ordinance Adding Chapter 17.96 to Title 17 of the Kerman Municipal Code Relating Prohibition of Marijuana Cultivation and Dispensaries in All Zone Districts in the City.

EXECUTIVE SUMMARY

This Urgency Ordinance was introduced at the February 3rd City Council meeting and a public hearing was set for February 17, 2016 to consider the Planning Commission’s recommendation that City Council consider and adopt an Urgency ordinance relating to the prohibition of Marijuana Cultivation and Dispensaries in All Zone Districts in order to comply with the newly created Medical Marijuana Regulation and Safety Act (‘MMRSA”).

On October 9, 2015, Governor Jerry Brown signed into law, three (3) bills – AB 243, AB 266 and SB 643 – which together form the Medical Marijuana Regulation and Safety Act (“MMRSA”). The MMRSA, which became effective January 1, 2016, creates a comprehensive state licensing system for the commercial cultivation, manufacture, retail sale, transport, distribution, delivery, and testing of medical cannabis.

The proposed urgency ordinance addresses the MMRSA legislation. This ordinance was initiated as urgency legislation due to a provision in the MMRSA that impacted local governments by pre-empting them from enacting cultivation regulations if they did not have such regulations in effect as of March 1, 2016. While that provision was removed by when the Governor signed special legislation (AB 21) on February 3, the Police Chief and staff wish to proceed with enactment of this ordinance. Due to the enactment of bans in other cities in Fresno County and Fresno County, it is important that Kerman enact an urgency ordinance.

The proposed ordinance bans cultivation and dispensaries in all jurisdictions.

FISCAL IMPACTS

There are no anticipated fiscal impact

OUTSTANDING ISSUES

Note that Section 17.96.030 provides in part: This chapter will supersede any other provisions of this code found to be in conflict therewith. Therefore, current Chapter 9.06 Limitations upon Medical Marijuana Dispensaries will be implicitly repealed. Staff plans to bring an ordinance forward in the near future to repeal outdated and inconsistent ordinances. At that time Chapter 9.06 will be formally repealed.

PUBLIC HEARING:

Staff is requesting that the City Council waive full second reading, open public hearing, receive public comment, close public hearing and adopt an urgency ordinance amendment to Kerman Municipal Code to Add Chapter 17.96 of Title 17 of the Kerman Municipal Code Relating to the Prohibition of Marijuana Cultivation and Marijuana Dispensaries In All Zone Districts in the City.

Attachments:

- A. Ordinance

Attachment 'A'

ORDINANCE NO. 16-__

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KERMAN
ADDING CHAPTER 17.96 TO TITLE 17 OF THE KERMAN MUNICIPAL CODE RELATING TO THE PROHIBITION
OF MARIJUANA CULTIVATION AND MARIJUANA DISPENSARIES IN ALL ZONE DISTRICTS

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

SECTION 1. Chapter 17.96 is added to Title 17 of the Kerman Municipal Code to read as follows:

MARIJUANA CULTIVATION AND DISPENSARIES PROHIBITED

Sections:

17.96.010	Purpose and Intent.
17.96.020	Findings.
17.96.030	Relationship to Other Laws.
17.96.040	Definitions.
17.96.050	Prohibition of Marijuana Cultivation.
17.96.060	Consumption of Medical Marijuana.
17.96.070	Medical Marijuana Cultivation Regulations.
17.96.080	Prohibited Medical Marijuana Cultivation Declared a Public Nuisance.
17.96.090	Violation and Penalty.
17.96.100	Severance.

SECTION 17.96.010 PURPOSE AND INTENT. The purpose of this chapter is to expressly prohibit the cultivation of marijuana and marijuana dispensaries in all zone districts in order to protect the public peace, health, safety, and general welfare of the citizens of the city.

SECTION 17.96.020 FINDINGS.

- A. The Council hereby finds that the cultivation of marijuana significantly impacts, or has the potential to significantly impact, the city's jurisdiction. These impacts include damage to buildings in which cultivation occurs, including improper and dangerous electrical alterations and use, inadequate ventilation, increased occurrences of home-invasion robberies and similar crimes and nuisance impacts to neighboring properties from the strong and potentially noxious odors from the plants, and increased crime.
- B. According to the Chief of Police, marijuana grows have been operating in the surrounding cities and the County of Fresno for several years and have been the subject of armed robberies with shots fired, incidents with juveniles and young adults, trespass, theft, and arrests for violation of both state and federal laws, including seizure of illegal firearms. There has been some cultivation within the city and cultivation is likely to increase as surrounding cities and the county have banned or are banning cultivation. Marijuana cultivation attracts crime and associated violence and is harmful to the safety and welfare of the city and its residents and constitutes a public nuisance.

- C. Marijuana cultivation in the city poses a threat to the public peace, health and safety. Many marijuana grows have emerged in the city which are very visible to the public, and easily accessible to the public, including children and youths. There is a threat of violent crime due to the size, location, and monetary value of these mature marijuana grows.
- D. It is acknowledged that the voters of the State of California have provided a limited criminal defense to the cultivation, possession and use of marijuana for medical purposes through the adoption of the Compassionate Use Act in 1996 pursuant to Proposition 215 and codified as Health and Safety Code section 11362.5. The Compassionate Use Act (CUA) does not address the land use or other impacts that are caused by the cultivation of marijuana.
- E. The CUA is limited in scope, in that it only provides a defense from criminal prosecution for possession and cultivation of marijuana to qualified patients and their primary caregivers. The scope of the Medical Marijuana Program Act (MMPA) commencing with Health and Safety Code section 11362.7, is also limited in that it establishes a statewide identification program and affords qualified patients, persons with identification cards and their primary caregivers, an affirmative defense to certain enumerated criminal sanctions that would otherwise apply to transporting, processing, administering or distributing marijuana.
- F. Neither the CUA and MMPA, nor the California Constitution create a right to cultivate medical marijuana.
- G. It is critical to note the CUA and MMPA do not abrogate the city's powers to regulate for public health, safety, and welfare. Health and Safety Code 11362.5(b)(2) provides that the CUA does not supersede any legislation intended to prohibit conduct that endangers others. In addition, Health and Safety Code 11352.83 authorizes cities and counties to adopt and enforce rules and regulations consistent with MMPA.
- H. The Council finds that neither the CUA nor the MMPA preempts the city's exercise of its traditional police powers in enacting land use and zoning regulations, as well as legislation for preservation of public health, safety, and welfare, such as this zoning ordinance prohibiting marijuana cultivation and dispensaries in all zone districts.
- I. Marijuana remains an illegal substance under the Federal Controlled Substances Act, 21 U.S.C. 801, et seq., and is classified as a "Schedule I Drug," which is defined as a drug or other substance that has a high potential for abuse, that has no currently accepted medical use in treatment in the United States, and that has not been accepted as safe for its use under medical supervision. Furthermore, the Federal Controlled Substances Act makes it unlawful for any person to cultivate, manufacture, distribute, dispense, or possess with intent to manufacture, distribute, or dispense marijuana. The Controlled Substances Act contains no statutory exemption for the possession of marijuana for medical purposes. The city does not wish to be in violation of federal law.
- J. In 2013, the California Supreme Court confirmed that cities have the authority to ban medical marijuana land uses (*City of Riverside v. Inland Empire Patients Health and Wellness Center* (2013) 56 Cal.4th 729).
- K. Under the Federal Controlled Substances Act, codified in 21 U. S. C. Section 801 et seq., the use, possession, and cultivation of marijuana are unlawful and subject to federal prosecution without regard to a claimed medical need.

- L. On October 9, 2015, Governor Jerry Brown signed into law, three (3) bills – AB 243, AB 266 and SB 643 – which together form the Medical Marijuana Regulation and Safety Act (“MMRSA”). The MMRSA, which became effective January 1, 2016, creates a comprehensive state licensing system for the commercial cultivation, manufacture, retail sale, transport, distribution, delivery, and testing of medical cannabis.
- M. In addition to creating these State controls, the MMRSA preserves the city’s authority to prohibit, regulate and/or license medicinal marijuana uses within its jurisdiction, as it expressly provides that the Act. (Bus. & Prof. Code § 19315(a); Bus. & Prof. Code § 19316(c); Bus. & Prof. Code §19316.)
- N. The MMRSA further expressly allows local governments to enact ordinances expressing their intent to prohibit the cultivation of marijuana and their intent not to administer a conditional permit program pursuant to Health & Safety Code Section 11362.777 for the cultivation of marijuana (Health & Safety Code § 11362.777(c)(4)).
- O. The MMRSA requires a local government that wishes to prevent marijuana delivery activity, as defined in Business & Professions Code section 19300. 5(m), from operating within the local government’s boundaries to enact an ordinance affirmatively banning such delivery activity (Bus. & Prof. Code § 19340(a)).
- P. Under the dual licensing system created by the Act, before any kind of medical marijuana license will be issued by the State, the applicant must have obtained the necessary local license and/or permit for the requested marijuana-related use.
- Q. Pursuant to the following statutes created by the Act, local jurisdictions that adopt a ban on medicinal marijuana dispensaries, and/or cultivation will effectively have a veto over whether a state license for the locally regulated activities can be issued. (Business & Professions § 19320(b); Health & Safety Code § 11362.777(b)(1); and Business & Professions Code § 19312)
- R. The City hereby re-affirms and confirms that the City’s Zoning Code is adopted and operates under the principles of permissive zoning, meaning that any land use not specifically authorized or identified in the zoning code is prohibited. California Health & Safety Code Section 11362.777(b)(3) expressly provides that the Department of Food and Agriculture may not issue a state license to cultivate medical marijuana within a city that prohibits cultivation under the principles of permissive zoning. Notwithstanding this, and without waiving any rights pursuant to its permissive zoning, the adoption of prohibitions of marijuana cultivation and dispensaries is in the interest of the City.
- S. Several California cities have reported negative impacts of marijuana cultivation, processing and delivery and/or distribution activities, including but not limited to offensive odors, the illegal sale and distribution of marijuana, and public health concerns including fire hazards and problems associated with mold, fungus, and pests.
- T. Due to the value of marijuana plants and their strong smell (which alerts others to their locations), marijuana cultivation creates an increased risk to public safety and/or an “attractive nuisance.”
- U. The indoor cultivation of marijuana has potential adverse effects to the structural integrity of the buildings in which it is cultivated, and the use of high wattage grow lights and excessive use of electricity increases the risk of fire, which presents a clear and present danger to the building and its occupants.
- V. The Attorney General’s August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use recognizes that the cultivation or other concentration of marijuana in any location or premises

without adequate security increases the risk that nearby homes or businesses may be negatively impacted by nuisance activity such as loitering or crime.

- W. Based on the experiences of other cities, the foregoing negative effects on the public health, safety, and welfare would be likely to occur in the City due to marijuana cultivation and dispensaries and their associated activities.
- X. The City Council held a public hearing on February 17, 2016, and duly considered staff reports, Planning Commission recommendations, and public comments.
- Y. The city has a compelling interest in protecting the public health, safety, and welfare of its residents and businesses and in preserving the peace and quiet of the neighborhoods in which marijuana is currently grown.

SECTION 17.96.030 RELATIONSHIP TO OTHER LAWS. This chapter is not intended to, nor shall it be construed or given effect in a manner that cause it to apply to, any activity that is regulated by federal or state law to the extent that application of this chapter would conflict with such law or would unduly interfere with the achievement of federal or state regulatory purposes. This chapter shall be interpreted to be compatible and consistent with federal, county and state enactments and in furtherance of the public purposes which those enactments express. This chapter will supersede any other provisions of this code found to be in conflict therewith.

SECTION 17.96.040 DEFINITIONS. For purposes of this chapter, unless the particular provision or the context otherwise clearly requires, the definitions in this section shall govern the construction, meaning, and application of words and phrases used in this chapter:

- A. "Cultivation" means the planting, growing, harvesting, drying, processing, or storage of one or more marijuana plants or any part thereof in any location.
- B. "Marijuana" means all parts of the plant *Cannabis sativa* L., whether growing or not, and includes medical marijuana.
- C. "Medical Marijuana" means marijuana used for medical purposes in accordance with California Health and Safety Code section 11362.5.
- D. "Collective, cooperative or dispensary" means a collective, cooperative, dispensary, operator, establishment, provider, association or similar entity that cultivates, distributes, deliver, or processes marijuana for medical purposes relating to a qualified patient or primary caregiver, pursuant to the Compassionate Use Act and the Medical Marijuana Program Act.
- E. "Primary caregiver" means a primary caregiver as defined in Health and Safety Code section 11362.7.
- F. "Qualified patient" means a qualified patient as defined in Health and Safety Code section 11362.7.

SECTION 17.96.050 PROHIBITION OF MARIJUANA CULTIVATION. Marijuana cultivation by any person, including primary caregivers and qualified patients, collectives, cooperatives or dispensaries, is prohibited in all zone districts within the city.

SECTION 17.96.060 CONSUMPTION OF MEDICAL MARIJUANA. No on-site consumption of medical marijuana shall occur except by a qualified patient or person with an identification card who lives on the property as their principal place of residence.

SECTION 17.96.070 DISPENSARY AS A PROHIBITED USE. A dispensary is a prohibited use in all zone districts in the city.

SECTION 17.96.080 PUBLIC NUISANCE DECLARED. Any use or condition caused or permitted to exist within any zone district of the city in violation of the provisions of this chapter is hereby declared a public nuisance. The City will avail itself of all available legal remedies to abate the nuisance.

SECTION 17.96.090 VIOLATION AND PENALTY

- A. A violation of this chapter may be prosecuted by the City Attorney through the civil enforcement process, including injunctive relief, as set forth in this code and state law.
- B. Each day a person is in violation of this chapter shall be considered a separate violation.
- C. The administrative citation penalty for each and every marijuana plant cultivated in violation of this chapter shall be one thousand dollars (\$1,000) per plant.
- D. Any property upon which a violation of this chapter is found shall be subject to immediate abatement by the city.
- E. In addition to any administrative penalty assessed for violation of this chapter, any person found in violation of this chapter will be charged abatement costs and enforcement costs as defined in this code, calculated to recover the total costs incurred by the city in enforcing this chapter.

SECTION 17.96.100 SEVERANCE If any section, subsection, phrase, or clause of this chapter is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this chapter.

SECTION 2. CEQA. The City Council finds this ordinance is not a project under the California Environmental Quality Act because it can be seen with certainty that it will not have a significant effect or physical change to the environment. See Title 14, California Code of Regulations, Section 15061 (b) (3).

SECTION 3. Publication. This ordinance shall be published in accordance with the provisions of Government Code Section 36933.

SECTION 4. Emergency Findings. The findings set forth in this ordinance constitute a declaration of facts constituting an immediate preservation of public health and safety.

SECTION 5. Effective Date. This ordinance is an urgency ordinance for the immediate preservation of the public peace, health, and safety and shall become effective immediately per Government Code Section 36397.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Kerman held on February 3, 2016, and was passed and adopted at a regular meeting of the City Council held on February 17, 2016, 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: PARKS & RECREATION
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: FEBRUARY 17, 2016

To: Mayor and City Council
From: Philip Gallegos, Parks and Recreation Department Director
Subject: Resolution Approving the Purchase of Prefabricated Restroom and Approval of Additional Funding for Soroptimist Park Project

RECOMMENDATION

Council take the following actions:

1. By motion adopt resolution authorizing the City Manager to execute and sign purchase documents for the Ozark I model precast concrete unisex restroom from CXT, Inc. in the amount not to exceed \$54,712.29
2. Approve allocation of an additional \$12,456.29, authorizing staff to use general fund reserves and adjust budget accordingly

EXECUTIVE SUMMARY

CXT Precast Products will provide a prefabricated restroom facility that will be installed at Soroptimist Park. The City will be using a competitively bid National Joint Power Alliance contract, which was awarded to CXT Precast Products.

Currently the FY 2015-2016 capital budget has allocated \$79,856 for this project and there is a shortfall of \$12,456.29. However, \$79,856 will be reimbursed by CDBG funding once the project is completed and reimbursement is requested from the County. Total cost of the restroom project is \$92,312.29. In order to proceed with project Council would need to allocate an additional \$12,456.29, authorizing staff to use general fund reserves and adjust the budget accordingly. Shortfall due to prevailing labor, the cost of bringing water, sewer, electrical to the restroom location; engineering and including a 10% contingency in the budget.

OUTSTANDING ISSUES

None.

DISCUSSION

Soroptimist Park is a popular neighborhood park that has a fully wheel chair accessible playground, picnic shelters and open space for play. For fiscal year 2015-2016, CDBG funds for the Kerman Soroptimist Park ADA Restroom Improvements Project has been approved and budgeted. The project will install a pre-fabricated restroom building, including the installation of the building pad and necessary utilities to serve the facility. CDBG funds in the amount of \$79,386 are available for the project.

The City recently completed the Katey's Kids Park pre-fabricated restroom building purchase and installation. The building was manufactured by CXT Precast Concrete Products (CXT). Staff was very pleased with the purchase and installation process. Additionally, residents utilizing the new park restroom are delighted with the function and design of the building.

Restroom Building

City staff is proposing to use CXT Precast Products, again taking advantage of their contract with a National Joint Powers Authority (NJPA). The City of Kerman's Purchasing Policy, under the Cooperative Purchases section, authorizes the City to join with other public entities for the purpose of collectively preparing specifications, requesting and receiving bids, quotations or proposals, and making award to the lowest responsible bidder, provided the source selection method used is substantially in compliance with the competitive bidding requirements. The cooperative purchasing process streamlines purchasing by allowing the City to accept a competitive bid prepared by any federal, state, county or municipal government and ensures that goods and services are of the highest quality and the lowest price.

CTX submitted a quote that proposes to supply the CTX "Ozark I restroom precast concrete building. Features of the concrete structure are similar to the Katey's Kids Park building. The Ozark I is a single unisex facility containing ADA (Americans with Disabilities Act) compliant stainless steel toilet, urinal and sink, electric hand dryers, exterior horizontal siding, rock texture, simulated shake roofing; interior and exterior lighting, automatic timed door lock, skylight and maintenance access room and anti-graffiti coating. The pricing for the structure is based on National Joint Powers Authority (NJPA) Schedule Contract and is \$54,712.29, with selected options. The addition of selected options, the upgraded exterior treatments and additional crane cost; put the cost over the original budgeted \$47,000 amount. The crane provided by CXT is smaller crane with ability to only place the 38,000 pound building 2-4 feet from trailer. The building placement in Soroptimist Park is 45 feet, necessitating a larger crane for an additional \$3,125 cost. A copy of the quote is enclosed as Attachment 'B'. Facility construction and delivery will take approximately 90 days. It is the department's goal to complete the entire park project by July 31, 2016. Flyer, photo examples and drawing of restroom is shown in Attachment 'C'.

Installation & Site Improvements

After reviewing the park site and selecting the optimum restroom location, the cost of installation also increased over the original projection; primarily due to prevailing labor, the cost of bringing water, sewer and electrical to the restroom location and including a 10% contingency in the budget. The final installation cost will be determined after award of bid, which might result in a cost savings. Once the restroom is ordered, the engineer will develop construction plans, go out to bid and award, typically a three month process. Site location and utility plan shown in Attachment 'D'.

FISCAL IMPACT

Project Cost

<u>Description</u>	<u>Estimated Quantity</u>		<u>Unit Price</u>	<u>Extension</u>
<u>RESTROOM BUILDING</u>				
Pre-fabricated Restroom Building	1	L.S.	\$54,712.19	\$54,712.29
<u>SITE IMPROVEMENTS</u>	Site Improvements=			\$21,000
	Sub-total Construction=			<u>\$75,712.29</u>
<u>MISCELLANEOUS</u>				
Design Engineering				\$6,000
Construction Engineering				\$4,000
Contingency	10%			\$6,600
	Sub-total Miscellaneous=			<u>\$16,600</u>
Total Estimated Project Cost=				\$92,312.29
YR 15/16 CDBG Budget				<u>\$79,856</u>
Additional Project Cost Request				\$12,456.29

Currently the FY 2015-2016 capital budget has allocated \$79,856 for this project and there is a shortfall of \$12,456.29. Total cost of the restroom project is \$92,312.29. In order to proceed with project Council would need to allocate an additional \$12,456.29, authorizing staff to use general fund reserves and adjust the budget accordingly. The \$79,856 will be reimbursed by CDBG funding once the project is completed and reimbursement is requested from the County.

PUBLIC HEARING

None.

Attachments:

- A. Resolution
- B. Quote
- C. Photo, Flyer, Drawings
- D. Location & Utility Plan

Attachment 'A'

RESOLUTION NO. 16-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN AUTHORIZING
THE PURCHASE OF A PRECAST CONCRETE RESTROOM BUILDING
FROM CXT, INC. FOR SOROPTIMIST PARK

WHEREAS, the popularity and use of Soroptimist Park warrants the need for a restroom to be added as part of the improvements at the Park; and

WHEREAS, the City's purchasing guidelines allow competitive prices to be determined when another public agency or public service purchasing agency has administered a competitive bidding process within the last two years for similar products or services, and the National Joint Powers Alliance (NJPA) maintains a list of current pricing for typical products and services through their competitively Awarded Contract program; and

WHEREAS, CXT, Inc. participates and offers pricing under the NJPA contract program and submitted a quote to supply the modified precast concrete "Ozark I" model restroom for \$ 54,712.29, including final connection to utilities ; and

WHEREAS, the funds for Soroptimist Park Restroom project are included in the 2015/16 City budget under Capital improvement.

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

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the City Manager is authorized to sign a purchasing documents on behalf of the City for the purchase of a Ozark I restroom building with specified options from CXT, Inc. in the amount not to exceed \$ 54,712.29,

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 17th day of February 2016, 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'

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Quote #: **BFRO5013M1-2**



, Inc. an L.B. Foster Company

Mailing Address:

CXT Incorporated, an LBFoster Co.
3808 North Sullivan Road Bldg. #7
Spokane Valley, WA 99218

Phone: (800) 696-5766

Fax: (509) 928-8270

Date: 01/27/2016

To: City of Kerman

720 S A Street
Kerman, CA 93630

Attention: Phillip Gallegos

Phone: (559) 846-9328

Fax: (559) 846-5217

Our quotation for the Ozark I Flush Building building is as follows:

Per Building

NJPA Member #18507

\$37,722.84

Ozark I single flush toilet building with standard simulated CEDAR SHAKE ROOF roof (Customer to provide color code) and Horizontal lap and Napa Valley Rock wall texture (mountain blend, two 16-gauge galvanized steel doors and frames, Electronic Locking system on Restroom door only, Classroom latch and deadbolt on Chase door, Stainless Steel plumbing fixtures (1-lavatory, 1-water closet, 1-Urinal), 1- SKYLIGHT, 1- Fast Air Hand Dryer, one 3-roll toilet paper holder, 1- seat cover dispenser, 1- Sanitary Napkin Dispenser, 1- Exterior frostproof hose bib box, one exhaust fan, two GFI outlets, two floor drains, one s/s mirror, CA Accessible ADA grab bars, Current CA ADA signs, one hose bib in chase area, and motion controlled interior LED lights and photo cell controlled exterior LED lights. Two Tone color and Touch up kit.

Building Includes:

- > Engineered wet stamped drawings and copies, CA State Registrations.
- > Building pad construction drawings.
- > Delivery of your building to the site with a Truck/Trailer.
- > Off Loading and Set of your building with a LARGER 120ton crane at the desired location (see upcharge below).
- > Utility Hook Ups - Hook up the building utilities from the pad to the building with a licensed GC.

CXT Must have complete site accessibility for a Crane and Truck/Trailer for building delivery.

Option #1

If Customer would like CXT to produce a building pad add \$10,394.74 to this price.

Scope of work:

- Construct 6" gravel pad to CXT spec for CXT Ozark I building.
- Elevation benchmark must be marked by customer on site prior to construction.
- Includes all utilities installed in pad to support CXT Ozark I building.
- Utility Hook ups/Full install must be ordered.
- Includes 1 mobilization and demobilization.
- Change orders must be approve with 48 hours if necessary.
- Customer must have site ready prior to construction.
- Does not include permits.
- Does not include connection to main utilities.
- CXT not responsible for incidental damage to surrounding landscape.

Notes:

- Price does not include the following customer responsibilities:
- Customer responsible for geotechnical services.
- Customer responsible for all locates for building.
- Customer responsible for any and all permits.
- Does not include any provisions for archeological occurrence.
- Main utilities to building must be marked and clearly identified.
- Does not include any provisions for fill material for raising subgrade.
- Main utilities must meet CXT specifications for Ozark I.
- Change orders must be approved within 48 business hours.

FOB Spokane, WA to destination in and around the Soroptimist park, Kerman, CA

Quote #: **BFRO5013M1-2**

CXT[®], Inc. an L.B. Foster Company

Mailing Address:

CXT Incorporated, an LBFoster Co.
3808 North Sullivan Road Bldg. #7
Spokane Valley, WA 99216

To: City of Kerman
720 S A Street
Kerman, CA 93630
Attention: Phillip Gallegos
Phone: (559) 846-9328
Fax: (559) 846-5217

Phone: (800) 696-5766
Fax: (509) 928-8270
Date: 01/27/2016

Horiz Lap and Rock Texture	\$3,200.00
Freight	\$4,841.53
Extra Crane Charges for Site Acc	\$3,125.00
Utility Hook Ups	\$2,200.00
CA State Tax 8.225%	\$3,622.93
	<hr/>
	\$16,989.46
	<hr/>
	\$54,712.29

FOB: Freight FOB Plant Prepaid and Add.
Terms: Net 30 with Credit Approval.
Notes: Sales tax not included
Number of Units: ____

This quotation is subject to the conditions on the attached sheet and the terms hereof shall constitute the exclusive agreement of the parties and all conflicting or additional terms in Buyer's purchase order or any other such documents of Buyer shall have no force or effect.

L.B. FOSTER COMPANY

By _____
Brian Frost
BFrost@lbfoster.com

Accepted this _____ day of _____ 20____

By: _____ (Customer Name)

_____ (Signed)

Quote #: BFRO5013M1-2

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CONDITIONS OF SALE

1. Taxes: Prices exclude all Federal/State/Local taxes. Tax will be charged where applicable if customer is unable to provide proof of exemption .
2. Payment Terms
Payment to CXT by the purchaser shall be made net 30 days after the submission of the Invoice to the purchaser. Interest at a rate equal to the lower of (i) the highest rate permitted by law; or (ii) 1.5% per month will be charged monthly on all unpaid Invoices beginning the 35th day (includes 5 day grace period) from the date of the Invoice. Under no circumstances can a retention be taken and purchaser shall pay the full Invoiced amount without offset or reduction . These terms are available upon approval of credit. If CXT initiates legal proceeding to collect any unpaid amount or other dispute arising out of or relating to this Quote , purchaser shall be liable for all of CXT's costs, expenses and attorneys fees associated with such litigation, including the fees and costs of any appeal.
3. Quotation Term: This offer is subject to acceptance within 60 days from the date of this quotation. After that time, prices are subject to change without notice.
4. Drawings
Prices do not include any documentation other than standard drawings, packing lists, and Invoices, unless otherwise stated in quote. Special documentation, reports, or submittals can be supplied at an additional cost. If additional engineering, engineering seals, state approvals, drawings, or Insignias are required additional charges may incur.
5. Delivery
Delivery will be scheduled immediately upon receipt of written customer approval of all building submittals, building worksheet(s) and signed contract/purchase order. In the event delivery of the buildings ordered is/are not completed within 30 days of the agreed to schedule through no fault of CXT, an invoice for the full contract value (excluding shipping and installation costs) will be submitted for payment, the terms of which will be as per item 2 in our quotation. Delivery and installation charges will be invoiced at the time of delivery and installation. Should the delivery and installation costs increase due to changes in the delivery period, this increase in cost will be added to the price originally quoted, and will be subject to the contract payment terms. In the event that the delivery is delayed more than 45 days after the agreed to schedule and through no fault of CXT, then in addition to the remedies above, a storage fee of 1/2% of contract price per month or part of any month will be charged.
6. Fuel Costs
Fuel costs for crane and freight have been quoted at fuel prices furnished at the time of quotation. If at the time of delivery and installation these costs have risen, CXT reserves the right to adjust the freight and crane costs to reflect the fuel costs furnished at the time of delivery.
7. Responsibilities of the Customer
 - A. Stake exact location building is to be set, including orientation.
 - B. Provide clear and level site, free of overhead and/or underground obstructions.
 - C. Provide site accessible to normal highway trucks and sufficient area for the crane to install and other equipment to perform the contract requirements.
 - D. Customer shall provide notice in writing of low bridges, roadway width or grade, unimproved roads or any other possible obstacles from State highway and/or main county road to site. CXT reserves the right to charge the customer for additional costs incurred for special equipment required to perform delivery and installation.
 - E. Customer is responsible for all permits required.
 - F. Completing and complying with Pre-Order Information Worksheet that is incorporated herein by this reference .
8. Access to Site
For installation methods described below in paragraph 9 A & B, delivery will be made in normal highway trucks and trailers. If at the time of delivery conditions of access are hazardous or unsuitable for truck equipment for any reason, CXT shall be entitled to payment for extra costs to ensure a safe and quality installation to the chosen site or will agree to an alternative site with better access.
To safely offload the facility referred to within this quotation , CXT must have clear and unobstructed access next to the gravel pad or hole where the facility will be placed . CXT is not responsible for cracked or damaged roads, driveways, sidewalks or aprons that are in the path of the delivery trucks or cranes at the final offloading site . Should CXT be required to obtain a larger crane than quoted due to site amenities or hardscapes , CXT will charge the customer the difference between the crane originally quoted, and the one that was hired to successfully offload the facility safely and efficiently .
9. Installation
 - A. Full Install. If the customer opts to have full installation of their new building, CXT will provide a backhoe trailered into the site , and prepare the customer site at the marked hole/pad area. The crane will arrive and set up next to the hole/pad. Any requirements to lift the building over obstacles or not having the ability of the crane to be right next to the hole could incur additional charges. The size of the crane varies however most cranes require an area of 18'x18' for their outriggers. Truck(s) carrying the vaults and the building systematically pull up right next to the crane and are offloaded onto the site . Any requirements to lift the building over obstacles or not having the ability of the truck to be right next to the crane could incur additional charges. Installation crew then performs all necessary excavation, backfill, compaction, site grading, and connection of utilities (if applicable). Please note: additional time and any special equipment needed by the installation crew for unscheduled site work will be billed to the customer.
 - B. Set-Only Install. If the customer opts to prepare the hole, and do earthwork preparation for the site, the customer will move all excess dirt to allow access by the crane and semi-truck. The crane will arrive and set up next to the hole/pad. Any requirements to lift the building over obstacles or not having the ability of the crane to be right next to the hole could incur additional charges. The size of the crane varies however most cranes require an area of 18'x18' for their outriggers. Truck(s) carrying the vaults and the building systematically pull up right next to the crane and are offloaded onto the site . Any requirements to lift the building over obstacles or not having the ability of the truck to be right next to the crane could incur additional charges. Customer performs all necessary excavation, backfill, compaction, site grading, connection of utilities (if applicable). If the pad for a flush building, or a customer prepared excavation/ hole prep is not to CXT specifications, and results in extra costs the customer will be responsible for these extra costs.
 - C. Ship-Only. If customer opts to self-install their building CXT can provide a drawing of the recommended lifting/rigging arrangement plus the four special lifting plates for the buildings itself with a refundable deposit of \$1,000.00 payable by credit card only. The customer must return lifting plates and hardware to CXT (at customers cost) within 2 weeks (14) days or a \$1,000.00 fee will be charged to the customer credit card. Please note: It is highly recommended that you use our lifting/rigging arrangements. The CXT arrangements will help prevent damage to the building. CXT will not take responsibility for any damage/accidents to the building or workers during the use or non-use of our recommended lifting/rigging arrangements.
 - D. CXT shall be entitled to reimbursement from customer for any expenses that are the result of conditions encountered at the site which are (1) subsurface or otherwise concealed physical conditions which differ materially from those indicated by the customer or (2) unknown physical conditions of an unusual nature, which differ materially from those ordinarily found to exist and generally recognized as inherent in construction activities at the customer 's location.
 - E. Should customer request additions or changes to the work, CXT shall be entitled to payment for additional or changed work . Any request for additions or changed work shall be in writing executed by Customer Field Representative by signing the additional work required section of the Building Acceptance Form , incorporated herein by this reference.
10. Transportation
Your building(s) will be transported from our plant to your installation site via semi-truck with trailer. The length and clearance vary with the style of trailer used to accommodate your building model(s) and must be taken into consideration when determining access to site. If you ordered a(n)....
Cascadian/Rocky Mountain - Requires 1 truck: When shipped in 2-pieces (standard) the building with vault is shipped on a flatbed trailer. The length of the tractor-trailer can be up to 75' long. Must have a 14' height clearance to access site.

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Gunnison - Requires 1 truck: Shipped with its vault, this building is typically shipped on a step-deck trailer. The length of the tractor-trailer can be up to 75' long. Must have 14' height clearance to access site.

Tioga Special - Requires 2 trucks: 1 to transport the building and 1 to transport vaults. The building is typically shipped on a step-deck trailer and 2 vaults are typically transported on a flatbed trailer. The length of the tractor-trailer can be up to 75' long. Must have 14' height and 14' width clearance to access site.

Dbl Cascadian/Dbl Rocky Mountain - Requires 2 trucks: 1 to transport the building and 1 to transport the vaults. The building is typically shipped on a dbl-drop or low boy trailer (approximate ground clearance of 4 to 6") and the 2 vaults are typically transported on a flatbed trailer. The length of the tractor-trailer can range from 75' to 80'. Must have 14' height and 14' width clearance to access site.

Cortez/Ozark I/Teton/Pioneer - Requires 1 truck: Generally shipped on a step-deck trailer. The length of the tractor-trailer can be up to 75' long. Must have a 14' height and 14' width clearance to access site.

Large Flush, Sectional, or Custom Bldgs -

(Arapahoe/OzarkII/Cheyenne/Montrose/Taos/Rainier/Pomonay/Navajo/Malibu/Kodiak/Fontanay/Diablo/Denali)

Requires 2-4 trucks, depending on size of building. Each section will be shipped on an RGN trailer (approximate ground clearance of 4 to 6"). The length of the tractor-trailer can range from 80' to 115'. Must have 14' height and 14' width clearance to access site. The Denali model could ship on either an RGN trailer or a dbl-drop.

Schweitzer/Mendocino - Requires 1-2 trucks, depending on size of building. Generally shipped on a step-deck trailer. The length of the tractor-trailer can be up to 75' long. Must have 14' height and 14' width clearance to access site.

11. CXT Warranty

CXT warrants that all structures sold pursuant hereto will, when delivered, conform to specifications of the building listed on the quote. Structures shall be deemed accepted and meeting specifications unless notice identifying the nature of any non-conformity is provided to CXT in writing within one (1) year of delivery. It is specifically understood that CXT's obligation hereunder is for credit or repair only. CXT will repair structural defects against materials and workmanship for one (1) year from date of delivery provided CXT is first given the opportunity to inspect said structure. CXT warrants all components sold within all structures pursuant here to when delivered within structures. Components deemed accepted and meeting specifications shall be warranted for a period of one (1) year against defects in the materials and/or workmanship from said date of delivery. CXT is not responsible for components that are damaged due to misuse, acts of violence, negligence, acts of God, or accidents. Shipping, handling, installation or other incidental or consequential costs, unless otherwise agreed to in writing by CXT, are not included.

This warranty shall not apply to:

Any goods which have been repaired or altered without CXT's express written consent, in such a way as in the reasonable judgment of CXT, to adversely effect the stability or reliability thereof;

To any goods which have been subject to misuse, negligence, acts of God, or accidents;

To any goods which have not been installed to manufacturer's specifications and guidelines, improperly maintained, or used outside of the specifications for which such goods were designed.

12. Disclaimer of Other Warranties

THE WARRANTY SET FORTH ABOVE IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED. ALL OTHER WARRANTIES ARE HEREBY DISCLAIMED. CXT MAKES NO OTHER WARRANTY EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION, NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE.

13. Limitation of Remedies

In the event of any breach of any obligations hereunder; breach of any warranty regarding the goods, or any negligent act or omission of any party, the parties agree to submit all claims to binding arbitration. Any settlement reached shall include all reasonable costs including attorney fees. In no event shall CXT be subject to or liable for any incidental or consequential damages. Without limitation on the foregoing, in no event shall CXT be liable for damages in excess of the purchase price of the goods herein offered.

14. Acceptance

The foregoing terms will be deemed accepted in full by signature and return of one copy to CXT, subject to customer credit approval. A copy of any applicable form of payment security device (i.e. payment bonds) available to CXT shall be included with the signed copy of this agreement.

15. Timing of Billing to Buyer

Seller will invoice Buyer upon shipment from its supplier or facility, unless otherwise indicated on the face of this document.

16. Storage of Material For Buyer

If, at Buyer's request, goods covered by this document are held at Seller's facility or service provider for more than 21 days after they are available for shipment, Buyer shall accept Seller's invoice and pay said invoice based on payment terms set forth herein.

17. Material Reservation

Seller will only reserve material for 30 days with receipt of an executed purchase order, quote or order acknowledgement acceptable to Seller. After that time, material availability, price and shipment date may be adjusted, at Seller's option.

Attachment 'C'

CXT Soroptimist Restroom Exterior Design Examples



OZARK I

Small, single flush, fully accessible.



**Shown with barnwood textured walls, cedar shake textured roof.*

The Ozark I is an economical single flush building that meets ADA. It has a small overall footprint



and can be placed next to an existing restroom to bring a park up to ADA standards or placed in smaller neighborhood parks. The Ozark I comes with sink, toilet, interior and exterior lights, and electric exhaust fan. It can have an optional urinal and stainless steel fixtures. The Ozark I's chase area also can be used for storage. The Ozark I is small in size, but big in value.

Durability:

The Ozark I is engineered and designed for long-life in extreme conditions. The building meets or exceeds the effects of a Zone 4 earthquake, a 140-mph wind load and a 250 pounds per square foot snow load.

Maintenance:

The Ozark I is extremely easy to maintain. With our steel reinforced 5,000 psi concrete construction, the building will not rot, rust, or burn. The building interior is primed and painted with white paint to reflect natural light from the Lexan windows mounted in heavy steel frames cast into the walls.

Cleaning of the building interior is easily accomplished with a brush and warm soapy water. The walls and roof structure are made of "colored through concrete", coated with an exterior stain, followed by an anti-graffiti sealer.

Meets UFAS, A.D.A. and Title 24 statute of the State of California

Vandal resistant building & toilet components

4" thick steel reinforced concrete walls

5" thick steel reinforced concrete roof & floors

Quick installation and hookup at the jobsite

Available in (25) different and unique earthtone colors

Barnwood, stucco, exposed aggregate, or split face block exterior wall textures

Cedar shake, ribbed metal, or exposed aggregate exterior roof textures

Custom textures and colors available



Utilities:

The Ozark I's utilities are pre-wired, plumbed and tested before shipping to meet local code requirements. They are conveniently concealed within the chase/storage area for easy hookup and maintenance and to reduce the effects of vandalism.

Standard plumbing fixtures are made of vitreous china construction. Optional stainless steel fixtures are available with this model. Hot water and room heaters are also available as options on this restroom.

Hook Up and Installation:

The Ozark I requires minimal site work. It

is designed to sit on a three-quarter minus gravel base of six-inches thick, compacted to a ninety-five percent compaction



level. The water, sewage and electrical utility lines are stubbed up through the prepared base material to match up with the utility access hole within the floor of the chase area.

Hookup of the three utility lines can be completed in a matter of hours by connecting the pre-plumbed and wired lines to those stubbed up through the base material.

Quality and Value:

Because of our two state-of-the-art, 120,000 square foot production facilities, CXT can produce consistently higher quality buildings at a lower cost to meet the needs of city, county, state and federal agencies.

We at CXT take pride in our craftsmanship and are ready to provide you with our legendary customer service. See why we say, "Once you buy a CXT produced building you will never purchase anything else."



**Shown with cedar shake textured roof.*

LB Foster

CXT® Concrete Buildings

CXT Incorporated
 An L.B. Foster Company

Spokane Industrial Park
 3808 N. Sullivan Road Bldg. #7
 Spokane, WA 99216

Telephone 509-921-8766
 Fax 509-928-8270
 Toll Free 800-696-5766

www.cxtinc.com

Wall Textures:

Standard:



Barnwood

Available Options:



Stucco



Exposed Aggregate



Split Face Block

Roof Textures:

Standard:



Cedar Shake

Available Options:



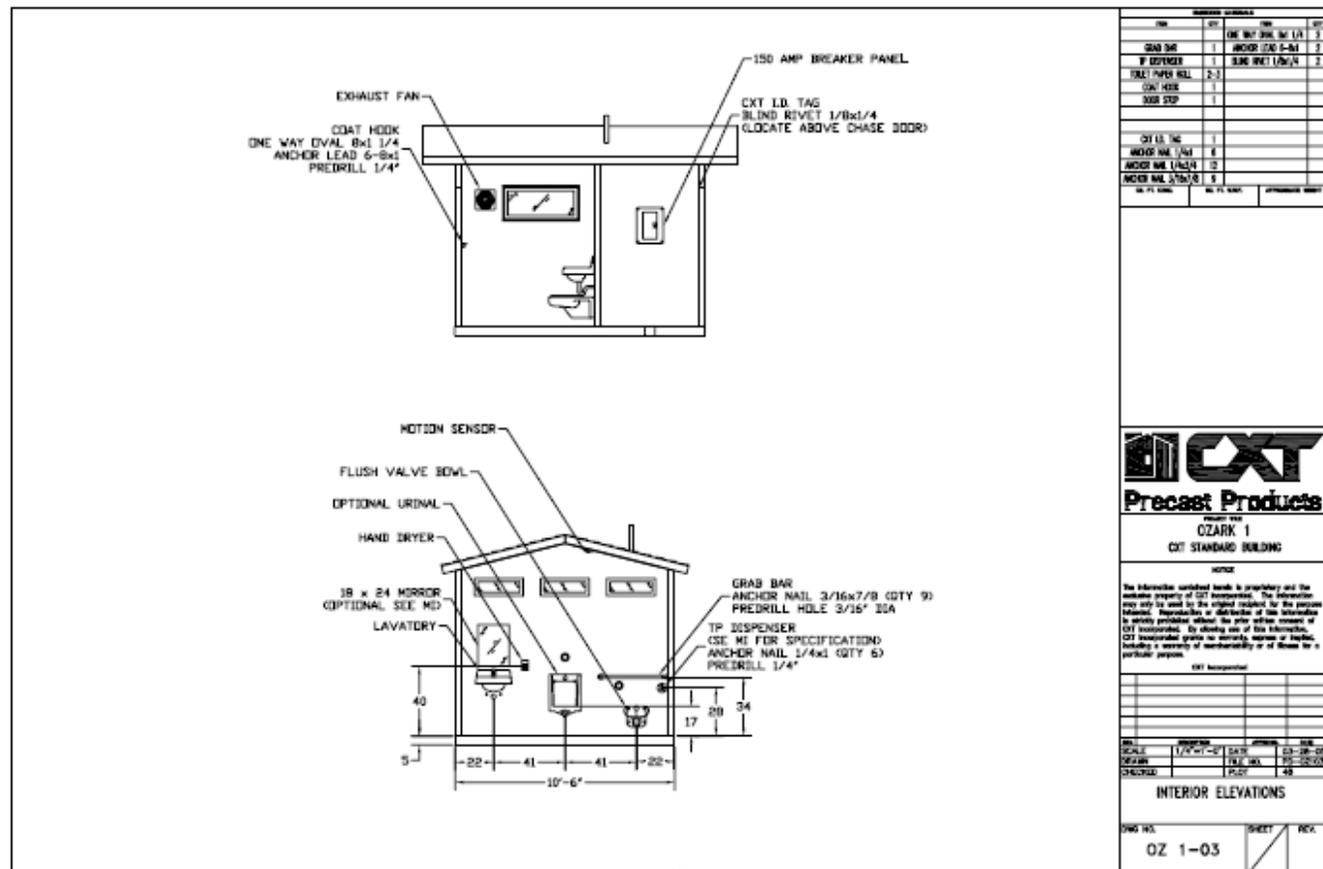
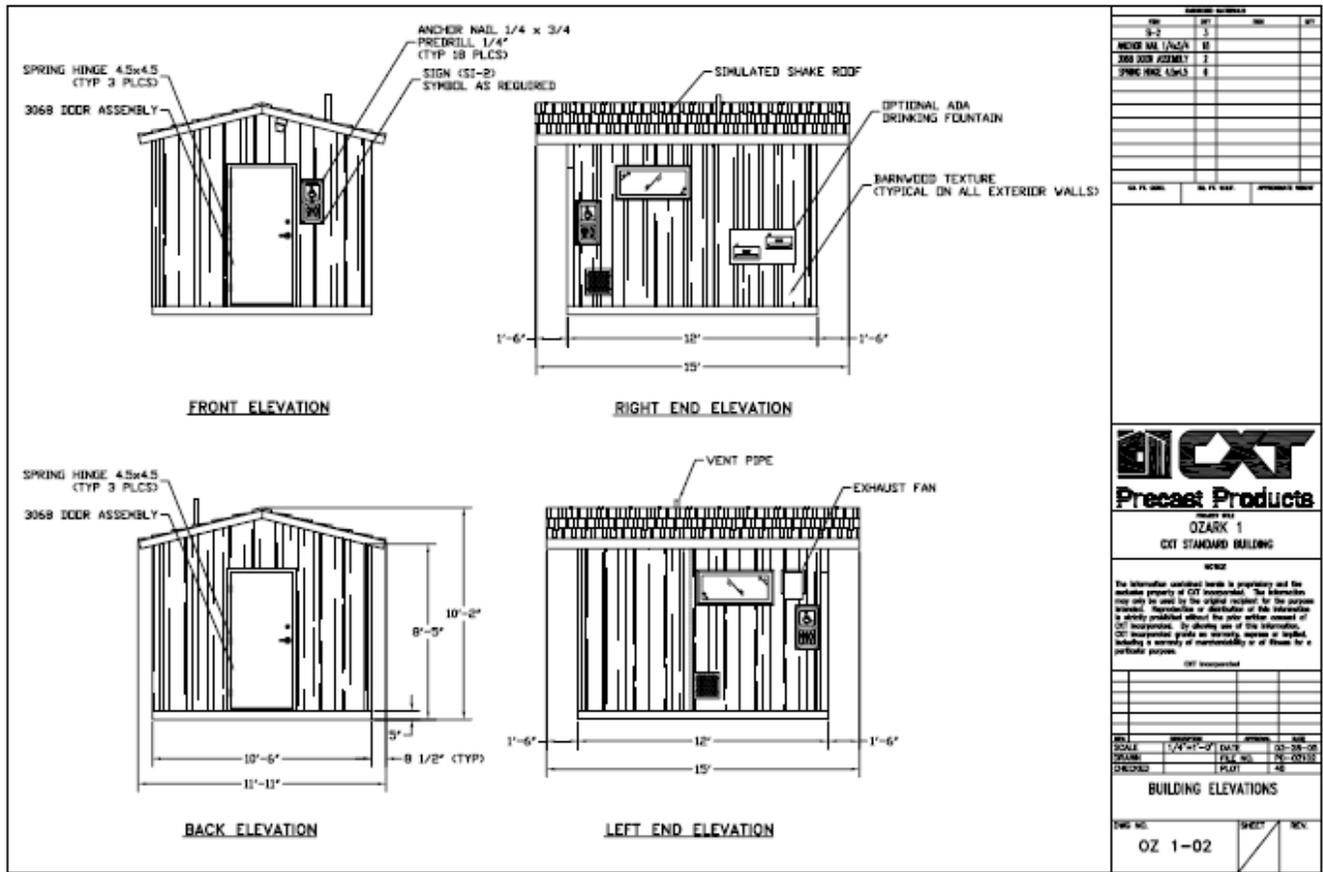
Ribbed Metal

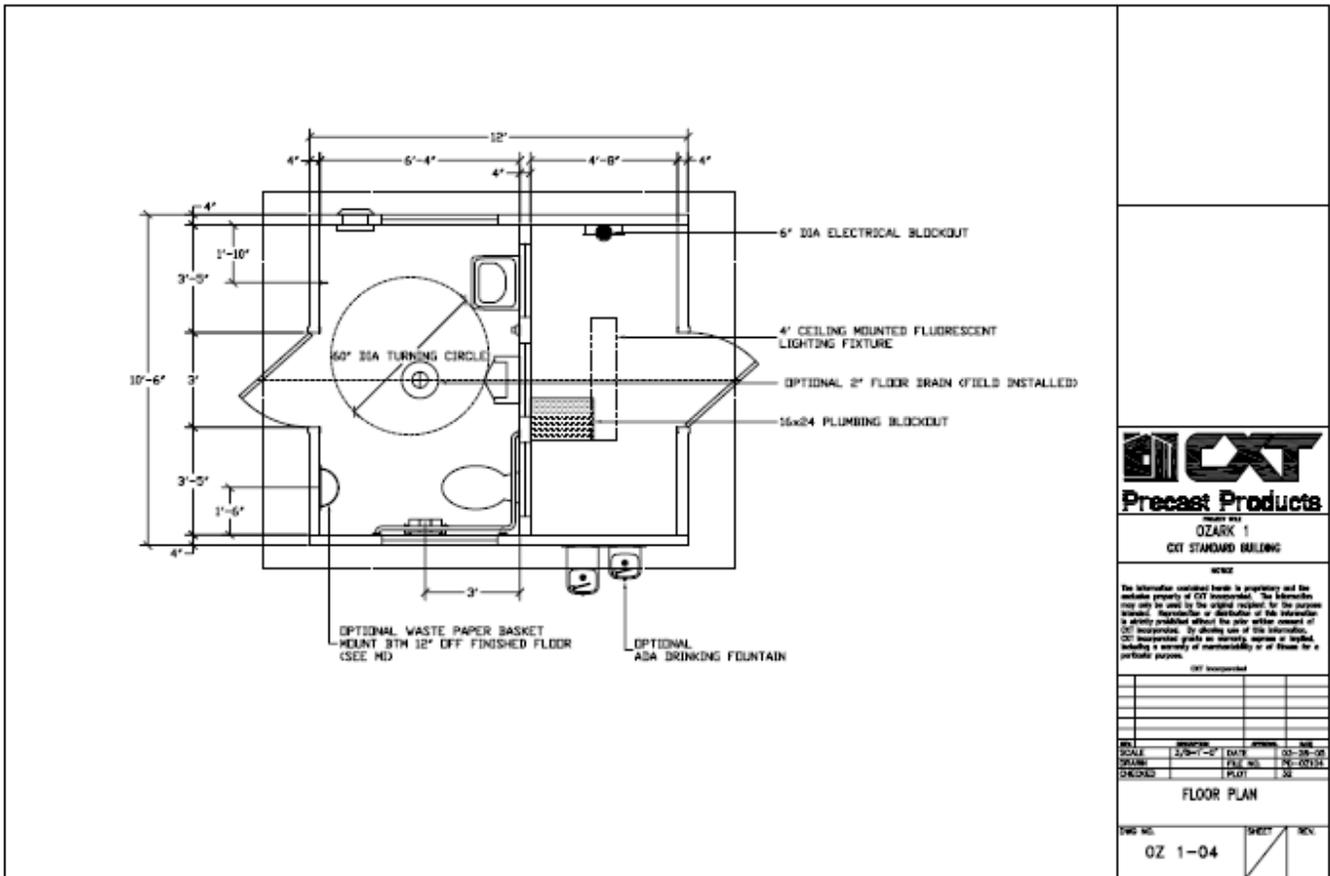


Exposed Aggregate

Also available in custom colors and textures.







Model No. OZARK 1
 CITY STANDARD BUILDING

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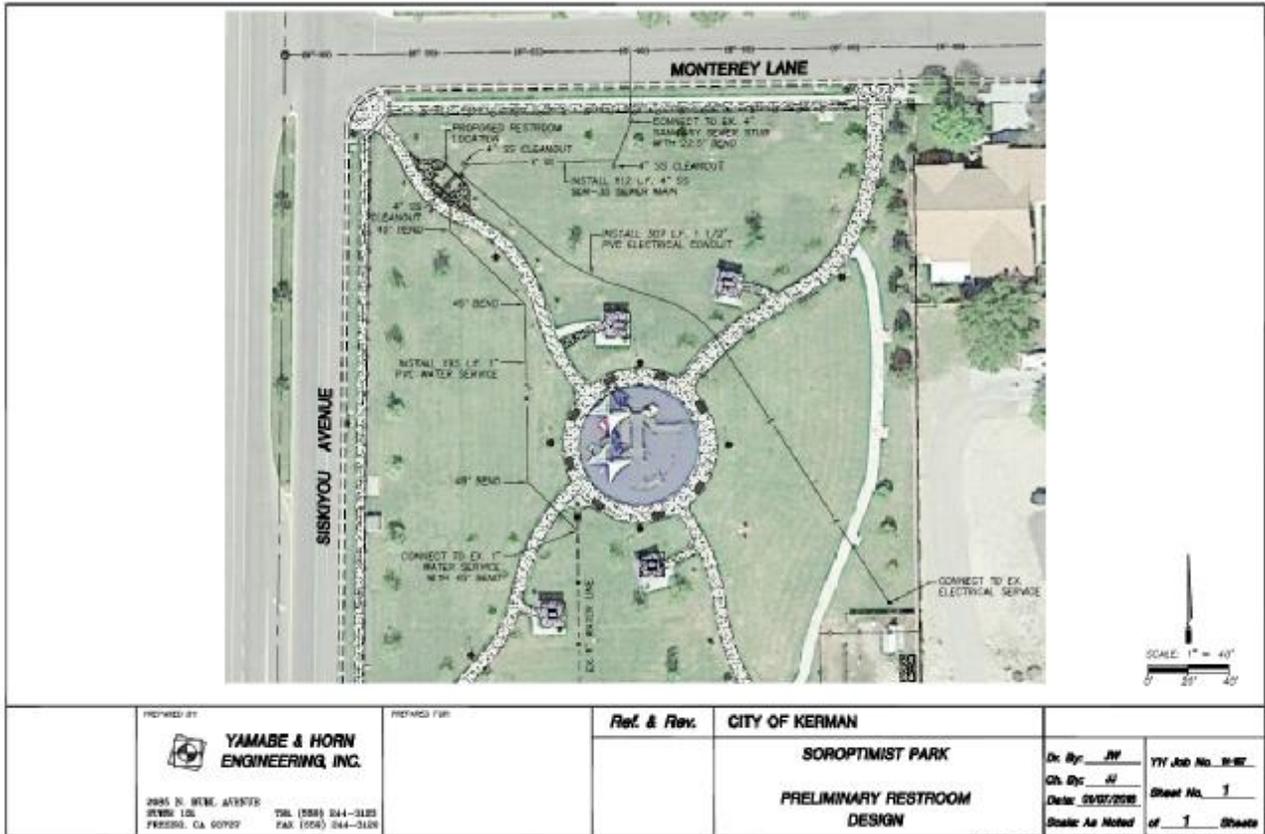
CCT Incorporated			

SCALE	3/8"=1'-0"	DATE	03-18-08
DESIGN	FILE NO.	NO.	02-0133
ORDERED			

FLOOR PLAN

SWG NO.		SHEET	NO.
OZ 1-04			

Attachment 'D'





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

DEPARTMENT: PLANNING AND DEVELOPMENT
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: FEBRUARY 17, 2016

To: Mayor and City Council
From: Jerry Jones, City Engineer
Subject: Adoption of Street Median Landscape Master Plan for Collector Streets

RECOMMENDATION

Council by motion approve resolution adopting the Street Median Landscape Master Plan for Collector Streets.

EXECUTIVE SUMMARY

The City enlisted the services of Patrick Boyd, landscape architect, to prepare a Street Median Landscape Master Plan for Collector Streets to be used for the re-landscaping of the City's existing street medians and as a standard for future street medians. The goal of the Master Plan is to provide landscaping that will conserve water, reduce maintenance, beautify the City streetscape, and create a unified landscape theme. The Master Plan incorporates landscape planting and hardscape into the overall concept. The landscape planting will consist of shade trees, accent trees, palm trees, and shrubs. The hardscape will consist of areas of cobble stone with strategically placed boulders. The overall concept is for the median landscape to feel like a natural setting with a dry creek meandering through the landscape planting. The Master Plan was presented to Planning Commission on February 8, 2016 and Planning Commission recommended that City Council adopt the Master Plan. Due to the size of the plan, Staff will present it on poster boards at the meeting for Council's review.

OUTSTANDING ISSUES

None.

DISCUSSION

In 2013, Staff began the development of a Street Median Landscape Master Plan for landscaping within the City's street medians. The intent of the Master Plan is to achieve the following goals:

- Ø Conserve Water
- Ø Reduce Maintenance
- Ø Beautify the City streetscape
- Ø Create a unified landscape theme

The City enlisted the services of a landscape architect, Patrick Boyd with designlab 252, through the City Engineer's Office to prepare preliminary landscape concepts for the various street medians. Separate concepts were developed for each street designation. A map showing street designations is attached for reference. The preliminary concepts included the following basic components:

- Ø Mix of shade trees, accent trees, and palm trees
- Ø Shrubs and plants in-lieu of turf
- Ø Drip irrigation
- Ø Stamped colored concrete at median noses

The preliminary concept plans were presented to City Council in September 2013, at which time Council directed Staff to conduct a Public Workshop to allow public comment. Staff held a Public Workshop on December 10, 2013. Comments were received from one interested party at the Public Workshop. The comments received were primarily in support of the overall concept, with the main focus being on ensuring that any drought tolerant plant palette used in the medians should have sufficient variety and color to be aesthetically pleasing.

After conducting the Public Workshop, Staff has continued the development of the Master Plan. Recent laws and regulations in reaction to the California Drought have increased water conservation requirements and increased the urgency of the development of the Master Plan. In 2015, the City was forced to eliminate watering of turf in landscaped medians entirely, leading to brown, dead turf as the primary component of the median landscape. As a result, Public Works Staff, with the assistance of the California Conservation Corps (CCC), have begun the removal of all turf in street medians. The work performed by the CCC is at no cost to the City, as they are being subsidized by the State in response to the California Drought. Once all of the turf has been removed, the Master Plan will be utilized as a template for re-landscaping the medians. The re-landscaping of the medians is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15304. In addition, the Master Plan will be utilized as a standard for all future medians.

The landscape architect has prepared a final draft of the Street Median Landscape Master Plan for Collector Streets. A master plan for the landscaped medians in Whitesbridge Road and Madera Avenue will be presented at a later date, as it will require much more coordination with Caltrans, due to their jurisdictional authority. Staff have reviewed the Master Plan and are in support of the Master Plan. The Master Plan includes the following basic components:

One Mile Streets

- Ø California Fan Palms (Washingtonia Palms) and shade trees equally spaced along length of the median
- Ø Alternating pockets of landscape planting (shrubs) and hardscape (cobble stone with boulders)
- Ø Stamped colored concrete at median noses
- Ø Drip irrigation

Half Mile Streets

- Ø California Fan Palms (Washingtonia Palms) at median ends at major street intersections
- Ø Accent trees at median ends at local street intersections
- Ø Shade trees equally spaced along length of the median
- Ø Alternating pockets of landscape planting (shrubs) and hardscape (cobble stone with boulders)
- Ø Stamped colored concrete at median noses
- Ø Drip irrigation

The overall concept of the median landscape is intended to feel as if there is a dry creek meandering along the length of the median with pockets of landscape planting to provide variety and color. The Master Plan provides three unique plant palettes so that the City may vary the type of shade trees and shrubs used along each street, if desired. The shrubs specified will provide a mix of color, size, and texture to the medians.

In addition to the median landscaping, the Master Plan provides for more simplified landscaping in City maintained planter strips along collector streets. The landscaping in the planter strips will consist of trees, shrubs, and vines (on masonry block walls, where present), with no turf. Only smaller accent trees will be allowed in planter strips narrower than 5 feet to reduce potential root damage to concrete curb, gutter, and sidewalk.

The Master Plan was presented to Planning Commission on February 8, 2016 and Planning Commission recommended that City Council adopt the Master Plan. Staff is moving forward quickly with the Master Plan in order to apply for State funding that has recently become available for drought tolerant landscape materials to be installed by the CCC through the California 2015 Turf Replacement Initiative.

FISCAL IMPACT

The City will utilize the CCC to the extent possible for renovation of the existing median landscaping. The CCC is currently subsidized by State funding and their labor is at no cost to the City. The City has included \$200,000 in the current City Budget for landscaping materials to be installed by the CCC and/or Public Works Staff. In addition, the City intends to apply for State funding for materials through the California 2015 Turf Replacement Initiative.

PUBLIC HEARING

Not Required.

Attachments:

- A. Resolution w/Exhibit

Attachment 'A'

RESOLUTION NO. 16-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
ADOPTING THE STREET MEDIAN LANDSCAPE MASTER PLAN
FOR COLLECTOR STREETS

WHEREAS, the City of Kerman wishes to establish a Street Median Landscape Master Plan for Collector Streets that will be used for the re-landscaping of the City's existing landscaped street medians and as a standard for construction of future landscaped street medians; and

WHEREAS, the goal of the Street Median Landscape Master Plan is to conserve water, reduce maintenance demands, beautify the City streetscape, and create a unified landscape scheme; and

WHEREAS, the City of Kerman enlisted the services of designlab 252, landscape architect, to prepare a Street Median Landscape Master Plan that will achieve said goals; and

WHEREAS, the preliminary concepts for the Street Median Landscape Master Plan were presented at a Public Workshop held on December 10, 2013 at the Kerman City Council Chambers to allow for public review and comment; and

WHEREAS, the final draft Street Median Landscape Master Plan for Collector Streets was presented to the Kerman Planning Commission on February 8, 2016 and the Planning Commission recommended that the City Council adopt the Street Median Landscape Master Plan for Collector Streets; and

WHEREAS, a Notice of Intent was published in the Kerman News on February 10, 2016 informing the public of City Council's intent to consider adoption of the Street Median Landscape Master Plan for Collector Streets and inviting the public to provide comments; and

WHEREAS, City Staff has determined that the re-landscaping of existing landscaped street medians per the Street Median Landscape Master Plan for Collector Streets is categorically exempt from environmental review pursuant to Section 15304 of the California Environmental Quality Act.

NOW THEREFORE BE IT RESOLVED, that the City Council hereby resolves as follows:

- Section 1. Incorporates and adopts the foregoing recitals by reference.
- Section 2. Adopts the Street Median Landscape Master Plan for Collector Streets. The Plan depiction is attached as Exhibit 'A'. The Plan is on file in the City Clerk's Office and reflects that it has been adopted by this resolution.

The forgoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Kerman held on the 17th day of February, 2016, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

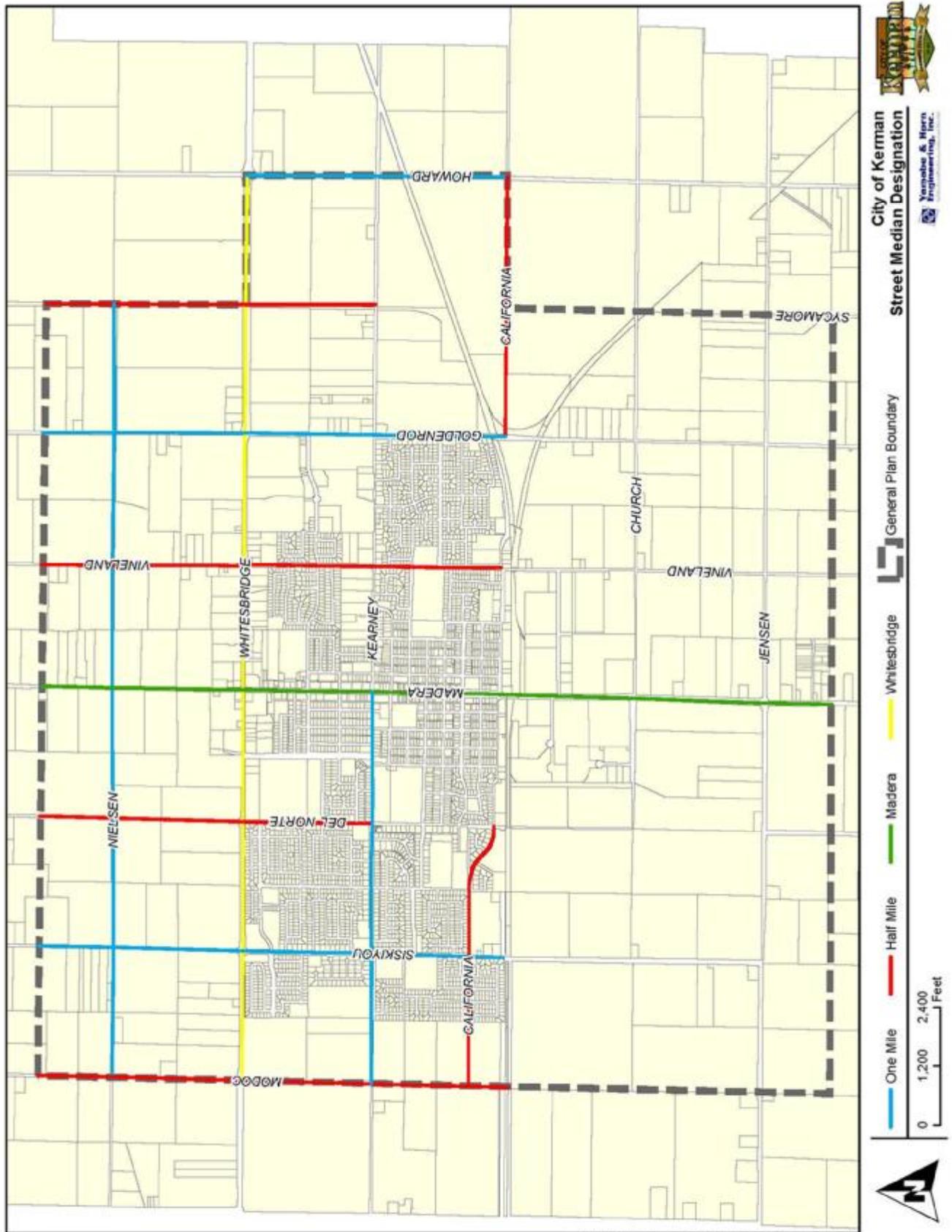
The foregoing resolution is hereby approved.

Stephen B. Hill
Mayor

ATTEST:

Marci Reyes
City Clerk

Exhibit 'A'





City of Kerman

"Where Community Comes First"

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

DEPARTMENT: PARKS & RECREATION
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: FEBRUARY 17, 2016

To: Mayor and City Council
From: Philip Gallegos, Parks and Recreation Department Director
Subject: Resolution Approving the Application Submittal and Related Authorizations for the Beverage Container Recycling Payment Program Through California Department of Resources Recycling and Recovery (CalRecycle)

Recommendation

Council by motion adopt resolution authorizing the City Manager to submit payment requests related to the administration of the Beverage Container Recycling Payment Program offered by CalRecycle.

EXECUTIVE SUMMARY

Beginning with the fiscal year 2015-16 funding cycle, all jurisdictions will be required to provide a resolution no later than the funding request due date.

OUTSTANDING ISSUES

None.

DISCUSSION

The City has received City/County Beverage Container Recycling Payment Program (Payment Program) money from California Department of Resources Recycling and Recovery (CalRecycle) since Fiscal Year 2000-01. Funding is \$5,000 per grant cycle. Funding is primarily used for programs, playground equipment, recycling containers for parks, business, schools, and educational materials that encourage residents to properly recycle beverage containers, which ultimately assists the City in meeting its state-mandated waste diversion requirements. In order for the City of Kerman to continue to be a recipient of CalRecycle's Payment Program, City Council must declare by resolution certain authorizations related to program administration.

This resolution allows the City Manager, or designee, to authorize all documents necessary to secure payments to support the Payment Program awarded to the City of Kerman by CalRecycle. This resolution will be effective until rescinded by the City Council.

FISCAL IMPACT

The costs associated with CalRecycle Payment Program are funded entirely by award monies received through CalRecycle's City/County Payment Program. There will be no impact to the City's General Fund.

PUBLIC HEARING

None.

Attachments:

- A. Resolution

Attachment 'A'

RESOLUTION NO. 16-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING THE APPLICATION SUBMITTAL AND RELATED AUTHORIZATIONS FOR THE BEVERAGE CONTAINER RECYCLING PAYMENT PROGRAM THROUGH CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

WHEREAS, pursuant to Public Resources Code section 48000 et seq. the Department of Resources Recycling and Recovery (CalRecycle) has established various payment programs to make payments to qualifying jurisdictions; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the payment programs; and

WHEREAS, CalRecycle's procedures for administering payment programs require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the payment program.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Kerman is authorized to submit an application to CalRecycle for the Beverage Container Recycling payment program; and

BE IT FURTHER RESOLVED that the City Manager of the City of Kerman, or designee, is hereby authorized as Signature Authority to execute all documents necessary to implement and secure payment; and

BE IT FURTHER RESOLVED that this authorization is effective until rescinded by the Signature Authority or this Governing Body.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 17th day of February 2016, 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



City of Kerman

"Where Community Comes First"

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

DEPARTMENT: CITY MANAGER
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: FEBRUARY 17, 2016

To: Mayor and City Council
From: John Kunkel, City Manager
Subject: Consideration of Sales Tax Initiative for 2016 General Election

RECOMMENDATION

Council determine and direct staff accordingly regarding the placing of a sales tax initiative on the November 8, 2016 ballot.

EXECUTIVE SUMMARY

During the City 2015 Strategic Planning meeting held on May 5, 2015, one of the action items discussed was the possibility of placing a sales tax initiative on the November 2016 ballot.

If Council chooses to place an initiative on the ballot, there are two options from which the Council must choose:

1. Council can designate where the monies generated from the tax would be applied, (i.e. public safety or community services), 66%, (2/3), plus one of the votes cast in November by City of Kerman residents must support the initiative for it to pass.
2. Council can choose not to designate the funds, all monies collected would be applied to the general fund. Fifty (50%) of the votes cast plus one would be required to pass the initiative in this form on the November ballot.

There are benefits and challenges with both options. A non-designated tax may be easier to obtain, but there may be apprehension on the part of some voters not knowing from year to year where their tax dollars are being spent.

A designated tax has a higher margin to gain for approval, but may be more palatable to voters who would know directly where the specific tax would be applied.

Currently within Fresno County the cities of Selma, Sanger, Reedley and Huron have passed sales tax initiatives. They range from a ½ cent in Selma and Reedley, ¾ cent in Sanger and a .1 cent in Huron. In each case the tax is designated to public safety.

Currently the sales tax rate for the City of Kerman is 8.225%. The City of Kerman receives only 1% of the total sales tax collected within the City limits. If a ½ cent sales tax initiative was passed by the City of Kerman voters, the City would receive the entire ½ cent. Based on current sales tax information, this would mean an additional \$780,000 annually to the City in sales tax revenue.

Additionally, Proposition 30, which was passed in 2012 will sunset on December 31, 2016. This proposition, among other things imposed a ¼ cent sales tax statewide.

Council must also decide what percentage it wishes the proposed increase to be. Based upon the prior information, staff recommends a ½ cent initiative. Additionally, staff would recommend that the tax be designated equally between the Police and Community Services. One of the goals expressed by council at the 2015 Strategic Planning Meeting was idea of a facilities masterplan which included the idea of a new police station as well as a new senior center. This designated tax would help both of those become a reality in the short term rather than the long.

To ensure citizen involvement and transparency, staff recommends regardless of which option is chosen, the establishment of a citizens oversight committee. This committee would work with Council and staff to ensure the voters intent is achieved in the disbursement of funds generated by the tax.

If the Council chooses to place a sales tax initiative on the November ballot, it must be passed by resolution and the City Clerk must file it with the Fresno County Elections Office for placement on the November 8 election. In our discussions with the Fresno County Clerk, the cost of placing a initiative on the ballot will be between \$4,000-\$6,000. While the deadline to file is sometime off, the more information we have to explain to our citizens the need for the increase, the better chance the initiative has to pass. (Staff would also recommend the formation of a committee made up of members of the community to help promote the initiative. Please note that staff cannot work in the capacity of helping with a campaign of this nature on duty time).

OUTSTANDING ISSUES

Council must determine:

1. If it wishes to seek a sales tax initiative for placement on the November 2016 ballot.
2. If so, what will the percentage of increase will the sales tax be? (i.e. 1/4, 1/2 etc.)
3. Will it be designated or non-designated? If designated, where?
4. The establishment of a citizen oversight committee should the ballot measure pass.

FISCAL IMPACT

Cost of placing initiative on the ballot: \$4,000-\$6,000.

Potential revenue of \$550,000-\$750,000 annually.

PUBLIC HEARING

None