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**AGENDA**  
**KERMAN CITY COUNCIL**  
**REGULAR MEETING**  
**Kerman City Hall**  
**850 S. Madera Avenue**  
**Wednesday, June 01, 2016**  
**6:30 PM**

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

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

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#### OPENING CEREMONIES

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

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

- Pledge of Allegiance – City Clerk

#### AGENDA APPROVAL/ADDITIONS/DELETIONS

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

#### 1. PRESENTATIONS/CEREMONIAL MATTERS

- A. Swearing-In of Kevin Nehring (MR)

#### 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: [May 18, 2016](#)

### B. SUBJECT: Payroll

Payroll Report: 04/24/2016 - 05/07/2016: \$138,942.61; Retro Pay & Other: \$982.72; Overtime: \$1,575.57; Standby: \$1,204.69; Comp Time Earned: 28.05

RECOMMENDATION: Council approve payroll as presented.

ATTACHMENTS: [Payroll/Overtime](#)

### C. SUBJECT: Warrants

1. Nos. 8683-8772 \$145,232.72

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

ATTACHMENTS: [Accounts Payable](#)

## 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 for Proposed Increase in Utility Rates (TJ)

RECOMMENDATION: Council open the Public Hearing, receive public testimony, close Public Hearing, count written protests, and deliberate. If a majority protest does not exist, by motion adopt resolution approving increase in Utility Rates effective July 1, 2016 and ratifying Proposition 218 process.

ATTACHMENTS: [Staff Report - Utility Rates](#)

- B. **SUBJECT:** Public Hearing Gateway Villas – 61 Unit, Income Qualified, Apartment Complex Project located on the southeast corner of State Route 180/Whitesbridge Avenue and Siskiyou Avenue (APN 023-700-04s) (OP)

**RECOMMENDATION:** Public Hearing Regarding Gateway Villas – 61 Unit, Income Qualified, Apartment Complex Project located on the southeast corner of State Route 180/ Whitesbridge Avenue and Siskiyou Avenue (APN 023-700-04s): (1) Resolution Adopting General Plan Amendment from Neighborhood Commercial to High Density Residential and Approving Mitigated Negative Declaration Environmental Finding; (2) Introduction of Ordinance Changing Zoning from Neighborhood Commercial to Multifamily; and (3) Resolution Approving Conditional Use Permit to allow Construction of Apartment Complex.

**ATTACHMENTS:** [Staff Report - Gateway Villas Apartments](#)

- C. **SUBJECT:** Council Introduce, Conduct Public Hearing and Initiate Zone Ordinance Amendment, to the Kerman Municipal Code Title 17, Chapters 17.40 Single Family and Chapter 17.42 Multi-Family Residential Zone Districts to Add Cottage Food Operations to Permitted Uses in the Single Family and Multi-Family Residential Zone Districts in compliance with California AB 1616 (OP)

**RECOMMENDATION:** Council receive staff’s report, open the public hearing, receive any public comments, close the public hearing and introduce and initiate Zone Ordinance Amendment to the Kerman Municipal Code Title 17, Chapter 17.40 Single Family and Chapter 17.42 Multi-Family Residential Zone Districts to Add Cottage Food Operations to Permitted Uses in the Single Family and Multi-Family Residential Zone Districts in compliance with California AB 1616.

**ATTACHMENTS:** [Staff Report - Cottage Food](#)

#### 4. DEPARTMENT REPORTS

- A. **SUBJECT:** Resolution Authorizing the City Manager to Sign Program No. O22 for the Pedestrian Safety Improvements Project, State Project No. ATPL-5291(022) (JJ)

**RECOMMENDATION:** Council by motion adopt the resolution authorizing the City Manager to sign Program Supplement No. O22 for the Pedestrian Safety Improvements Project, State Project No. ATPL-5291(022).

**ATTACHMENTS:** [Staff Report - PSA O22](#)

- B. **SUBJECT:** Resolution Approving First Amendment to Reimbursement Agreement Regarding Railroad Crossing and Escrow Instructions with Walmart (JJ)

**RECOMMENDATION:** Council by motion adopt resolution approving the First Amendment to Reimbursement Agreement Regarding Railroad Crossing and Escrow Instructions with Walmart.

**ATTACHMENTS:** [Staff Report - Amendment to Agreement](#)

- C. SUBJECT: Resolution Approving Common Use Agreement with Fresno Irrigation District for Vineland Avenue Widening Project (JJ)

RECOMMENDATION: Council adopt the resolution approving the Common Use Agreement with Fresno Irrigation District for the Vineland Avenue Widening Project and authorize the City Manager to sign the agreement on behalf of the City.

ATTACHMENTS: [Staff Report - FID Common Use Agreement](#)

- D. SUBJECT: Second Presentation of the Preliminary General Fund Budget for Fiscal Year 2016/2017 Budget (TJ)

RECOMMENDATION: Council to review the preliminary Fiscal Year 2016/17 budgets for the General Fund and make any recommendations for changes.

ATTACHMENTS: [Staff Report - General Fund Preliminary Budget](#)

5. CITY MANAGER/STAFF COMMUNICATIONS

6. MAYOR/COUNCIL REPORTS

7. CLOSED SESSION

- A. Government Code Section 564956.8 - Conference with Real Property Negotiators; Property: APN 023-040-90S; Agency Negotiator: City Engineer; Negotiating Parties: Fai-Bordeaux IIIA LLC; Under Negotiation: Terms

COUNCIL RECONVENE FROM CLOSED SESSION & REPORT ANY ACTION TAKEN

8. ADJOURNMENT

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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.

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RECOMMENDATION: Council accept the Monthly Investment Report as presented.

3. PUBLIC HEARINGS

- A. SUBJECT: Annual Weed Abatement Hearing of Weeds, Rubbish and/or Refuse (OP)

Opened/Closed PH  
Approved GY/RA  
(4-0-0-1) VAC

RECOMMENDATION: Council by motion, open public hearing, hear any public comments or objections, close public hearing and adopt resolution ordering the abatement of weeds, rubbish and/or refuse.

4. DEPARTMENT REPORTS

- A. SUBJECT: Economic Development Incentives Policy (JK)

Opened PH  
Davis Slajchert  
Seth Ramirez  
Closed PH  
Approved RA/BN  
(3-1-0-1) GY/VAC

RECOMMENDATION: Council by motion adopt resolution establishing an Economic Development Policy for the City of Kerman.

- B. SUBJECT: Presentation of Preliminary Enterprise, Internal Service Fund, Street Maintenance and Capital Budgets for Fiscal Year 2016/17 (TJ)

Presented

RECOMMENDATION: Council to review the preliminary budgets for Fiscal Year 2016/17 and make any recommendations for changes.

- C. SUBJECT: Appointment to Fill Vacant Council Seat (MR)

Council voted/votes were split. No appointment

RECOMMENDATION: Council by motion adopt resolution making appointment to fill vacancy on the Council created by the resignation of Nathan Fox.

Approved BN/RA for revote (3-1-0-1) GY/VAC

Approved BN/RA  
Appointing Kevin Nehring  
(4-0-0-1) VAC

5. CITY MANAGER/STAFF COMMUNICATIONS

6. MAYOR/COUNCIL REPORTS

7. CLOSED SESSION

None

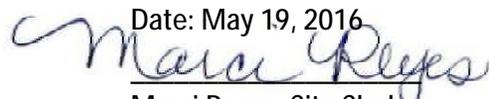
8. ADJOURNMENT

8:55 p.m. Approved GY/RA (4-0-0-1) VAC

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: May 19, 2016

  
Marci Reyes, City Clerk

# CITY OF KERMAN PAYROLL REPORT

PAY PERIOD: April 24, 2016 - May 07, 2016

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME		HOLIDAY at 1/2 TIME		STANDBY		GROSS SALARY	COMP TIME EARNED
			HOURS	AMOUNT	HOURS	AMOUNT	HOURS	AMOUNT		
<b>ADMINISTRATION</b>										
Alvarez, Josefina	\$ 1,792.15	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,792.15	-
Camacho, Josie	\$ 1,250.31	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,250.31	-
Camacho-Collier, Caroline	\$ 2,472.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,472.00	-
Gonzalez, Diana	\$ 1,974.69	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,974.69	0.75
Jones, Toni	\$ 3,698.31	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 3,698.31	-
Kunkel, John	\$ 5,884.62	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 5,884.62	-
Mendoza, Gabriela	\$ 957.23	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 957.23	-
Nazaroff, Helen	\$ 2,107.85	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,107.85	8.25
Reyes, Marcia	\$ 2,715.69	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,715.69	-
<b>TOTAL</b>	<b>\$ 22,852.85</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 22,852.85</b>	<b>9.00</b>
<b>REC/SOCIAL</b>										
Aguilar, Corina	\$ 65.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 65.00	-
Arredondo, Barbara	\$ 1,542.05	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,542.05	-
Arredondo, Raquel	\$ 220.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 220.00	-
Ayala, Adrien	\$ 20.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 20.00	-
Ayala, Mariah	\$ 110.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 110.00	-
Burdine-Slaven, Jeanna	\$ 1,602.92	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,602.92	-
Camacho-Vargas, Odalis	\$ 50.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 50.00	-
Escamilla, Emi	\$ 13.13	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 13.13	-
Gallegos, Philip	\$ 3,734.77	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 3,734.77	-
Gallegos, Yenifer	\$ 80.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 80.00	-
Garfias, Brayán	\$ 396.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 396.00	-
Gonzalez, Jose Felix	\$ 1,697.88	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,697.88	-
Iniguez, Noel	\$ 67.50	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 67.50	-
Johnson, Theresa	\$ 1,767.23	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,767.23	12.00
LeBlanc, Noah	\$ 330.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 330.00	-
Lujan, Vanessa	\$ 582.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 582.00	-
Salvador, Mark	\$ 1,984.62	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,984.62	-
Sidhu, Nirmal	\$ 1,538.77	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,538.77	-
Silva, Jessica	\$ 337.50	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 337.50	-
Torres, Daniel	\$ 50.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 50.00	-
Villa, Erika	\$ 470.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 470.00	-
Villalobos, Stacey	\$ 352.50	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 352.50	-
Villarreal, Arlene	\$ 1,410.92	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,410.92	-
<b>TOTAL</b>	<b>\$ 18,422.78</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 18,422.78</b>	<b>-</b>
<b>POLICE</b>										
Antuna, Eric	\$ 2,343.28	\$ -	6.00	\$ 263.62	-	\$ -	-	\$ -	\$ 2,606.90	-
Antuna, Miguel	\$ 832.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 832.00	-
Barbosa, Isaias	\$ 2,392.06	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,392.06	-
Barcoma, Wilbert	\$ 3,070.74	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 3,070.74	-
Belding, Jeff	\$ 2,526.71	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,526.71	6.00
Blohm, Joseph	\$ 4,463.31	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 4,463.31	-
Chapman, Tom	\$ 2,437.62	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,437.62	-
Davis, Jeff	\$ 3,070.74	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 3,070.74	-
Dunn, Jacob	\$ 1,784.77	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,784.77	-
Francone, Kevin	\$ 735.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 735.00	-
Gill, Kevin	\$ 675.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 675.00	-
Godfrey, Kyle	\$ 1,182.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,182.00	1.88
Golden, John	\$ 3,535.75	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 3,535.75	-
Ledezma, Linda	\$ 890.47	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 890.47	-
Lehman, Dustin	\$ 1,874.31	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,874.31	-

# CITY OF KERMAN PAYROLL REPORT

PAY PERIOD: April 24, 2016 - May 07, 2016

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME		HOLIDAY at 1/2 TIME		STANDBY		GROSS SALARY	COMP TIME EARNED
			HOURS	AMOUNT	HOURS	AMOUNT	HOURS	AMOUNT		
Madruga, Ron	\$ 2,437.62	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,437.62	4.50
Magallon, Peter	\$ 2,437.62	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,437.62	-
Medina-Labetiaux, EJ	\$ 1,874.31	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,874.31	-
Mendoza, Sandra	\$ 2,460.41	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,460.41	-
Nelson, Christopher J	\$ 3,145.64	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 3,145.64	-
Ness, Lee	\$ 2,335.11	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,335.11	-
Nevis, James	\$ 2,323.72	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,323.72	-
Ramirez, Donald	\$ 1,508.77	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,508.77	-
Raigoza, Ray	\$ 660.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 660.00	-
Rodrigues, Mary	\$ 1,776.92	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,776.92	-
Rodriguez, Erika	\$ 2,210.95	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,210.95	-
Seroka, Dylan	\$ 1,784.77	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,784.77	-
Tiwana, Manpreet	\$ 2,283.28	\$ 303.34	-	\$ -	-	\$ -	-	\$ -	\$ 2,586.62	2.18
Valdovinos, Jose	\$ 825.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 825.00	-
Valenzuela, Arnold	\$ 84.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 84.00	-
<b>TOTAL:</b>	<b>\$ 59,961.90</b>	<b>\$ 303.34</b>	<b>6.00</b>	<b>\$ 263.62</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 60,528.86</b>	<b>14.55</b>

**PUBLIC WORKS**

Arechiga, Pastor	\$ 1,804.15	\$ -	22.00	\$ 811.87	-	\$ -	22.50	\$ 507.42	\$ 3,123.44	-
Barajas, Michael	\$ 1,936.78	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,936.78	-
Castro, Joseph	\$ 1,804.15	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,804.15	-
Chavez, Fernando M.	\$ 2,451.96	\$ -	6.50	\$ 298.83	-	\$ -	22.75	\$ 697.28	\$ 3,448.07	-
Coronado, Karl	\$ 1,131.16	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,131.16	-
Gastelum, Humberto	\$ 1,942.93	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,942.93	-
Gonzales, Ruben	\$ 2,031.25	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,031.25	-
Gonzalez, Michael	\$ 1,131.23	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,131.23	-
Gruce, Robert	\$ 2,502.92	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,502.92	-
Isaak, Denise	\$ 1,555.38	\$ 679.38	-	\$ -	-	\$ -	-	\$ -	\$ 2,234.76	-
Lutz, Laura	\$ 607.50	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 607.50	-
Madruga, Lydia	\$ 1,984.57	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,984.57	-
Moore, Ken	\$ 3,853.85	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 3,853.85	-
Ramirez, Manuel	\$ 1,849.26	\$ -	1.00	\$ 34.67	-	\$ -	-	\$ -	\$ 1,883.93	-
Sanchez, Daniel	\$ 1,615.85	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,615.85	-
Tinoco, Alfonso	\$ 1,187.54	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 1,187.54	-
Vallejo, Edward	\$ 2,321.48	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,321.48	-
<b>TOTAL</b>	<b>\$ 31,711.97</b>	<b>\$ 679.38</b>	<b>29.50</b>	<b>\$ 1,145.38</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 45.25</b>	<b>\$ 1,204.69</b>	<b>\$ 34,741.42</b>	<b>-</b>

**PLANNING**

Kufis, Chris	\$ 2,417.12	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 2,417.12	3.00
Garcia, Destiny	\$ 480.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 480.00	-
Pimentel, Olivia	\$ 2,220.99	\$ -	4.00	\$ 166.57	-	\$ -	-	\$ -	\$ 2,387.57	1.50
Garza, Amy	\$ 500.00	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 500.00	-
<b>TOTAL</b>	<b>\$ 5,618.12</b>	<b>\$ -</b>	<b>4.00</b>	<b>\$ 166.57</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 5,784.69</b>	<b>4.50</b>

**PLANNING**

Epperson, R	\$ -
Bandy, R	\$ -
Nehring, K	\$ -
Espino, L	\$ -
Wettlaufer, K	\$ -
Jones, C	\$ -
Nunez, M	\$ -

**COUNCIL**

Yep, G	\$ 125.00
Nijjer, D	\$ 125.00
Armstrong, R	\$ -
Hill, S	\$ 125.00

**Total**      \$ -      **Total**      \$ 375.00

<b>GRAND TOTAL:</b>	<b>\$138,942.61</b>	<b>\$982.72</b>	<b>39.50</b>	<b>\$1,575.57</b>	<b>-</b>	<b>\$0.00</b>	<b>45.25</b>	<b>\$1,204.69</b>	<b>\$142,705.59</b>	<b>28.05</b>
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**CITY OF KERMAN**  
**OVERTIME SUPPLEMENTAL PAYROLL REPORT**  
**PAY PERIOD 4/24/16-5/7/16**

**POLICE DEPARTMENT**

Overtime Categories - Number of Hours						
Regular Overtime	Shift Coverage	SID	Training	Avoid the 21 Grant	Special Events	Total
				6		6
(see notes below for overtime description)						
<b>DOUBLE TIME: (Sunday)</b>						0
<b>PUBLIC WORKS DEPARTMENT</b>						6

Overtime Categories - Number of Hours						
Water Service	Sewer Emergencies	Animal Control	Special Events	Other or Call Back	On Call Duties	Total
5	5	4	0	3	4	21
<b>DOUBLE TIME: (Sunday)</b>						8.5
3.5	0	0	0	1	4	8.5
<b>COMMUNITY SERVICES DEPARTMENT</b>						29.50

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

Overtime Categories - Number of Hours					
Planning Overtime	Utility Billing	Payroll	Dog Clinic	Year End Audit	Total
4					4
<b>Sub Total</b>					4
<b>Total Hours (All Departments)</b>					<b>39.50</b>

**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.  
**Training** – hrs range training  
**Grant** – 6 hrs - AVOID Grant  
**Special Events** - hrs July 3rd Fireworks show

**PUBLIC WORKS DEPARTMENT:**

**Water Service** - Includes 5 hrs OT & 3.5 hrs DT - shut-off and turn-on of service, all water related emergencies  
**Sewer Emergencies** 5 hrs OT - SCADA problems/Sewer emergencies. (SCADA controls pumps, wells and sewer, lift stations, all sewer and storm drain related issues)  
**Animal Control** 4 hrs OT - Vicious or dead animals. (not normally used for stray animals)  
**Special Events** - 0 hrs OT  
**Other** - 3 hrs OT & 1 hr DT - Alarms x 2, Check light pole, open shop  
**Call Back** - 0 hrs OT - Humberto called out by Joe to assist with vicious dog call  
**On-Call Duties** 4 hrs OT & 4 hrs DT - 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**

**Planning Overtime** - 4 hrs OT - Planning & Council meetings  
**Utility Billing** - Completed on the 1st of each month.  
**Payroll** - Completed bi-weekly.  
**Dog Clinic** - Once a year clinic held after business hours  
**Year-End Audit** - Completed over a period of time at the end of each fiscal year.

# Accounts Payable

## Checks by Date - Detail by Check Date

User: gmendoza  
 Printed: 5/24/2016 3:13 PM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
8683	10039 23434345970408	AT&T PD-T-1 LINE 5/10/16-6/9/16	05/17/2016	275.79
Total for Check Number 8683:				275.79
8684	10059 36668	BROWN BAG CO BPO- PLAN CHECK DELIVERY SUPPLIES	05/17/2016	110.55
Total for Check Number 8684:				110.55
8685	10617 379477 380762	C A REDING CO INC BPO- LANIER/MP C3503 COPIER (BUILDING) PD-APRIL BILLING FOR COPIES 4/13/16-5/1	05/17/2016	124.06 56.96
Total for Check Number 8685:				181.02
8686	10064 16742	CAL VALLEY PRINTING CS-T SHIRT ORDER ALMOND FESTIVAL	05/17/2016	1,274.40
Total for Check Number 8686:				1,274.40
8687	10452 K040816 K041316 K041316	CITY OF FRESNO WMD WTR- LAB ANALYSIS WATER WTR- LAB ANALYSIS WATER SWR- LAB ANALYSIS SEWER	05/17/2016	7.50 30.00 76.00
Total for Check Number 8687:				113.50
8688	10104 815550021014764	COMCAST TECH- TECHNOLOGY SERVICES 03/14/16-0	05/17/2016	191.08
Total for Check Number 8688:				191.08
8689	10118 43186666	DAPPER TIRE PD REP- TIRES #1470	05/17/2016	591.92
Total for Check Number 8689:				591.92
8690	10128 163965 167084	DEPARTMENT OF JUSTICE PD-APRIL LIVE SCAN PRINTS PD-APRIL 2016 8 BLOOD ALCOHOL ANALY	05/17/2016	160.00 280.00
Total for Check Number 8690:				440.00
8691	10151 3354069-A-1	EWING IRRIGATION PRODUCTS CS- 25 LB TRIO BERMUDA BLEND (3)	05/17/2016	508.18
Total for Check Number 8691:				508.18
8692	11062 37023	FRESNO BEE BPO- PUBLIC HEARING NOTICE 10/15/14	05/17/2016	631.96

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 8692:	631.96
8693	10162	FRESNO COUNTY TREASURER	05/17/2016	
	SO13573	PD-DISPATCHING SERVICE MAY 2016		17,427.30
	SO13573	PD-APRIL 2016 RMS/JMS/CAD ACCESS FEE		167.00
			Total for Check Number 8693:	17,594.30
8694	10175	G & K SERVICES, INC	05/17/2016	
	05172016	VAR-UNIFORMS MATS SUPPLIES-BUILDIN		1.20
	05172016	VAR-UNIFORMS MATS SUPPLIES-REC ADM		42.15
	05172016	VAR-UNIFORMS MATS SUPPLIES-PLANNE		8.00
	05172016	VAR-UNIFORMS MATS SUPPLIES-UNIFORM		22.73
	05172016	VAR-UNIFORMS MATS SUPPLIES-BLKDG/I		1,449.63
	05172016	VAR-UNIFORMS MATS SUPPLIES-WATER C		121.04
	05172016	VAR-UNIFORMS MATS SUPPLIES-SEWER C		104.65
	05172016	VAR-UNIFORMS MATS SUPPLIES-SOLID W		7.83
	05172016	VAR-UNIFORMS MATS SUPPLIES-STORM I		15.38
	05172016	VAR-UNIFORMS MATS SUPPLIES-VEHICLE		21.09
	05172016	VAR-UNIFORMS MATS SUPPLIES-LANDSC		12.45
	05172016	VAR-UNIFORMS MATS SUPPLIES-STREETS		22.53
	05172016	VAR-UNIFORMS MATS SUPPLIES-MEASUR		54.72
			Total for Check Number 8694:	1,883.40
8695	10185	GRAINGER	05/17/2016	
	9097807789	SWR- TANK BRUSH		36.20
	9101799873	SWR- BRUSH HANDLE		27.32
			Total for Check Number 8695:	63.52
8696	11066	DAVID GUTIERREZ	05/17/2016	
	05172016	AAC-CAT TRAP DEPOSIT REIMBURSEMEN		40.00
			Total for Check Number 8696:	40.00
8697	11054	H&D WELDING	05/17/2016	
	2829	CS- 1-25 FT BEAMS COLEMAN FIELD SCOF		432.90
			Total for Check Number 8697:	432.90
8698	10199	HOME DEPOT CREDIT SERVICES	05/17/2016	
	1151671	CS- DEPOSIT- CEMENT MIXER KATEY'S K		75.00
	1151671	CS- LATE FEES AND CHARGES		52.96
	12082015	CS- MULCH- KATEY'S KIDS PARK		15.12
			Total for Check Number 8698:	143.08
8699	10767	IDESIGN CUSTOM SCREEN PRINTING	05/17/2016	
	05052016	REC- START SMART FOOTBALL T SHIRTS		207.00
			Total for Check Number 8699:	207.00
8700	10204	IDTS INC	05/17/2016	
	36760	PD-1 ANNUAL ENROLLMENT MAGALLON		5.00
			Total for Check Number 8700:	5.00
8701	10205	INDEPENDENT STATIONERS	05/17/2016	
	IN- 000592106	CTC- DOORSTOP, STAPLER AND PENS		15.66

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 8701:	15.66
8702	10229 5946	JUDICIAL DATA SYSTEMS CRP PD-PARKING ACTIVITY MARCH 2016	05/17/2016	100.00
			Total for Check Number 8702:	100.00
8703	11065 S1289264	LINCOLN AQUATICS REC-INSTRUCTOR DEC MAT-ZUMBA	05/17/2016	214.45
			Total for Check Number 8703:	214.45
8704	10678 136709 136709 136746 137178 137465 137501 137580 137580 137581 16573	MAC'S EQUIPMENT INC PD MAINT- WASHER FLUID, AND AIR FILT VE MAINT- WASHER FLUID AND AIR FILTI WTR- WRENCH VE EQUIP- FILTERS FOR GENERATOR WEL PD REP- BRAKE LIGHT BULBS VE SUPPL- UTIL KNIFE FOR SHOP TOOL B PD REP- CORD REEL PD REP- CORD REEL VE SUPPL- IMPACT WRENCH, T STYLE PLI VE EQUIP- GENERATOR FILTERS	05/17/2016	27.00 26.99 24.34 84.93 16.57 6.31 34.09 34.08 194.59 71.79
			Total for Check Number 8704:	520.69
8705	11064 00052362	RACHEL MONTEJO CTC- FEE REFUND- KPNC 04/23/16 WEATHI	05/17/2016	45.00
			Total for Check Number 8705:	45.00
8706	10265 04302016	MONTOY LAW CORPORATION ADM- APRIL LEGAL SERVICES	05/17/2016	5,998.00
			Total for Check Number 8706:	5,998.00
8707	10273 26789	NAFFA INTERNATIONAL INC BPO-PLAN CHECK FEES	05/17/2016	4,771.93
			Total for Check Number 8707:	4,771.93
8708	10276 S1071524001	NATIONAL METER & AUTOMATION FIN- PURCHASE 10 "1 METERS- RESALE	05/17/2016	3,127.92
			Total for Check Number 8708:	3,127.92
8709	10286 03292016 05162016 3921-268424 3921-268911 3921-270438 3921-270780 3921-270867 3921-270867 3921-272016 3921-272029 3921-272029 3921-272954 3921-273090	O'REILLY AUTOMOTIVE, INC PD REP- SUPPLIES- 2 INV <\$50 VE REP-SUPPLIES 2 INV <\$50 PD REP- FRONT BRAKES #1379 PD REP- ROTORS- ADDLT OWING INV# 261 VE REP- BLOWER MOTOR #1393 SWR- SUPPLIES- 1 INV <\$50 WTR 50%- SUPPLIES- 1 INV <\$50 SWR 50%- SUPPLIES- 1 INV <\$50 VE MAINT- SUPPLIES 1 INV <\$50 PD REP 50%- SUPPLIES- 1 INV <\$50 VE REP 50%- SUPPLIES- 1 INV <\$50 VE EQUIP- FUEL, OIL, FILTERS, WELL 9 GE VE EQUIP- AIR FILTER WELL 9 GENERATO	05/17/2016	32.19 33.68 411.35 164.26 92.60 38.95 15.46 15.46 22.40 6.96 6.96 58.54 88.71

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 8709:	987.52
8710	10282 837912078001	OFFICE DEPOT BPO- OFFICE SUPPLIES	05/17/2016	68.52
			Total for Check Number 8710:	68.52
8711	10285 8420959 8425626	ONTRAC BPO- PLAN CHECK OVERNIGHT DELIVER' BPO- PLAN CHECK OVERNIGHT DELIVER'	05/17/2016	53.10 48.91
			Total for Check Number 8711:	102.01
8712	10289 4647279811-8	P.G.& E. PD-APRIL 2016 MONTHLY UTILITIES	05/17/2016	986.23
			Total for Check Number 8712:	986.23
8713	10927 84372 84372 84372	PROFESSIONAL PRINT & MAIL INC FIN-PERF PAPER FOR UB INVOICES FIN-PERF PAPER FOR UB INVOICES FIN-PERF PAPER FOR UB INVOICES	05/17/2016	110.52 163.68 101.56
			Total for Check Number 8713:	375.76
8714	10596 4090000011789 4090000011789 4090000011789 4090000011789 4090000011789 4090000011789 4090000011789	RED WING SHOE STORE PW- VAR- SAFETY BOOTS PW- VAR- SAFETY BOOTS	05/17/2016	60.00 13.00 50.00 50.00 186.34 13.00 14.00
			Total for Check Number 8714:	386.34
8715	11006 16-1561	RIGHT NOW PHLEBOTOMY PD-1 BLOOD DRAW 16-1561	05/17/2016	125.00
			Total for Check Number 8715:	125.00
8716	10986 1276628	ROTARY CLUB OF KERMAN PD-MAY DUES FOR CHIEF BLOHM	05/17/2016	97.00
			Total for Check Number 8716:	97.00
8717	10327 69954132	SAFETY KLEEN CORP VE- AQUEOUS PARTS WASHER SOLUTION	05/17/2016	284.11
			Total for Check Number 8717:	284.11
8718	10561 IN-000340782 IN-000340782	SOUTHERN COMPUTER WAREHOUSE FIN- HP SCANNERS FIN- HP SCANNERS	05/17/2016	348.45 348.44
			Total for Check Number 8718:	696.89
8719	10754 366365393 366746493	SUPPLYWORKS CTC- JANITORIAL SUPPLIES CTC- JANITORIAL SUPPLIES	05/17/2016	5.52 628.65

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 8719:	634.17
8720	10906 0295538	TAMARACK PEST CONTROL CTC- PEST CONTROL SPRAY CTC MAY 201	05/17/2016	100.00
			Total for Check Number 8720:	100.00
8721	10355 P10421335 P10421335	TARGET SPECIALTY PRODUCTS STTC- FINALE HERBICIDE STTC- CREDIT ON ACCT	05/17/2016	757.40 -90.25
			Total for Check Number 8721:	667.15
8722	10644 304007644 304470743 304470743	US BANK EQUIPMENT FINANCE BPO- LANIER/MP C3503 COPIER LEASE PD-COPIER LEAE MPC4503 PD-UNAPPLIED CREDIT DEDUCTED FROM	05/17/2016	176.96 177.93 -149.36
			Total for Check Number 8722:	205.53
8723	11063 00028109	LAURA VALADEZ CTC- DEPOSIT REFUND- CTC 05/14/16	05/17/2016	400.00
			Total for Check Number 8723:	400.00
8724	10391 05162016 05162016 05162016 05162016 05162016 05162016 05162016 OFF1K110845 OFF1K111166 OFF1K111199 OFF1K111245 OFF1K111360 OFF2K107434 OFF2K107453 OFF2K107706	VALLEY FARM SUPPLY STORES PARKS- SUPPLIES- 3 INV <\$50 WTR- SUPPLIES- 11 INV <\$50 SWR- SUPPLIES- 8 INV <\$50 VE REP- SUPPLIES- 2 INV <\$50 VE EQUIP- SUPPLIES 7 INV <\$50 WTR 50 %- SUPPLIES- 4 INV <\$50 SWR 50 %- SUPPLIES- 4 INV <\$50 SWR- CULTIVATOR,U-JTS, ADAPTER LLD- GATOR LINE FOR WEEDEATERS VE EQUIP- FUEL, OIL, AIR, WATER FILTER: VE EQUIP- RETURN VE EQUIP- STIHL STARTER ROPE SWR- RETURN SWR- RETURN STRTC- SUPPLIES - 1 INV <\$50	05/17/2016	59.21 136.74 64.90 8.54 181.15 57.90 57.89 79.40 168.16 120.46 -45.44 187.37 -37.64 -11.91 19.44
			Total for Check Number 8724:	1,046.17
8725	10399 213927 213935 213939 213957	VETERINARY MEDICAL CENTER AAC-3 EUTHANASIA OF ANIMALS AAC-3 EUTHANASIA OF ANIMALS AAC-1 EUTHANASIA OF ANIMALS AAC-5 EUTHANASIA OF ANIMALS	05/17/2016	64.30 64.30 24.70 103.90
			Total for Check Number 8725:	257.20
8726	10406 230138	WEST HILLS OIL INC VE- DIESEL FUEL 490 GALLONS	05/17/2016	1,199.64
			Total for Check Number 8726:	1,199.64
			Total for 5/17/2016:	48,100.49

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
8727	10015	ADVANCE FORMS MANAGEMENT	05/24/2016	
	68634	FIN- #10 ENVELOPES FOR UB BILLING		320.53
	68634	FIN- #10 ENVELOPES FOR UB BILLING		11.00
	68634	FIN- #10 ENVELOPES FOR UB BILLING		474.73
	68634	FIN- #10 ENVELOPES FOR UB BILLING		294.55
	68634	FIN- DISCOUNT IF PAID BY 05/27/2016		-5.68
	68634	FIN- DISCOUNT IF PAID BY 05/27/2016		-8.40
	68634	FIN- DISCOUNT IF PAID BY 05/27/2016		-5.21
	68641	FIN- #9 ENVELOPES FOR UB BILLING		242.53
	68641	FIN- #9 ENVELOPES FOR UB BILLING		359.20
	68641	FIN- #9 ENVELOPES FOR UB BILLING		222.87
	68641	FIN- DISCOUNT IF PAID BY 05/27/16		-4.21
	68641	FIN- DISCOUNT IF PAID BY 05/27/16		-6.23
	68641	FIN- DISCOUNT IF PAID BY 05/27/16		-3.86
Total for Check Number 8727:				1,891.82
8728	10019 305018	AFLAC HR- MAY EMPLOYEE VOLUNTARY INS	05/24/2016	127.70
Total for Check Number 8728:				127.70
8729	10923 0336189-IN	AMBER CHEMICAL INC WTR-250 GAL BULK CHLORINE	05/24/2016	568.19
Total for Check Number 8729:				568.19
8730	10730 05232016 05232016 05232016 05232016 05242016-1	ERIC ANTUNA PD- MEAL EXPENSES FOR EXPLORERS (T PD- MEAL EXPENSES FOR EXPLORERS- E PD- MEAL EXPENSES FOR EXPLORERS- E PD- MEAL EXPENSES FOR EXPLORERS- E PD- 3 DAY SUBSTI E. ANTUNA CONFER LV	05/24/2016	150.00 150.00 150.00 150.00 114.00
Total for Check Number 8730:				714.00
8731	10042 16225	BACKFLOW INDEPENDENT TESTING WTR-REPAIR & RETEST BACKFLOW DEVI	05/24/2016	25.00
Total for Check Number 8731:				25.00
8732	10545 05242016	WILBERT BARCOMA PD- 3 DAYS SUBSISTENCE BARCOMA CON	05/24/2016	114.00
Total for Check Number 8732:				114.00
8733	10766 05232016	JOSEPH BLOHM PD-3 DAYS SUBSI POLICE CHIEF/CITY MG	05/24/2016	114.00
Total for Check Number 8733:				114.00
8734	10054 161380004595	BLUE SHIELD OF CALIFORNIA HR- JUNE MEDICAL COVERAGE- JUNE CO	05/24/2016	28,600.64
Total for Check Number 8734:				28,600.64
8735	10061 A607083 A608013 A608468	BSK ASSOCIATES WTR-QTRLY TESTING EXT RAD GR ALPH/ WTR-QTRLY TESTING EXT RAD WTR-QTRLY TESTING EC EPA TCP	05/24/2016	648.00 100.00 912.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 8735:	1,660.00
8736	10103 3420205-0601657 3420205-0601657	COLONIAL LIFE HR- MAY EMPLOYEE CONTRIBUTION HR- ROUND ADJ	05/24/2016	634.80 -0.05
			Total for Check Number 8736:	634.75
8737	LP-COMP 00061419	COMPLETE SOLAR SOLUTION OF CAI LP Refund-Business Lic Reimb	05/24/2016	130.00
			Total for Check Number 8737:	130.00
8738	10841 60432 60481	DAN JENKINS CONCRETE PUMPING C CS- CONCRETE FOR "B" ST PARK CS- CONCRETE FOR "B" ST	05/24/2016	370.00 383.50
			Total for Check Number 8738:	753.50
8739	10118 43205926	DAPPER TIRE VE REP-TIRES #1373 & #1374	05/24/2016	573.45
			Total for Check Number 8739:	573.45
8740	10119 INV-0995477	DASH MEDICAL GLOVES 1 CASE OF GLOVES 3 LRG 7XL	05/24/2016	78.22
			Total for Check Number 8740:	78.22
8741	10151 1432913 3374998-A-1	EWING IRRIGATION PRODUCTS STRTC-BACKFLOW ENCLOSURE CS- 25 LB TRIO BERMUDA BLEND (1)- LAN	05/24/2016	507.30 184.81
			Total for Check Number 8741:	692.11
8742	11069 05242016-2 05242016-2 05242016-2 05242016-2 05242016-2 05242016-2 05242016-2	EX- CON COMPETITION PD- REGIS FOR EX-CON COMPETION FOR PD- REGIS FOR EX-CON COMPETION FOR	05/24/2016	95.00 95.00 95.00 95.00 95.00 95.00 95.00
			Total for Check Number 8742:	665.00
8743	10154 CAFR256762 CAFR256762 CAFR256762 CAFR256762 CAFR256762 CAFR256762 CAFR256762 CAFR256762 CAFR256762 CAFR256762 CAFR256762 CAFR256762 CAFR256762 CAFR256762 CAFR256940	FASTENAL COMPANY WTR-SAFETY PURPLE PAINT SWR-GREEN SPRAY PAINT STRTC-LG UNLINED GLOVES PARKS-CYCLE OIL PARKS-LG NITRILE GLOVES VE SUPPL-XL NITRILE GLOVES VE SUPL- SUPPLIES 3 LINE ITEMS <\$50 LLD- SUPPLIES 2 LINE ITEMS <\$50 STRTC- SUPPLIES 2 LINE ITEMS <\$50 PARKS- SUPPLIES 1 LINE ITEMS <\$50 SWR- SUPPLIES 3 LINE ITEMS <\$50 BLDGS- SUPPLIES 1 LINE ITEMS <\$50 PARKS-PROTECTIVE EYEWEAR	05/24/2016	195.49 96.23 86.49 102.12 146.60 151.44 34.31 11.94 10.14 2.16 30.63 9.13 10.53

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 8743:	887.21
8744	10162 SO13637	FRESNO COUNTY TREASURER PD- APR PRISONER PROCESSING SERVICE	05/24/2016	120.00
			Total for Check Number 8744:	120.00
8745	10205 IN- 000592579 IN-000592121	INDEPENDENT STATIONERS CS- PENCILS, BATTERIES CS- PENCILS	05/24/2016	33.44 1.99
			Total for Check Number 8745:	35.43
8746	BP-JOSE 15614 15619 15623 15628 15634 15661 15669 15675 15684 15693	JOSEPH CROWN CONSTRUCTION BP Refund BP Refund BP Refund BP Refund BP Refund BP Refund BP Refund BP Refund BP Refund BP Refund	05/24/2016	592.50 612.25 612.25 612.25 550.25 652.50 612.25 652.50 652.50 719.50
			Total for Check Number 8746:	6,268.75
8747	10239 41291 41291-1 41291-2	KERWEST INC WTR/SWR- PUB HEARING UTILITY RATE C WTR/SWR- PUB HEARING UTILITY RATE C WTR/SWR- PUB HEARING UTILITY RATE C	05/24/2016	114.55 114.55 22.90
			Total for Check Number 8747:	252.00
8748	10789 05242016-0	SANDRA MENDOZA PD- 3 DAYS SUBS CONFER 06-10-16/ 06-12-1	05/24/2016	114.00
			Total for Check Number 8748:	114.00
8749	10259 161303088101	MES VISION HR- JUNE VISION PREMIUM	05/24/2016	711.45
			Total for Check Number 8749:	711.45
8750	10272 000529364048 000529364048 000529364048 000529364048	MUTUAL OF OMAHA HR- JUNE LTD INS EMPLOYEE HR- JUNE LTD INS EMPLOYER HR- JUNE LIFE INS HR- JUNE VOLUNTARY LIFE	05/24/2016	466.65 466.64 416.60 1,147.02
			Total for Check Number 8750:	2,496.91
8751	10273 27204	NAFFA INTERNATIONAL INC BPO-PLAN CHECK FEES	05/24/2016	4,267.39
			Total for Check Number 8751:	4,267.39
8752	10276 S1072119-001	NATIONAL METER & AUTOMATION WTR CONSRV-LAPTOP DATA TRANSMITTI	05/24/2016	119.70
			Total for Check Number 8752:	119.70

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
8753	10282	OFFICE DEPOT	05/24/2016	
	838207551001	PD- OFFICE SUPPLIES: TONER AND PENS		107.88
	839568140001	WTR- OFFICE SUPPLIES		27.81
	839568140001-1	SWR- OFFICE SUPPLIES		27.82
	839568442001	SWR- OFFICE SUPPLIES		47.28
	839568442001-1	WTR- OFFICE SUPPLIES		47.28
Total for Check Number 8753:				258.07
8754	10283	OFFICE DEPOT CREDIT ACCOUNT	05/24/2016	
	04142016	CS- PAPER FOR FLYERS ALMOND FESTIVA		109.00
	04182016	CS- PAPER FOR FLYERS ALMOND FESTIVA		29.98
	04182016	CS- PAPER FOR FLYERS ALMOND FESTIVA		2.47
	04182016	CS- FOAM BOARD, MOUNTING TAPE, PUT		58.71
Total for Check Number 8754:				200.16
8755	10289	P.G.& E.	05/24/2016	
	6206788690-3	CS- MONTHLY ELECTRIC & GAS 04/07/16-0		2,616.02
	6206788690-3	CS- MONTHLY ELECTRIC & GAS 04/07/16-0		1,831.06
	6206788690-3	CS- MONTHLY ELECTRIC & GAS 04/07/16-0		476.15
	6206788690-3	CS- MONTHLY ELECTRIC & GAS 04/07/16-0		100.00
	9081203718-3	KATEY'S PARK ELECTRIC- APRIL PG&E SE		74.65
Total for Check Number 8755:				5,097.88
8756	10316	R G EQUIPMENT OF FRESNO INC	05/24/2016	
	3186	VE EQUIP-SPINDLE SHAFT PUMP WHEEL (		742.48
	3187	VE EQUIP-MOWER BLADES 71" TORO		67.69
	3188	VE EQUIP-HYDRAULIC FILTER OIL CAP		32.34
	3240	VE EQUIP-TRB SPINDLE ASM 60" TORO		410.23
Total for Check Number 8756:				1,252.74
8757	11006	RIGHT NOW PHLEBOTOMY	05/24/2016	
	05182016	PD- 1 BLOOD DRAW 16-1679 KPD CONTRA		125.00
Total for Check Number 8757:				125.00
8758	10324	RIVERSIDE LANDSCAPE & NURSERY	05/24/2016	
	83457	PARKS-4-15 GL CRAPE MYRTLE TREES		259.70
Total for Check Number 8758:				259.70
8759	10986	ROTARY CLUB OF KERMAN	05/24/2016	
	05152016	ADM- ROTARY CLUB DUES/LUNCHES		97.00
Total for Check Number 8759:				97.00
8760	11067	SANTA FE GENERAL CONTRACTORS	05/24/2016	
	16-COM-0002	BPO-REFUND FOR 538 MADERA AVE EXTE		250.00
Total for Check Number 8760:				250.00
8761	10673	SEQUOIA COUNCIL	05/24/2016	
	1026A-R10	PD- REGISTRATION FOR EXPLORER POST		40.00
	1026A-R2	PD- REGISTRATION FOR EXPLORER POST		24.00
	1026A-R3	PD- REGISTRATION FOR EXPLORER POST		24.00
	1026A-R4	PD- REGISTRATION FOR EXPLORER POST		24.00
	1026A-R5	PD- REGISTRATION FOR EXPLORER POST		24.00
	1026A-R6	PD- REGISTRATION FOR EXPLORER POST		24.00
	1026A-R7	PD- REGISTRATION FOR EXPLORER POST		24.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	1026A-R8	PD- REGISTRATION FOR EXPLORER POST		24.00
	1026A-R9	PD- REGISTRATION FOR EXPLORER POST		24.00
Total for Check Number 8761:				232.00
8762	10420	SPRINT	05/24/2016	
	622685312-173	VAR-MONTHLY CELLULAR SERVICE 4/12/1		19.45
	622685312-173	VAR-MONTHLY CELLULAR SERVICE 4/12/1		19.45
	622685312-173	VAR-MONTHLY CELLULAR SERVICE 4/12/1		142.65
	622685312-173	VAR-MONTHLY CELLULAR SERVICE 4/12/1		25.94
	622685312-173	VAR-MONTHLY CELLULAR SERVICE 4/12/1		19.45
	622685312-173	VAR-MONTHLY CELLULAR SERVICE 4/12/1		42.15
	622685312-173	VAR-MONTHLY CELLULAR SERVICE 4/12/1		116.72
	622685312-173	VAR-MONTHLY CELLULAR SERVICE 4/12/1		71.33
	622685312-173	VAR-MONTHLY CELLULAR SERVICE 4/12/1		64.84
	622685312-173	VAR-MONTHLY CELLULAR SERVICE 4/12/1		22.69
	622685312-173	VAR-MONTHLY CELLULAR SERVICE 4/12/1		27.56
	622685312-173	VAR-MONTHLY CELLULAR SERVICE 4/12/1		130.38
Total for Check Number 8762:				702.61
8763	10344 9579	STATE OF CALIFORNIA STRTC- STREET LIGHT PAYMENT 7 OF 20	05/24/2016	
				5,032.35
Total for Check Number 8763:				5,032.35
8764	10345 5272016	STATE OF CALIFORNIA HR- C FTB TAX-WAGE GARNISHMENT P/	05/24/2016	
				50.00
Total for Check Number 8764:				50.00
8765	10348 CERT #28799	STATE WATER RESOURCES CNTL BOA SWR-E VALLEJO WWTP OP GR III RENEWA	05/24/2016	
				300.00
Total for Check Number 8765:				300.00
8766	10441 6934469-00	TURF STAR INC. EQUIP-MOTOR WHEEL PARTS 60" TORO M	05/24/2016	
				991.10
Total for Check Number 8766:				991.10
8767	10168 20358 MSP20377 MSP20378 MSP20378	UNITY IT FIN- VIDEO CARD TECH-MONTH TECHNOLOGY SUPPORT SE WTR-MONTHLY SCADA SUPPORT APRIL SWR-MONTHLY SCADA SUPPORT APRIL	05/24/2016	
				70.35
				2,375.10
				27.50
				27.50
Total for Check Number 8767:				2,500.45
8768	10389 35428 35429 35430 35431	VALLEY AIR CONDITIONING & REPAI CS- QTLY PREVE MAINTENANCE- CITY H/ CS- QTLY PREVE MAINTENANCE- PD CS- QTLY PREVE MAINTENANCE- COMM CS- QTLY PREVE MAINTENANCE SENIOR	05/24/2016	
				575.00
				375.00
				580.00
				312.50
Total for Check Number 8768:				1,842.50
8769	10399 214000	VETERINARY MEDICAL CENTER AAC- 4 EUTHANASIA OF ANIMALS	05/24/2016	
				84.10
Total for Check Number 8769:				84.10

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
8770	10401 1-11470	WALLY'S TIRE AND WHEEL VE EQUIP-TIRE FOR QUAD	05/24/2016	106.10
Total for Check Number 8770:				106.10
8771	10406 51644 51644	WEST HILLS OIL INC VE-FUEL MAY 01-15 VE-B ARREDONDO TRANSPORT	05/24/2016	3,325.61 323.79
Total for Check Number 8771:				3,649.40
8772	10413 35317 35318 35319 35320 35321 35322 35323 35324 35325 35326 35327 35328 35329 35330 35331 35332 35333 35334 35335	YAMABE & HORN ENGINEERING INC WHITESBRIDGE & VINELAND TRAFFIC SI TRACT NO 5478 WESTERN INSURANCE LA GENERAL ENGINEERING VINELAND AVENUE WIDENING UPRR PEDESTRIAN & BICYCLE TRAIL PROP 84 WATER METER PROJECT CDBG SOROPTIMIST PARK RESTROOM CHROMIUM 6 MCL SUPPORT SPR 14-03: KERMAN CROSSINGS PHASE II SR2S PEDESTRIAN SAFETY IMPROVEMEN CALIFORNIA AVE SIDEWALK - DEL NORTE KERMAN ANIMAL SHELTER 2015 KERMAN COG APPLICATIONS KERMAN 2016 CIP STREETS KERMAN 2016 CIP WATER KERMAN 2016 CIP SEWER 2016 CONCRETE PROJECT LA FE WATER SERVICE AGREEMENTS 2016 LLMD ASSESSMENT	05/24/2016	732.50 262.50 1,837.50 270.00 2,778.75 1,995.00 840.00 2,443.50 525.00 1,045.86 1,523.75 262.50 2,100.00 900.00 480.00 300.00 2,316.49 180.00 692.50
Total for Check Number 8772:				21,485.85
Total for 5/24/2016:				97,132.23
Report Total (90 checks):				145,232.72



# City of Kerman

*"Community Comes First"*

MAYOR                      MAYOR PRO-TEM  
 Stephen B. Hill        Gary K. Yep

COUNCIL MEMBER    COUNCIL MEMBER    COUNCIL MEMBER  
 Rhonda Armstrong    Bill Nijjer            Vacant

DEPARTMENT: FINANCE DEPARTMENT  
 STAFF REPORT  
 CITY COUNCIL MEETING  
 MEETING DATE: JUNE 1, 2016

To:            Mayor and City Council  
 From:        Toni Jones, Finance Director  
 Subject:     Public Hearing for Proposed Increase in Utility Rates

## RECOMMENDATION

Council open the Public Hearing, receive public testimony, close Public Hearing, count written protests, and deliberate. If a majority protest does not exist, by motion adopt resolution approving increase to Utility Rates effective July 1, 2016 and ratifying Proposition 218 Processes.

## EXECUTIVE SUMMARY

Each year staff reviews the revenue and expenditure projections for the Enterprise Funds (Water, Sewer, Solid Waste, Street Sweeping and Storm Drain) in order to determine if utility rates need adjustments to cover projected expenditures. The Enterprise Funds are different than the General Fund because the cost of operations is paid for by user charges. The City of Kerman owns and operates its own utilities with the exception of street sweeping, refuse hauling and collection (Solid Waste), which are contracted with outside firms.

After a thorough review of current and future revenue requirements and reserve levels for the Enterprise Funds, staff proposed the following rate increases for fiscal year 2016/17:

- Water                      .75 per user/month
- Sewer                      .75 per user/month
- Solid Waste              .09 per user/month
- Street Sweeping        .05 per user/month
- Storm Drain             .05 per user/month
- Total                      \$1.69 per user/month

Additionally staff proposed a increase to the cost per 1,000 gallons, from 0.81 to 0.83; an increase of 0.02 cents.

The proposed utility rate adjustments are minor in order to keep up with ongoing operational costs. The proposed water rate increase of .75 will be split; .25 set aside for meter replacements and .50 to cover ongoing operational

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expenses. The proposed sewer rate increases is necessary to cover operational expenses and debt service payments for the new Wastewater Treatment Plant. Operational expenses on the WWTP for maintenance, supplies and state fees continue to increase each year.

Other minor adjustments are recommended to cover additional operating expenses within the funds including a small increase to cover increased tipping fees and inflation based on the CIP as stipulated in the contract with Mid Valley Disposal. Overall, the proposed rate changes represent a 2.15% on non-metered accounts and 2.62% on metered accounts or an average of \$1.85 additional per month for utility customers.

This public hearing is the next step in the process for the Council to authorize the proposed utility rate increases pursuant to Prop 218. The City Clerk published a public hearing notice on May 18 in the Kerman News; Finance staff mailed letters to all property owners and utility customers on April 12, posted on the City's website, and inserted in the May utility bills.

#### OUTSTANDING ISSUES

None.

#### PUBLIC HEARING

Open the Public Hearing to receive public testimony on the proposed Utility Rates for Fiscal Year 2016/17. The City Clerk has not received any letters of opposition.

#### Attachments:

- A. Resolution w/Exhibit

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Attachment 'A'

RESOLUTION NO. 16-\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN  
ADOPTING WATER, SEWER, SOLID WASTE, STREET SWEEPING, AND STORM DRAIN RATES ("UTILITY  
RATES") COMMENCING JULY 1, 2016, AND RATIFYING PROPOSITION 218 PROCESS

WHEREAS, City staff and the City Council have analyzed the revenue and expenditure requirements for all of the City Enterprise Funds to determine the appropriate rate changes needed to meet these requirements; and

WHEREAS, utility rates for Fiscal Year 2016/2017 are proposed as listed in the Utility Rate schedule attached as Exhibit 'A'; and

WHEREAS, City staff prepared and mailed a notice of public hearing to all property owners served by the City, as required by Proposition 218 (Cal. Const. Art. XIIIID, § 6); and

WHEREAS, the notice of public hearing instructed customers and property owners on how and where to protest the proposed increase in water, sewer, solid waste, street sweeping, and storm drain ("Utilities") service rates and the notice was developed in accordance with Proposition 218; and

WHEREAS, the notice of public hearing on the proposed increase of rates was published in a local newspaper, in a separate mailing to all Kerman Utilities' customers and property owners and inserted in the monthly utility billing, with the newspaper publication and the separate mailing occurring at least 45 days prior to the public hearing; and

WHEREAS, the adoption of the proposed rate increases for Utilities is exempt from California Environmental Quality Act (CEQA) under California Public Resources Code Section 21080(b)(8); and

WHEREAS, the Council held a public hearing on June 1, 2016, and considered all protests regarding the increased Utility rates.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kerman that based upon the foregoing recitals and information and testimony presented at the hearing of June 1, 2016, including all the attachments to the Report to the Council, the Council hereby resolves as follows:

- Section 1. Finds that insufficient written protests were presented to prevent the proposed increased rates to Utilities from being adopted; and
- Section 2. Finds the utility service charges are supported by the analysis of revenues and expenditures requirements conducted by staff; and
- Section 3. Finds the adoption of the proposed utility service charges is exempt from CEQA under California Public Resources Code § 21080(b)(8); and
- Section 4. Ratifies the Proposition 218 process followed by the City; and
- Section 5. Adopts the rates for Utilities as listed in Exhibit 'A' attached hereto and incorporated by reference effective July 1, 2016.
- Section 6. This Resolution shall become effective upon adoption.

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The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 1<sup>st</sup> day of June 2016, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

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Gary Yep  
Mayor Pro Tem

ATTEST:

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Marci Reyes  
City Clerk

Exhibit 'A'

UTILITY RATE CHANGES - FISCAL YEAR 2016-17						
Effective July 1, 2016						
WATER RATES	Current Rate	Proposed Increase	Proposed Total Base Cost		Flow Cost	Total Cost
Residential (Non-metered)	29.53	0.75	30.28	+	\$0.00	30.28
Multi-Family (Non-Metered) per unit	23.98	0.75	24.73	+	\$0.00	24.73
Commercial (Non-Metered)	29.53	0.75	30.28	+	\$0.00	30.28
Residential & Multi-Family (3/4" Meter)	14.42	0.75	15.17	+	Usage	Ex amples
Residential & Multi-Family (1" Meter)	22.04	0.75	22.79	+	Usage	Below
Commercial (Metered-Rate Determined by Meter Size)						
3/4" Meter	14.42	0.75	15.17	+	Usage	Ex amples
1" Meter	22.04	0.75	22.79	+	Usage	Below
1.5" Meter	41.05	0.75	41.80	+	Usage	
2" Meter	94.32	0.75	95.07	+	Usage	
3" Meter	174.24	0.75	174.99	+	Usage	
4" Meter	288.40	0.75	289.15	+	Usage	
6" Meter	573.79	0.75	574.54	+	Usage	
Water Cost per 1,000 Gallons	\$ 0.81	0.02	\$0.83			
WATER USE EXAMPLES			Base Cost		Flow Cost	Total Cost
	16,000 gallons of usage		15.17	+	\$13.28	= \$28.45
	24,000 gallons of usage		15.17	+	\$19.92	= \$35.09
SEWER RATES	Current Rate (Base + Flow)	Proposed Increase	Base Cost		Flow Cost	Total Cost
Residential (Metered/Non-metered)	30.86	0.75	9.20	+	22.41	= 31.61
Multi-Family Residential (Metered/Non-Metered) per unit	19.14	0.75	2.69	+	17.20	= 19.89
Commercial (Non-Metered)	30.86	0.75	9.20	+	22.41	= 31.61
Commercial (Metered)	8.45	0.75	9.20	+	Usage	
Low Strength					\$1.10*	
Medium Strength					\$1.43*	
High Strength					\$2.74*	
*Cost per 1,000 Gallons of Water Usage						
SOLID WASTE			Current Rate		Proposed Increase	Total Cost
Residential Customers			16.03		0.09	16.12
Commercial Customers						1% Increase
STREET SWEEPING			Current Rate		Proposed Increase	Total Cost
Residential			0.95		0.05	1.00
Multi-Family Residential per unit			0.52		0.05	0.57
STORM DRAIN			Current Rate		Proposed Increase	Total Cost
Residential (Metered/Non-metered)			1.55		0.05	1.60
Commercial (Non-Metered)			1.55		0.05	1.60
Commercial (Metered) - Based on Flow @ .0736 per 1,000 Gallons of Water Usage						
RECAP		Current Rate	Proposed Increase		Total Cost	% Increase
Non-Metered Customers		78.92	1.69		80.61	2.15%
Metered Customers Estimated @ 16,000 gallons of usage with 3/4" meter		76.77	2.01		78.78	2.62%



# City of Kerman

*A Place Where "Community Comes First"*

MAYOR  
Stephen B. Hill

MAYOR PRO-TEM  
Gary Yep

COUNCIL MEMBER  
Rhonda Armstrong

COUNCIL MEMBER  
Bill Nijjer

COUNCIL MEMBER  
Vacant

DEPARTMENT: PLANNING & DEVELOPMENT  
STAFF REPORT  
CITY COUNCIL MEETING  
CITY COUNCIL MEETING DATE: JUNE 1, 2016

To: Mayor and Council Members

From: Olivia Pimentel, Planning Technician, David Brletic, Planning Consultant

Subject: Public Hearing Gateway Villas – 61 Unit, Income Qualified, Apartment Complex Project Located on the Southeast Corner of State Route 180/Whitesbridge Avenue and Siskiyou Avenue (APN 023-700-04s)

## RECOMMENDATION

Staff recommends the City Council open the public hearing, take public comments, close the public hearing, and after deliberations take the following actions:

1. ADOPT Resolution approving General Plan Amendment No. 16-02 amending the Kerman 2007-2027 General Plan from the Neighborhood Commercial (NC) land use designation to the High Density Residential (HDR) designation for property located on the southeast corner of State Route 180/Whitesbridge Avenue and Siskiyou (APN 023-700-04s) and approving the environmental finding of a Mitigated Negative Declaration 16-02 prepared for the purpose of the proposed Gateway Villas – 61 Unit, Income Qualified, Apartment Complex Project and the related Rezone of the Property and Conditional Use Permit.
2. Waive full reading and INTRODUCE Ordinance of the City Council of the City of Kerman amending the Official Zone Map of the City of Kerman In Accordance with Section 17.26 of the Kerman Municipal Code To Rezone Land Located on the Southeast Corner of State Route 180/Whitesbridge and Siskiyou Avenue (APN 023-700-04s) From the N-C (Neighborhood Commercial) Zone District to the R-3 (Multi-Family) Zone District.
3. ADOPT Resolution approving Conditional Use Permit No. 16-02 (CUP) allowing construction of Gateway Villas, a 61 Unit, Income Qualified Apartment Complex on Property Located on the Southeast Corner of Whitesbridge Avenue and Siskiyou Avenue in Kerman, California.

## EXECUTIVE SUMMARY

Gateway Villas is proposing to construct a sixty-one (61) unit, income qualified, apartment complex. The applicant is Willow Partners, LLC. The proposed project is located on a 4.38+ acre vacant parcel located at the southeast corner of State Route 180/Whitesbridge Avenue and Siskiyou Avenue.

The applicant proposes to amend the 2007-2027 Kerman General Plan from the Neighborhood Commercial (NC) to High Density Residential; to reclassify the zone district from Neighborhood Commercial (N-C) to R-3 Multifamily Residential; and to obtain a Conditional Use Permit and has filed applications for each of these entitlements.

These applications have been filed to facilitate approval of a proposed sixty-one (61) unit income qualified apartment complex consists of one (1) manager's/office unit, thirty (30) two-bedroom /two bath units, and thirty (3) three-bedroom/two bath units. The sixty (60) rental units are two-story. The proposed project also includes a clubhouse, children's playground, pool, lanai, barbeque area, and laundry room. A Negative Declaration with mitigating conditions (Mitigated Negative Declaration-MND) was circulated from April 13, 2016 through May 2, 2016. There were no responses from the community or agencies.

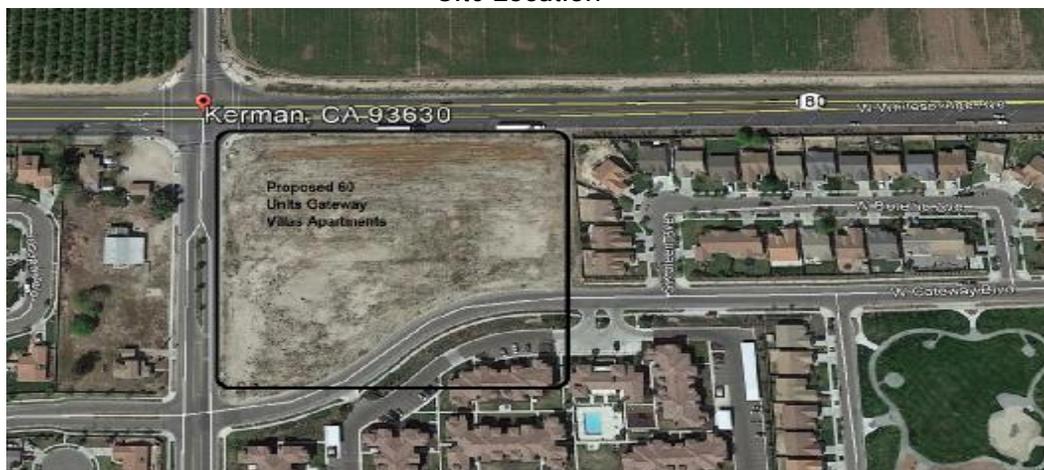
The proposed project and related actions are supported by staff. In addition, these matters were considered by the Planning Commission as required by the Kerman Municipal Code and state law. On May 2, 2016, the Planning Commission held a public hearing, considered the MND, and adopted a resolution approving the general plan amendment and ordinance and a resolution approving the CUP.

In order for the proposed project to be economically feasible, the applicant will apply for state and federal tax credits to include in financing of the project. Acquisition of state and federal tax credits is necessary to facilitate restriction of the proposed units to income qualified tenants. In order to be competitive the applicant is requesting some financial support from the City that will be discussed separately from the entitlements.

### Project Information

Site Location: The project site is located on the southeast side of State Route 180/Whitesbridge Avenue and Siskiyou Avenue (Assessor Parcel Number 023-700-04s), as shown in Figure 1 below.

Figure 1  
"Site Location"



Existing Use:	Vacant
General Plan:	Neighborhood Commercial (NC).
Zoning:	Neighborhood Commercial Zone District, (NC).

**Surrounding Uses& Zoning:**

Location	General Plan Designation	Zone District	Existing Land Use
North	Fresno County/Agriculture	Ag	Agriculture
South	High Density Residential	SD-R-4.5	Multiple-Family Residential
East	Medium Density Residential	R-1-7	Single-Family Residential
West	Medium Density Residential	R-1-7	Single-Family Residential

**Environmental Review**

An Initial Study (IS)/Negative Declaration was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations. The IS/ND analyzed environmental impacts that would be potentially affected by the Gateway Villas Project and determined that no impacts would occur or impacts would be less than significant with respect to the following issues: Aesthetics, Agricultural and Forestry Resources, Air Quality, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Shadows, Utilities, and Mandatory Findings of Significance.

It has been determined that project specific mitigation measures necessary to assure the project will not cause significant adverse environmental impacts and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5 (a) (2) and CEQA Guidelines Section 15178 (b) (1) and (2). Some of the mitigation measures include:

Aesthetics Impact relating to creation of a new source of substantial light or glare that would adversely affect day or nighttime views in the area. Finding was Less Than Significant with Mitigation. Development of the site will generate a new source of light for the area; however, the level of illumination will not be any greater than the lighting provided by existing residential development in the area.

Hydrology and Water Quality, finding was that this project would have no impact or Less Than Significant Impact. The site will be graded to facilitate proper surface drainage on the site. Drainage will be directed to existing Lion’s Park basin, located southeast of the site. Applicant will be required to submit a grading and drainage plan prior to the development of the site, which will ensure that storm water runoff will be properly channeled to the detention basin. A copy of the Mitigated Negative Declaration is attached at the very end of this report as Attachment ‘H’.

**General Plan Amendment**

The subject site is currently designated Neighborhood Commercial (NC). The proposed General Plan Amendment requests a change from the current General Plan designation of Neighborhood Commercial (NC) to High Density Residential (HDR). The proposed General Plan Amendment is to accommodate the Gateway Villas, sixty-one (61) unit, income qualified, apartment project.

The existing Neighborhood Commercial (NC) site is vacant. The Neighborhood Commercial (NC) General Plan designation is intended to provide for commercial centers adjacent to or within residential neighborhoods. These commercial centers were intended to provide shopping and services for residents of the neighborhood which are typically needed on a weekly basis. Commercial retail and service tend to locate as close to existing commercial development where they anticipate experiencing increased traffic due to

other commercial uses in close proximity. There has been no known interest in the site for commercial use. While the site has received no interest for commercial use, there is a demand for property designated High Density Residential (HDR). This is evidenced by the 2015-2023 Housing Element that determined the City of Kerman is deficient (approximately eight acres) in property designated High Density Residential (HDR).

The 2027 General Plan includes policy recommendations related to the various physical development aspects of the community. These are supported by a set of goals and objectives. The Planning Commission shall refer to the General Plan when making a decision regarding this particular request. Below is an excerpt from the plan that is germane to this conditional use permit request:

*Kerman General Plan Land Use Policies for Multi-Family Development:*

*Policy 1: Multi-family development shall be well-designed, well-maintained, and properly sited.*

*Actions:*

- a. New multi-family development with ten units or more shall be located where two arterial or collector streets intersect (except when the project is designated as in-fill).*
- b. The number of multi-family units on any given site shall be limited to 40 units (except with a conditional use permit).*

### Zone Change Amendment

The proposed Zone Change is contingent upon approval of the proposed General Plan Amendment.

As with the Neighborhood Commercial General Plan designation, the Neighborhood Commercial (N-C) zone district is intended to provide commercial goods and services to residents in close proximity to the district. The site has received no interest for commercial use and the applicant is requesting to change the zone designation to R-3, Multiple-Family Residential to accommodate a proposed sixty-one (61) unit income qualified apartment project. The 2015-2023 Housing Element has determined the City of Kerman is deficient (approximately eight acres) in property zoned for multiple-family residential use. This project would meet about half of that requirement.

The proposed R-3, Multiple-Family Residential zone designation would be consistent with the proposed High Density Residential (HDR) General Plan designation.

### Conditional Use Permit

A Conditional Use Permit is required per Kerman Municipal Code Section 17.42.030. The proposed Conditional Use Permit is contingent upon approval of the proposed General Plan Amendment and Zone Change.

The subject site is a vacant infill lot that is bounded by two fully developed roadways and existing single-family residential developments (see photographs in Attachment A). The proposed project includes 30 two-story apartment buildings and 1 single-story building (clubhouse and manager's unit) along with a fenced pool and lanai, playground and barbecue area. The proposed buildings are clustered in the center and at the south and east end of the property with parking and driveways around the perimeter. There are two

vehicular access points proposed on Gateway Boulevard. Pedestrian access and paths are to be found throughout the complex, around each building and along the driveways. The preliminary landscape plan shows extensive planting throughout the site.

The perimeter of the complex will be served with an existing seven-foot masonry wall along the east and proposed seven-foot masonry wall along north property lines buffering State Route 180/Whitesbridge. Along the south and west property lines a six-foot wrought iron fence is to be constructed with automatic gates to provide added security and limit access to tenants and authorized guests. Signage is proposed in the median at the main entrance and will require a separate permit process.

#### A. Unit Density and Lot Coverage

The maximum unit density allowed in the R3 Multi-Family zoning district is 40 units per acre or one unit per two thousand three hundred square feet of area. The subject site contains a lot area of 4.34 acres (189,051 square feet), which would allow a density of up to a maximum of 82 dwelling units. The applicant is proposing (61) sixty one units (including the manager's unit) on the subject or 14.05 units per acre which is consistent with the unit density for the zone district.

The lot coverage in the R-3 Multiple-Family zone district shall not exceed fifty percent of the area or 94,525 square feet for the subject site based on a total lot area of 189,051 square feet (4.34 acres). The total ground floor building coverage is 54,593 or 29 percent overall lot coverage (apartment buildings, clubhouse, maintenance room and carports) which is consistent with maximum lot coverage for the district.

#### B. Site Plan Layout

The proposed site plan was reviewed by Planning Department staff and by the site plan review committee. The site plan review evaluated the site layout, including but not limited to: internal circulation, ingress and egress to the site, parking, public infrastructure and services, and fire related concerns. These issues are addressed in this report and specific recommendations are included in the conditions of approval for the project.

Generally, the site plan layout shows the two-story apartment buildings in clusters strategically placed to create a green belt throughout the entire project. In the center of the lot with a single-story community building fronting Gateway Boulevard and a two-story manager's unit attached by a covered walkway (Attachment C). The clubhouse includes a community room, computer room, kitchen and restrooms. The manager's unit is a two bedroom unit with an attached office having a separate entrance. Parking spaces are situated mostly on the west side and to the rear of the property as a buffer to surrounding uses and to create green belt that will encourage walking for the tenants and guests. There is one primary and one secondary driveway to the site from Gateway Boulevard. Open space is provided throughout the site and a playground is proposed north of the community building and pool area. In addition, a landscape mound is shown along the frontage facing Gateway Boulevard and Siskiyou Avenue to soften the view from the street.

A decorative wrought iron fence with pilaster is also proposed fronting on Gateway Boulevard and Siskiyou Avenue. The two entrances will have automatic gates for tenant use and authorized guests will have access to the complex. The applicant will be required to provide a decorative cap on the existing block fence to the east of the property as well as provide stucco texture and/or paint to match the color scheme of the project.

C. Architecture

The elevations reflect proposed Architectural elements that will compliment the Architecture of the existing Hacienda Heights south of the proposed project site. The Gateway Villas Apartments site plans show a Craftsman/Bungalow style, using cement plaster, board and bat siding, stone veneer and a thick butt Architectural grade asphalt composition shingle roof. private balconies with wrought iron guardrails, stone veneer on the clubhouse/manager's unit, and decorative iron trim (refer to colored renderings in Bldg. Type 1 Attachment). The architectural elements provide for an attractive and well-designed project that is compatible with the surrounding neighborhood. The proposed color scheme will compliment the colors consistent with the architecture of the building. Overall, the exterior elevations provide sufficient articulation on all sides of the building, providing high-quality aesthetics that are expected to exceed those of Hacienda Heights.

D. Floor Plans

The project is proposing 30 two-bedroom, two bath 899 sq.ft. units ("A"), 20 three-bedroom, two bath 1,092 sf.ft. units ("B"), and 10 three-bedroom, two bath 1,178 sf.ft. units ("C") for total of 60 rental units. All units include a kitchen, living and dining area, and a covered patio. The manager's unit and clubhouse are connected by a covered walkway (Attachment H). The manager's unit is approximately 1,400 square feet and includes three bedrooms, two baths, living room, kitchen/nook combination, and office with separate entrance. The clubhouse is approximately 3,500 square feet and includes a community room, computer center, kitchen, laundry room, and male and female bathrooms.

E. Setbacks and Heights

The building setbacks from the south property line will vary from 20 feet facing Gateway Boulevard for buildings # 1 and #4. The setbacks from the east property line vary from 30 feet to 50 feet facing Siskiyou Avenue. There is a proposed 20' landscape area adjacent to the existing block wall on the east property line and landscape areas on the south property line. The landscaping in these areas will be dense so as to screen views from the single-family homes and to mitigate any noise from the proposed project. In addition, the windows on the units to the east that are closest to the single family residences are placed facing north and south of building to restrict the line of site away from the rear yards of the existing single-family residences. In the R-3 Multi-Family zone district two story buildings are allowed up to 35 feet. The highest point of the project is at the peak roof point on the Community building which is tallest building, measures 28'-6", well below the maximum height restrictions for the zone district.

F. Parking

The proposed project is subject to the parking requirements contained in Section 17.74.020 of the Kerman Municipal Code. For apartment projects the ordinance states at least two parking spaces shall be provided for each dwelling unit, except one-bedroom units which shall provide one and one-half parking spaces for each dwelling unit. Any room which could be converted to a bedroom (such as a den) shall be considered a bedroom when computing required parking. One of the required parking spaces per unit shall be covered. At least five-tenths parking spaces per unit shall be provided as guest parking.

The project will require 122 standard parking spaces with 62 covered and 61 open stalls plus one manager's unit (61 units x 2 spaces). In addition to the standard parking ratios, the zoning ordinance requires that at least five-tenths (0.5) of the parking per unit shall be provided as guest parking (additional 3.5 stalls). The total number of parking spaces required for the project is  $122 + 3.5 = 125.5$  to include (six for handicap accessible spaces).

The site plan shows a total of 123 parking spaces with 62 covered, 61 open stalls of which 6 are handicap accessible spaces. The parking provided is short two parking stalls. The applicants have requested a variance from the required guest parking requirement (five-tenths (0.5) of the parking ratio, given the fact that the type of affordable housing project tenant normally only have one vehicle and some do not have vehicles at all. Thus, the proposed project would be in compliance with the parking standards for apartment projects, with a variance from the guest parking requirement..

#### G. Access

The subject site is a corner lot with primary access along Gateway Boulevard. Egress and ingress to the site will be from one primary driveway and one secondary driveway from Gateway Boulevard. A 4'x20' landscape median is proposed at the main driveway. The main driveway will also feature an automatic swing gate on both sides of the drive isles into the complex. Extensive stamped concrete is shown at the main driveway. The secondary driveway will be reserved for emergency access only and for right in and right out only onto Siskiyou Avenue. It should be noted that this was the only allowable access by Caltrans. Direct access from State Route 180/Whitesbridge Avenue is not being proposed and would not be permitted. The proposed driveway meets the city's design standards for police and fire access.

#### H. Traffic

The proposed project will have access primarily from Siskiyou Avenue and Gateway Boulevard. The proposed project does not have direct access to Whitesbridge Avenue. Siskiyou Avenue is designated as an arterial street. Arterials are generally two lanes (divided) spaced every ½ mile and provide for traffic movement around or through the city's four quadrants. Whitesbridge Avenue (SR 180) is designated as an expressway providing connectivity with arterials, highways, and freeways as well as connectivity with other cities. Expressways are generally four lanes (divided). Whitesbridge Avenue connects Kerman with Fresno and Highway 99 to the east and with Mendota to the west. Gateway Boulevard is designated as a minor collector road providing for internal traffic movement within a neighborhood and directs neighborhood traffic to collectors and arterials. Minor collector streets typically have only two travel lanes with parking lanes on both sides of the street.

The Hacienda Heights Apartment project that was approved in 2010 used a traffic study that was prepared as part of the 2027 General Plan update to project traffic volumes and to evaluate the capacity of a given roadway segment to handle increases in traffic generated by development over the planning period. Based on the traffic study, the segment of Siskiyou Avenue north of Kearney Boulevard (to Whitesbridge Avenue) has an existing Level of Service (LOS) "A" with the capacity to carry an average daily traffic volume of 9,000 vehicles. Based on the increases in traffic volumes and population over the planning period generated by the development of land uses in the general plan, Siskiyou Avenue is projected to have an average daily traffic volume of 6,387 with a LOS "B". A LOS "B" signifies stable traffic flow with high maneuverability. Whitesbridge Avenue (SR 180) west and east of Siskiyou Avenue was also shown to have a LOS "A" through the year 2027.

The Mitigated Negative Declaration prepared for the proposed Gateway Villas apartment project determined that the project would have a potential to generate approximately 10 vehicular trips per residential dwelling, 200 vehicle trips per day by the proposed apartments and would have a less than significant impact on surrounding streets. Caltrans comments at site plan were that it predicted a small percentage of the trips generated by the Gateway Villas would utilize the SR 180 intersection at Siskiyou. However, their impact to the State's facilities would be minimal. Existing roadways are fully developed to standard widths capable of handling the increased volume of traffic. Thus, the existing roadway capacity is adequate to serve the projected vehicle trips generated by the project.

I. Public Improvements

The site is bounded by Siskiyou Avenue to the west and Gateway Boulevard to the south. Both roadways are currently improved with two-lane traffic in each direction. All public utilities (sewer and water) are available or can be extended to serve the site.

J. Public Safety

The Police Department has reviewed the site plan of the apartment complex and determined that the site layout is acceptable for law enforcement patrol. The Police Chief recommends that the apartment complex participate in the department's Crime Free Multi-Family Housing Program. This program was implemented with Hacienda Heights and has been very successful. This program provides law enforcement with greater flexibility in streamlining the procedures for dealing with and evicting problem tenants.

K. Fire Protection

The North Central Fire Protection District reviewed the site plan and required the site plan be modified to show fire hydrant location (s) and if spacing of existing fire hydrants is not adequate to serve the site, one (1) additional hydrant could be required.. The Fire Department's requirements are included in the conditions of approval for the project.

L. Trash Enclosures

The applicant is proposing three (3) trash enclosures to be located for convenient access for the residents and for the city's franchise waste hauler. Some minor modifications were discussed at the site plan regarding the location of the enclosure that the architect will modify. The materials, color and texture of the trash enclosures will be required to be consistent with the overall architecture of the main building. Landscaping around the trash enclosure will be required to provide visual screening of the enclosure.

M. Signage

The applicant is showing one monument sign for the complex to be located in the median island at the main driveway. The applicant will be required to obtain a sign permit for this sign. The material, texture and color of the sign will be required to match the main building(s).

N. Conditional Use Permit Findings

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The Council may approve a conditional use permit as requested, or in a modified form, after the Commission makes certain findings, as follows:

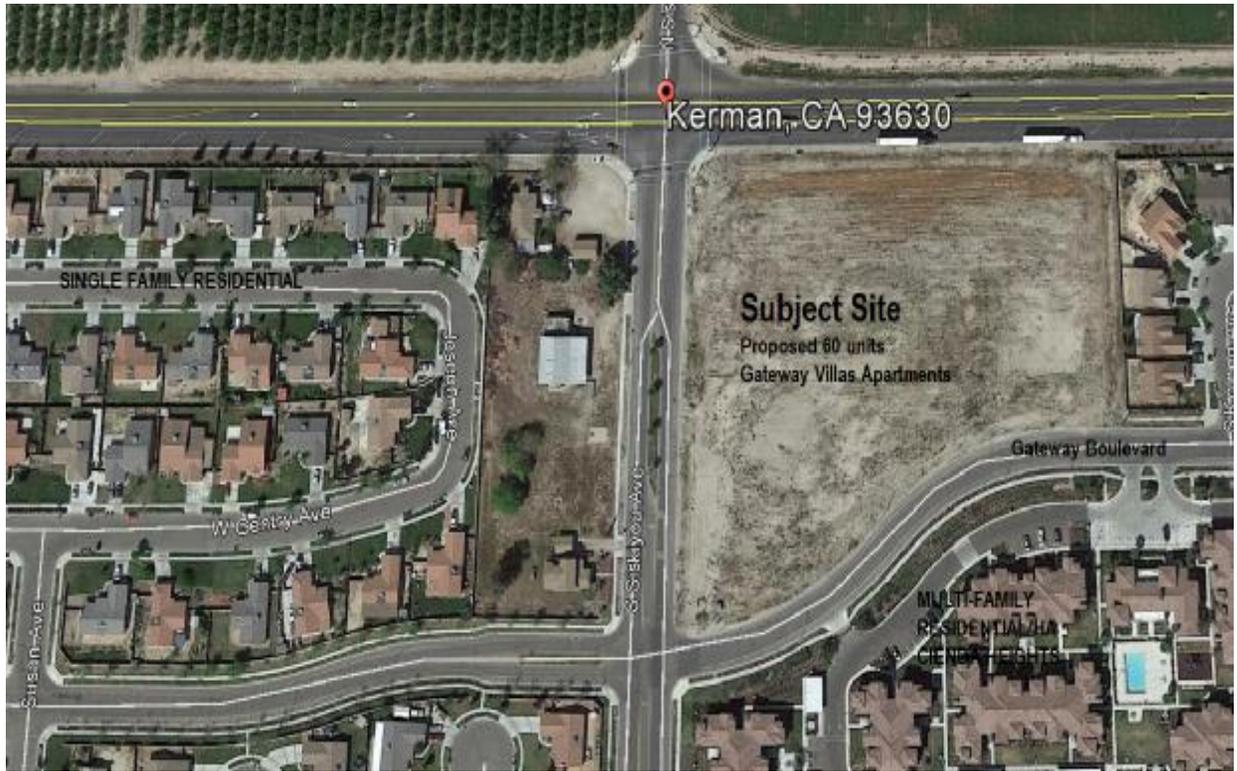
1. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare.
2. That the proposed use is consistent with the Kerman General Plan.
3. That the environmental document prepared as per the California Environmental Quality Act (CEQA) has been considered prior to a decision.
4. That the site for the proposed use is adequate in size, shape and location to accommodate the uses it relates to the district for which the use is proposed.

The proposed Conditional Use Permit will be consistent with the proposed R-3 Multiple-Family Residential zone designation and the proposed High Density Residential (HDR) General Plan designation.

Attachments:

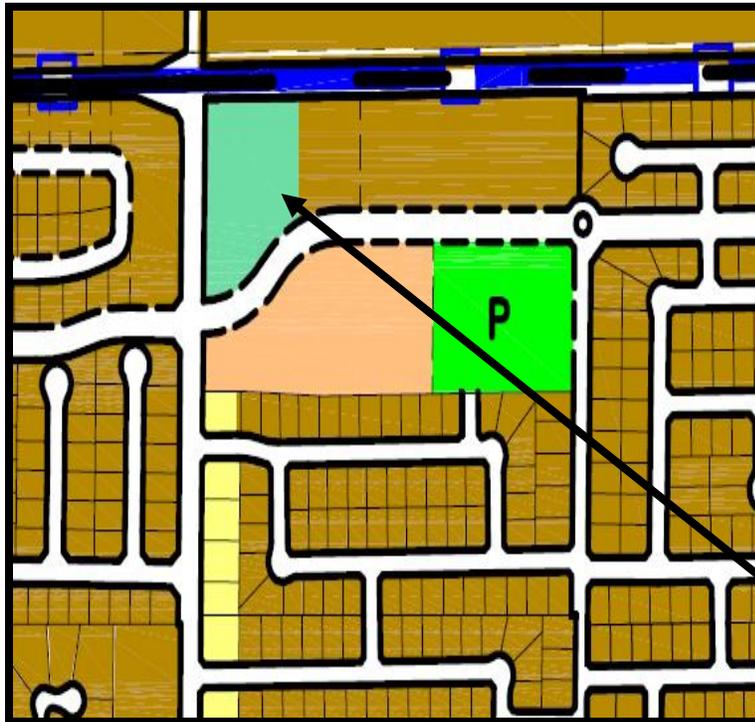
- A. Photographs of site
- B. Land Use Map
- C. Site Plan of Proposed Gateway Villas 61 unit apartment complex
- D. Elevations of Proposed Gateway Villas apartments
- E. Resolution, Approving General Plan Amendment 16-02 Amending The General Plan Designation From The Neighborhood Commercial (NC) To The High Density Residential (HDR) Designation And Approving Mitigated Negative Declaration 16-02 For The Project Located On The Southeast Corner Of State Route 180/Whitesbridge Avenue And Siskiyou (APN 023-700-04s) In Kerman, California.
- F. Rezone Ordinance Of The City Council Of The City Of Kerman Amending The Official Zone Map Of The City Of Kerman In Accordance With Section 17.26 Of The Kerman Municipal Code To Rezone Land Located On The Southeast Corner Of State Route 180/Whitesbridge And Siskiyou Avenue (APN 023-700-04s) From The N-C (Neighborhood Commercial) Zone District To The R-3 (Multi-Family) Zone District.
- G. Resolution A Resolution Of The City Council Of The City Of Kerman Approving Conditional Use Permit (16-02) To Allow Construction Of Gateway Villas, A 61 Unit, Income Qualified Apartment Complex On Property Located On The Southeast Corner Of Whitesbridge Avenue And Siskiyou Avenue In Kerman California.
- H. Mitigated Negative Declaration

Attachment 'A'  
Photographs of Site



Attachment 'B'

Land Use Map



LAND USE PLAN  
2007 KERMAN GENERAL  
PLAN UPDATE

LEGEND

VERY LOW DENSITY RESIDENTIAL	OFFICE
LOW DENSITY RESIDENTIAL	MIXED USE
MEDIUM DENSITY RESIDENTIAL	INDUSTRIAL
HIGH DENSITY RESIDENTIAL	PUBLIC
GENERAL COMM.	QUASI-PUBLIC
SERVICE COMM.	S SCHOOLS
REGIONAL COMM.	P PARKS
NEIGHBORHOOD COMM.	PB PONDING BASINS

Attachment 'C'  
Site Plan Map  
Proposed Gateway Villas Apartments



Attachment 'D'

Elevations  
Proposed Gateway Villas Apartments

Building Type 1 – Exterior Elevations



Attachment 'D' (continued)

Elevations  
Proposed Gateway Villas Apartments

Clubhouse Elevations



Attachment 'E'

RESOLUTION NO. 16-\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING GENERAL PLAN AMENDMENT NO. 16-02, AMENDING THE GENERAL PLAN DESIGNATION FROM NEIGHBORHOOD COMMERCIAL (NC) TO HIGH DENSITY RESIDENTIAL (HDR) DESIGNATION AND APPROVING MITIGATED NEGATIVE DECLARATION 16-02 FOR THE PROJECT LOCATED ON THE SOUTHEAST CORNER OF STATE ROUTE 180/WHITESBRIDGE AVENUE AND SISKIYOU AVENUE (APN 023-700-04s) IN KERMAN, CALIFORNIA.

WHEREAS, Willow Partners LLC has filed a General Plan Amendment (GPA 16-02) to amend the Kerman 2007-2027 General Plan for property located on the southeast corner of Whitesbridge Avenue and Siskiyou Avenue; and

WHEREAS, the proposed General Plan Amendment will allow for the development of Gateway Villas, a 61 Unit, Income Qualified Apartment Complex; and

WHEREAS, an Initial Study and Mitigated Negative Declaration (MND) has been prepared, in accordance with the California Environmental Quality Act of 1970, as amended; and,

WHEREAS, on May 2, 2016, the Planning Commission held a public hearing to consider GPA 16-02 and the associated MND 16-02 prepared for GPA 16-02 and the related rezone application and Conditional Use Permit ; and

WHEREAS, the Planning Commission took action as evidenced in Planning Commission Resolution No. 16-07 to recommend approval of GPA 16-02; and

WHEREAS, on June 1, 2016, the City Council held a duly noticed public hearing to consider GPA 16-02 and the associated MND and received both oral testimony and written information presented at the hearing; and

WHEREAS, the City Council has considered the entire record before it including the Planning Commission recommendation, Staff Report, Public Testimony and the Project File.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kerman, based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, as follows:

1. The foregoing recitals are incorporated by reference as if fully set forth.

2. The City Council finds in accordance with its own independent judgment that there is no substantial evidence in the record that with the project-specific mitigation imposed by General Plan Amendment 16-02 may have significant effects on the environment. Accordingly, the City Council adopts Mitigated Negative Declaration 16-02 dated June 1, 2016 for the General Plan Amendment and related Rezone and Conditional Use Permit applications addressed in other actions of the City Council.
3. The City Council finds as follows:
  - a. General Plan Amendment 16-02 will not be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the community.
  - b. Adoption of General Plan Amendment 16-02 as recommended by staff and the Planning Commission is in the best interest of the City of Kerman.
4. Based on the foregoing, the City Council hereby approves General Plan Amendment No. 16-02 amending the Kerman 2007-2027 General Plan land use designation of the subject property consisting of 4.38 acres from Neighborhood Commercial (NC) to High Density Residential (HDR).

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Kerman held on the \_\_\_ day of June, 2016 by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED BY:

The foregoing ordinance is hereby approved.

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Stephen B. Hill  
Mayor

ATTEST:

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Marci Reyes  
City Clerk

Attachment 'F'

ORDINANCE NO. 16-\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KERMAN AMENDING THE OFFICIAL ZONE MAP OF THE CITY OF KERMAN IN ACCORDANCE WITH SECTION 17.26 OF THE KERMAN MUNICIPAL CODE TO REZONE LAND LOCATED ON THE SOUTHEAST CORNER OF STATE ROUTE 180/WHITESBRIDGE AND SISKIYOU AVENUE (APN 023-700-04s) FROM THE N-C (NEIGHBORHOOD COMMERCIAL) ZONE DISTRICT TO THE R-3 (MULTI-FAMILY) ZONE DISTRICT

WHEREAS, Davis Slajhert of Willow Partners, L.L.C, (Developer) has applied for a zone change amendment (Rezone No. 16-01) for property located on the southeast corner of State Route 180/Whitesbridge and Siskiyou Avenue (APN 023-700-04s) in Kerman, California; and

WHEREAS, Rezone No. 16-01 is a request to approve a zone change amendment on 4.38 acres from the N-C (Neighborhood Commercial) Zone District to the R-3 (Multi Family) Zone District; and

WHEREAS, the Planning Commission held a noticed public hearing on May 2, 2016, to consider the rezone, at which time interested persons were given an opportunity to comment on the project; and

WHEREAS, the Planning Commission's resolution recommending approval was forwarded to the City Council for consideration; and

WHEREAS, the City Council held a noticed public hearing on June 1, 2016, to consider the approval of Rezone No. 16-01; and

WHEREAS, the City Council has approved Mitigated Negative Declaration 16-02 as part of the General Plan Amendment related to this project which MND includes environmental analysis of the general plan amendment, this rezone application, and the related proposed Conditional Use Permit; and

WHEREAS, on June 1, 2016, the City Council considered testimony and information received at the public hearing the Planning Commission's recommendation, and the oral and written reports from City staff, as well as other documents contained in the record of proceedings relating to Rezone No. 16-01, which are maintained at the offices of the City of Kerman Planning and Development Services Department.

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

SECTION 1. Based upon the testimony and information presented at the hearing and MND 16-02,, the City Council finds the requested R-3 (Multi-Family) Zone District is consistent with the proposed High Density Residential (HDR) planned use designation of the Kerman 2007-2027 General Plan.

SECTION 2. The City Council finds that the zone change is in keeping with the intent and purpose of the Zoning Ordinance and will not be detrimental to the health, safety, comfort, convenience, and general welfare and will be compatible with surrounding properties for the zone district of the real property described.

SECTION 3. The Official Zone Map of the City of Kerman is amended in accordance with Chapter 17.26 of the Kerman Municipal Code by reclassification of certain land in the City of Kerman, County of Fresno, State of California, as follows:

A. The property so reclassified is located on the southeast corner of State Route 180/Whitesbridge and Siskiyou Avenue (Assessor Parcel Numbers 023-700-04s), and is and is depicted in the attached Exhibit 'A'.

B. The property is reclassified from the N-C (Neighborhood Commercial) Zone District to the R-3 (Multi-Family) Zone District.

SECTION 4. This ordinance shall become effective and in full force 30 days after its adoption. Publication of this ordinance or a summary of the same within fifteen days (15) of passage pursuant to the laws of the State of California in the Kerman News, a newspaper of general circulation published and circulated in the City of Kerman is hereby ordered and directed

SECTION 5. The record of proceedings in this matter is contained in the Planning and Development Services Department, located at 850 S. Madera Avenue, Kerman, California 93630, and the custodian of record is the City Planner.

The foregoing ordinance was introduced at a public hearing of the City Council of the City of Kerman held on the 1st day of June, 2016, and thereafter passed and adopted at a regular meeting of the City Council held on June \_\_\_\_\_, 2016 by the following vote:

The foregoing ordinance is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

APPROVED:

\_\_\_\_\_  
Stephen B. Hill  
Mayor

ATTEST:

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

Attachment 'G'

RESOLUTION NO. 16-\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING CONDITONAL USE PERMIT (16-02) TO ALLOW CONSTRUCTION OF GATEWAY VILLAS, A 61 UNIT, INCOME QUALIFIED APARTMENT COMPLEX ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF WHITESBRIDGE AVENUE AND SISKIYOU AVENUE IN KERMAN CALIFORNIA.

*WHEREAS*, Davis Slajhert of Willow Partners, LLC, (Developer) has applied for a conditional use permit to allow construction of Gateway Villas, a 61 unit income qualified apartment complex on property located on the southeast corner of State Route 180/Whitesbridge Avenue and Siskiyou Avenue (APN 023-700-04s) in the City of Kerman; and

*WHEREAS*, the conditional use permit is situated on property that is being rezoned to R-3 (Multi-Family Residential) and set forth in the General Plan as High Density Residential; and

*WHEREAS*, the proposed conditional use permit would authorize the construction of a 61-unit apartment complex with one (1) manager's/office unit and (60) rental units that are two-story. There are thirty (30) two-bedroom /two bath units, and thirty (30) three-bedroom/two bath units. The proposed project also includes a clubhouse, children's playground, pool, lanai, barbeque area, and laundry room; and

*WHEREAS* the Planning Commission held a public hearing on May 2, 2016, and recommended approval of the proposed Conditional Use Permit (16-02); and

*WHEREAS*, the Council pursuant to chapter 17.12, Conditional Use Permits, section 17.12.040 conducted a duly noticed public hearing on June 1, 2016, to consider the Conditional Use Permit; and

*WHEREAS*, the City Council has approved Mitigated Negative Declaration 16-02 as part of the General Plan Amendment related to this project which MND includes environmental analysis of the general plan amendment, the related rezone application, and this proposed Conditional Use Permit; and

*WHEREAS*, on June 1, 2016, the City Council received the recommendation of the Planning Commission and held a public hearing to consider CUP 16-02 and received both oral testimony and written information presented at the hearing regarding said CUP 16-02.

*NOW, THEREFORE, BE IT RESOLVED* by the Council of the City of Kerman, based upon the testimony and information presented at the hearing and upon review and consideration of Mitigated Negative Declaration 16-02 as follows:

SECTION 1. The foregoing recitals are incorporated by reference as if fully set forth.

SECTION 2. The City Council finds that approval of CUP 16-02 as recommended by staff and the Planning Commission is in the best interest of the City of Kerman.

SECTION 3. The proposed use will not be detrimental to the public health, safety, welfare, morals of the persons residing or working in the neighborhood of the proposed use, and will not be injurious or detrimental to property and improvements in the neighborhood or the city.

SECTION 4. The proposed use is consistent with the Kerman General Plan.

SECTION 5. That the site for the proposed use is adequate in size, shape and location to accommodate the use as it relates to the district for which the use is proposed.

*BE IT FURTHER RESOLVED* that the City Council of the City of Kerman hereby approves Conditional Use Permit No. 16-02 which authorizes the construction of a 61-unit apartment complex, with one (1) manager's/office unit and (60) rental units that are two-story. There are thirty (30) two-bedroom /two bath units, and thirty (30) three-bedroom/two bath units. The proposed project includes a clubhouse, children's playground, pool, lanai, barbeque area, and laundry room at the location described above subject to the conditions contained in Exhibit "A".

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Kerman held on this 1<sup>st</sup> day of June, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing ordinance is hereby approved.

\_\_\_\_\_  
Stephen B. Hill  
Mayor

ATTEST:

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

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Exhibit 'A'

CUP 16-02 CONDITIONS OF APPROVAL

General Requirements

1. The site plan, building elevation and floor plan drawings prepared by R.L. Davidson, Inc. dated January 12, 2016 are conditionally approved for the sixty one (61) unit family housing project as shown in Exhibit 'A', consisting of sheets Site Plan/P-1.0, Site Plan/Landscape Plan P-1.1, Unit Floor Plans P-2.0.
2. This Conditional Use Permit approval shall become null and void if all conditions have not been complied with and the occupancy, use and/or development of the land have not taken place within one (1) year of the date of approval. Extensions of time, not to exceed one (1) year may be granted upon written request with the appropriate fee. PLEASE NOTE: This will be the only notice given for the specified expiration date. The applicant is responsible for initiating an extension request.
3. Any alteration or expansion of these facilities or increase in the developed area of the site from that shown on the approved site plan may require submission of an additional land use application for review and approval.
4. All of the conditions of this Conditional Use Permit are continuously in effect throughout the operative life of the project for the use approved. Failure of the property owner, tenant, applicant, developer or any operator to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the Conditional Use Permit. The County shall provide adequate notice, time and opportunity to the property owner or other interested party to correct the non-complying situation.
5. The property owner shall maintain all landscaping, fencing and structures regularly so that all facets of the development are kept in continual good repair, including but not limited to the removal of graffiti and the continued provision of healthy thriving landscaping. The property shall be maintained so that it is visually attractive and not dangerous to the health and welfare of the surrounding properties. Drought-resistant, fire retardant vegetation shall be used for any replacement landscaping and erosion control to reduce water consumption and promote slope stability (where applicable).
6. The site plan and building elevation drawings shall be revised as appropriate to reflect all conditions of approval and plans shall be resubmitted to the Planning Department for final review and approval by the Director of Planning and Development prior to the issuance of a grading permit. Full compliance with conditions of approval shall be achieved prior to issuance of any Certificates of Occupancy or as modified by the Director of Planning and Development.
7. Prior to the commencement of any work within the City of Kerman, the general contractor and all sub-contractors shall obtain a business license from the Planning & Development Services Department. For a business license application or for more information, contact Finance Department at (559) 846-9385.

8. Prior to issuance of certificate of occupancy by the Building Division, the applicant shall obtain a business license from the Planning & Development Services Department. For a business license application or for more information, contact Monica Fonseca at (559) 846-6121.
9. No sign shall interfere with a driver's or pedestrian's view of public right-of-way or in any other manner impair public safety, or interfere with the safe operation of a motor vehicle on public streets. This includes, but is not limited to, the driver's view of approaching, merging or intersecting traffic.
10. Pursuant to Government Code Section 66474.9, the applicants (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Kerman and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attach, set aside, void, or annul the City's approval concerning this application, which action is brought within the time period provided for in Section 55499.37. The City will promptly notify the applicants of any such claim action or proceeding and cooperate fully in the defense.

#### Site Plan

11. The entry driveway shall include accent stamped pavement as shown on the site plan, sheet P-1.0 dated January 12, 2016.
12. All street lights shall be a nostalgic style, consistent with other street lights in Downtown Kerman
13. Existing block wall shall be stucco textured and/or painted to be consistent with, and complimentary to, building materials and finishes for the main buildings.
14. Provide pilasters (even placed) between sections of wrought iron fence along the southern property line fronting Gateway Boulevard and on the western property line fronting Siskiyou Avenue for visual enhancement. The material and colors for the pilaster should be consistent with, and complimentary to, building materials and finishes for the main buildings.
15. Provide sufficient pedestrian-scale lighting to achieve a minimum 0.5 foot candles at the walking surface along the walkway on the eastern side of the building.
16. Lighting sources should have cut off lenses and should be located to avoid light spillage and glare on adjacent properties and in private properties.
17. Provide bicycle rack(s) for the complex. Bicycle rack(s) shall be located in highly visible and convenient areas (e.g., common areas or near residential units).
18. Parking and pedestrian light fixtures shall be decorative and compatible with the architectural design of the building.
19. Streets, entry drives, drive aisles, and parking areas shall have a minimum illumination of 1.0 foot candles at the pavement surface.
20. Apartment numbers shall be strategically placed to direct visitors to their desired destination and to aide emergency response personnel.

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## Architecture

21. The building elevation drawings for the proposed building shall be substantially consistent with the elevations submitted for the proposed project (sheet Clubhouse Elevations, P-3.1.1 and P-3.1.3 Building Type 1 Exterior Elevations, prepared by R.L. Davidson, Inc.). The architectural elements for the buildings shall be consistent and integrated into the overall design of the building. Any modifications to the building elevations pursuant to these conditions of approval shall be submitted to the Planning Division for review and approval by the Director of Planning & Development prior to issuance of building permit.
22. The covered carports shall provide material and colors consistent with, and compatible to, the building materials and finishes.
23. Heating and air conditioning units or other mechanical equipment should be located on the ground away from private outdoor space such as porches and patios, and screened from public view through landscaping and/or screen walls.
24. Roof-mounted heating and air conditioning units or other mechanical equipment shall be set back from the roof edge, placed behind parapet or in a well so that they are not visible by motorists or pedestrians from California Avenue. All roof-mounted mechanical equipment on the building shall be visually screened and acoustically shielded. Screening for roof-mounted equipment shall be integrated into the building and roof design and use compatible materials, colors and forms. Wood lattice or fence like coverings is prohibited for screening.
25. All meters, valves, pipes and any other mechanical /plumbing/electrical appurtenances on the building exterior shall be painted and/or textured to match the building color.
26. Any above ground utilities including street lights, fire hydrants, postal boxes, etc. shall be installed behind sidewalks. If located adjacent to buildings, transformers and protective bollards shall be painted to match the building and all transformers shall be screened from public view by dense landscaping.
27. The project shall incorporate graffiti resistant materials. The property owner shall at all times maintain an adequate amount of paint, matching the project and shall abate any graffiti at the project within 48 hours of appearance of such graffiti.

## Construction

28. The developer and/or contractor shall contact the Planning and Development Services Department to schedule a pre-construction meeting with the appropriate city departments, fire department prior to commencement of work. Contact Monica Fonseca, Building Permit Technician, at (559) 846-6121 to schedule meeting.
29. Submit a Storm Water Pollution Prevention Plan (SWPPP) to the Building Official as required.

30. Construction debris shall be contained within an on-site trash bin and the project site shall be watered at all times for dust control during grading and construction.
31. Prior to issuance of a building permit, the applicant shall confirm with the Building Division if the project is subject to the Construction and Demolition Recycling Program. Construction and demolition projects exceeding \$100,000 in valuation are subject to the C&D Program and shall submit the appropriate Waste Reduction Recycling Plan, application fee, and security deposit. Contact Olivia Pimentel, Building Department, at (559) 846-6121 for more information.
32. Grading/construction work including start-up of equipment/machinery shall not begin prior to 7:00 a.m. Monday through Friday. Prior authorization must be obtained from the City Engineer for any work (including underground work) occurring on weekends and holidays. For more information contact Jerry Jones, City Engineer, at (559) 244-3123.
33. The Developer shall be responsible for obtaining and complying with encroachment permits from the Building Division for any work performed within the street or alley right-of-ways. A performance bond in the amounts prescribed by the Building Official shall be submitted with encroachment permit application. Please contact Chris Kufis, Building Official, at (559) 842-2301 for more information.
34. The Developer shall use the City's exclusive franchise roll-off waste hauler for removal of construction debris. Contact Mid Valley Disposal, 15300 W. Jensen Avenue, Kerman, CA for bin information and pricing at (559) 846-2467.
35. All property not occupied by structures, paving or landscaping on the subject site shall be properly maintained for both health and aesthetic reasons. Grass, weeds and debris shall be abated as required by the Code Enforcement Division and Fire Department.
36. The construction contractor(s) shall implement dust suppression techniques to prevent fugitive dust from creating a nuisance off-site by:
  - a. Watering active sites at least two times daily (locations where grading is to occur shall be thoroughly watered prior to earth moving).
  - b. Requiring all trucks hauling dirt, sand, soil, or other loose materials to be covered.
  - c. Reducing traffic speeds on all unpaved roads to 15 mph or less.
  - d. Suspending all excavating and grading operations when wind speeds exceed 25 mph.
  - e. Washing trucks and any equipment prior to exiting unpaved roads onto paved roads.
  - f. Maintaining the site in as clean a condition as possible avoiding the tracking of dirt, mud and debris onto adjoining property and onto public streets.
37. Construction equipment shall be staged away from any surrounding residences.

38. Upon completion of rough grading and prior to footing excavations, a compaction report shall be submitted to the Building and Safety Division for review and approval.
39. The Developer shall install all on-site and off-site improvements in accordance with City of Kerman Standards and Specifications, and shall provide and pay for any compaction tests required by the City in the course of construction.

### Parking

The number of parking spaces shall comply with Section 17.74.020 of the Kerman Municipal Code. The parking ratio required is two parking spaces per unit and an additional five-tenths (.05)total number of parking spaces required for quest parking, additional 3.50 stalls. The project requires  $122 + 3.5 = 125.5$  to include (six for handicap accessible spaces).

1. The site plan shows a total of 123 parking spaces with 62 covered, 61 open stalls of which 6 are handicap accessible spaces. The parking provided is short two and one-half  $2 \frac{1}{2}$  parking stalls. Two and one half additional parking space is required to comply with the parking requirements for the project. Applicants have requested a variance from this requirement, which required Council approval.
2. One handicap accessible parking space shall be provided for each fifty parking stalls. Handicapped parking spaces shall be located as near as practical to the primary entrance or shall be located to provide for safety and optimum proximity to the entrances of the building. Handicap parking shall be designed in accordance with standard requirements.
3. Parking and on-site circulation requirements shall be maintained.
  - a. All markings to include parking spaces, directional designations, No Parking designations and Fire Lane designations shall be clearly defined (as required by the Fire Department) and said markings shall be maintained in good condition at all times.
  - b. Parking and site circulation surfaces shall be maintained in good condition at all times.
  - c. All parking stalls shall be clearly striped and permanently maintained

### Trash Enclosure

4. Trash enclosures shall be constructed of durable materials and the color, texture and architectural detailing shall be consistent with the overall site and building design. Gates on the enclosures shall be constructed of metal or some other comparable material and shall be painted to match the enclosure. Use of chain link/wood for gates is prohibited.
5. A concrete pad inside enclosures should be included to prevent damage to ground surfaces from filled containers. The pad should extend 10 feet in front of gates.

6. A separate pedestrian entrance to the trash enclosure is strongly encouraged for convenience of the tenants and to limit the frequency of access gates being opened.
7. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that visual or other impacts and environmental public health nuisances are minimized and complies with Kerman Municipal Code Title 8.

#### Building Permit and Payment of Fees

8. The developer/property owner shall secure a building permit from the Kerman Building Division prior to construction and include the he following information at time of submittal of construction drawings (if applicable):
  - a. Completed and signed Building Permit Application and payment of fees.
  - b. Three (5) sets of construction drawings on 24" x 36" sheets
  - c. Two (2) sets of engineering calculations
  - d. Two (2) sets of energy calculations
  - e. Two (2) sets of truss calculations
  - f. Two (2) copies of soils report
9. Construction plans submitted for building permits shall be 24" by 36" with city standard title block for all required improvements. Building plans be based on the 2013 CBC, CED, CMC, CPC & Energy Code. Ensure that all notes and references on the construction drawings are in accordance with this code.
10. The construction plans shall also include any street, site utility, grading and drainage or other public improvement plans, as applicable. All construction plans shall be approved by the city and all other affected agencies prior to the issuance of the building permits.
11. The site will be designated seismic zone "D", unless proved to a lesser zone by a licensed soils engineer. Will load will be 85 miles per hour (mph) and exposure C.
12. Prior to issuance of building permits for apartment complex, the developer will submit proof of payment to the Kerman Unified School District's development impact fees required for new residential construction.
13. Prior to issuance of building permits, the developer will be required to pay to the City of Kerman Development Impact Fee in effect at the time of building permit issuance, or as may be determined by separate development agreement. The impact fees are estimated at the time of building permit application. Contact City Engineer at (559) 244-3123 for updated fees or if you have any question regarding the development impact fees.
14. Prior to issuance of a certificate of occupancy for the apartment complex, the developer will submit proof of payment to the Fresno County Transportation Authority's Regional Transportation Mitigation Fee (RTMF) for new residential construction. The RTMF must be paid to the RTMF Joint Powers Agency, located at 2035 Tulare Street, Suite 201, Fresno, CA. Please call (559) 233- 4148 for more information. The rate to be paid is the rate in effect at the time of payment.

15. Applicant shall be responsible to pay any Fresno County Public Facilities Impact Fees in effect at the time building permit is issued, if applicable. This fee has been temporarily suspended; however it is the responsibility of the applicant to confirm whether there is a fee due or not and to inquire if there is a fee per multi-family unit. For more information, contact Teresa Parks, Accountant, or Stephen Farmer, Accounting & Financial Division Chief, Auditor-Controller/Treasurer Tax Collector at (559) 488-2892.
16. If applicable, the developer/property owners shall pay all Department of Fish and Game fees and associated County filing fees if a Notice of Determination is filed (NOD). Applicant to contact the Department of Fish and Game 1416 9<sup>th</sup> Street, Sacramento.

### Landscaping

17. The applicant shall provide three (3) copies of complete landscape and irrigation plans for the planting/re-planting and permanent irrigation system for the project. The plan shall show the type, size, and location of all plant material and utilize indigenous landscaping to minimize water consumption. The Landscape and Irrigation Plan shall be prepared by a licensed landscape architect and shall be prepared in compliance with the approved site plan and the City of Kerman's Water Efficiency Landscape Ordinance.
18. Landscaping shall incorporate shade and ornamental trees, shrubs and vines, groundcover and lawn. Drought tolerant landscaping and a drip irrigation watering system are encouraged in areas as appropriate.
  - a. Dense landscaping (vines, shrubs) shall be provided to screen outdoor trash enclosures, transformers, generators, and other elements visible from public streets. Shrubs should be a minimum of one gallon in size; however, a mix of one gallon and five gallon shrubs is strongly encouraged.
  - b. A minimum 15-gallon shade tree shall be installed every 25 feet along the street frontages at Gateway Boulevard and Siskiyou Avenue.
  - c. All landscaping and irrigation system shall be installed prior to issuance of a certificate of occupancy and shall be permanently maintained in a healthy and weed free condition.
  - d. The irrigation system shall be designed to prevent overspray onto walkways, parking areas, buildings, and fences.
  - e. The irrigation system shall include, where practical, drip, bubbler or other non-aerial water application methods or system. The system shall include automatic valves/timers for controlled application.
  - f. The landscape irrigation system shall have a separate meter from the units.
19. A variety of shrubs and ground cover that provide color and vibrancy shall be planted in the median at the entry in lieu of turf.

20. A minimum 2:1 mound shall be provided in the landscape setback area along Siskiyou Avenue and Gateway Blvd.
21. Voltage boxes, mailboxes, trash enclosures, maintenance structures, backflow devices, automatic controls, air conditioning/heating units, etc. shall be screened with landscaping and/or decorative fencing/trim.
22. All parking lots of ten spaces or more shall have at least five percent of the parking lot devoted to landscaped planters. One fifteen-gallon tree shall be planted for every five parking stalls and distributed so as to provide a fifty percent shade cover within fifteen years.
23. Backflow preventers for landscaping irrigation and domestic water shall not be located at visually prominent locations (such as the end of drive aisles or at site entries) and shall be well-screed with shrubs or low screen walls.
24. Inorganic ground cover (gravel, bark, or crushed rock) should only be used as an accent material and is otherwise encouraged, but it should not be used an alternative to ground cover.
25. All landscaped areas shall have automatic irrigation systems installed to ensure plan material survives. Drip irrigation is encouraged where appropriate.
26. Screen existing electrical transformers located at the southeast corner of the parcel through use of varied and dense landscaping (per utility company standards and approval).

#### City Engineer

27. Submit Civil Improvement Plans (Grading and Drainage Plan, Overall Site Plan, Offsite Improvement Plans, and Water Pollution Control Plan) on 24" x 36" sheets for review and approval by the City Engineer. These plans shall be prepared by a registered civil engineer. All plans shall be approved by the City and all others involved agencies prior to the release of any development permits.
28. Repair or replace any broken or damaged off-site curbs, gutter or sidewalk to the satisfaction of the City Public Works Inspector.
29. Within twenty (20) calendar days after all improvements have been constructed and accepted by the City, the developer shall submit to the City of Kerman Engineering Division on PDF file or CD and one black and white copy of the approved set of construction plans revised to reflect all field revisions and marked "AS-BUILT".
30. Applicant shall pay all applicable development impact fees at the rate in effect at the time of payment prior to the issuance of Building Permit.
31. The developer shall comply with, and be responsible for obtaining encroachment permits from the City of Kerman for all work performed within the City's right-of-way.

32. The developer shall install all off-site improvements in accordance with the City of Kerman Standards and Specifications for those portions within the City's right-of-way.
33. The developer shall be responsible for all actions of his contractors and subcontractors during the course of any work occurring on the site. The developer shall designate, in writing before starting work, any authorized representative who shall have complete authority to represent and to act for the developer. Said authorized representative shall be present at the site of the work at all times while work is actually in progress on the development. During periods when work is suspended, arrangements acceptable to the City Engineer shall be made for any emergency work which may be required. When the developer or his authorized representative is not present on any particular part of the work where it may be desired to give directions, orders may be given by the City Engineer which shall be received and obeyed by the person or persons in charge of the particular work in reference to which the orders are given. Whenever orders are given to the developer's representative or superintendent or foreman to do work required for the convenience and safety of the general public because of inclement weather or any other such cause, such work shall be done at the developer's expense.
34. The developer shall comply with the requirements of the Pacific, Gas and Electric Company (P.G. & E), Kerman Telephone Co. (Sebastian) and Media one. It shall be the responsibility of the developer to notify P.G. & E and Sebastian to remove or relocate utility poles where necessary. All new utilities shall be underground.
35. All existing on-site agricultural irrigation systems shall be identified. Their disposition shall be in accordance with the requirements of the City Engineer. The developer shall provide details of all existing irrigation systems to the City Engineer for specifications of abandonment or relocation. The developer shall consult with the Fresno Irrigation District for any additional requirements for lines to be abandoned. The developer shall provide waivers from all users.
36. .During the site construction, any public streets fronting the project shall be kept clear of any construction or landscaping debris and shall not be used as a storage area for equipment, materials, or other items.
37. Consent to an increase in the annual assessment for the Kerman Landscape and Lighting District No. 1.
38. Developer shall obtain approval from Fresno Irrigation District for all encroachments into the existing FID easements on the west side of the site.

#### Grading & Drainage

39. The site is master-planned to drain to the south and west. If an on-site storm drain system is required, it shall be connected to the storm drain system at the intersection of Siskiyou Avenue and Gateway Boulevard.
40. Grade differentials at adjacent properties shall be adequately shown on the grading plan and shall be treated in a manner in conformance with City of Kerman Standard Drawings.

Any required retaining walls 2 feet or higher shall be masonry construction and any required retaining walls less than 2 feet may be wood or masonry construction. All retaining walls shall be designed by a registered civil engineer.

41. Submit a copy of Storm Water Pollution Prevention Plan with Notice of Intent, or Construction Rainfall Erosivity Waiver, if applicable, prior to issuance of Grading Permit. The City is not a designated MS4 area. The developer shall comply with all requirements of the NPDES General Permit.
42. Submit a copy of SJVAPCD Dust Control Plan or Construction Notification Form, if applicable, prior to issuance of Grading Permit.

### Streets

43. Install driveways and sidewalks along Siskiyou Avenue and Gateway Boulevard in accordance with the City of Kerman Standards. Replace any damaged curb and gutter along site frontages.
44. Access from Siskiyou Avenue shall be right in, right out only. No modifications to the existing median island will be allowed.
45. Install one streetlight on Siskiyou Avenue per City of Kerman Standards. Streetlight shall be placed midway between return at Whitesbridge Road and existing northernmost streetlight on Siskiyou Avenue.

### Water

46. Existing 8" water services stubbed to site on Gateway Boulevard shall be utilized for service to the site. No additional services and street cuts will be allowed without prior approval by the City Engineer.
47. Onsite water system shall be per one of the following options.
  - a. Loop 8" water main through site and place within 10 foot wide water main easement dedicated to the City of Kerman. All onsite fire hydrants and water meters shall be placed within the easement. The water main, fire hydrants, and water meters will be owned and maintained by the City of Kerman; or
  - b. Install master water meter and backflow device on each water service on Gateway Boulevard. No City water meters will be allowed onsite and onsite water mains and fire hydrants shall be owned and maintained by Owner.
48. All water services shall include a RP backflow device. Landscape water services shall be separate from domestic water services.
49. No water service connection shall be made to the City of Kerman water system until a bacteriological report has been accepted by the City.

50. Fire hydrant locations shall be approved by the Fire Department. Install fire department connections for sprinkler systems as required by the Fire Department. Fire sprinkler services shall have detector check valves.

#### Sewer

51. Existing 8" sewer services stubbed to site on Gateway Boulevard shall be utilized for service to the site. No additional services and street cuts will be allowed without prior approval by the City Engineer.

#### Fire Department

The Fire Department completed a review and have the following requirements and conditions for this project as a condition of approval:

52. Show all existing public fire hydrants on site plan. If spacing isn't adequate, an on-site hydrant may be required. Fire hydrants shall be spaced no more than 450 ft. apart, with the travel distance to a hydrant over a paved surface shall not exceed 225 ft. Fire hydrant locations shall be approved by the Fire Department.
53. The entire width of a required access way shall remain unobstructed to a vertical height of 13 feet, six inches. Coordinate landscape plan to meet this requirement with assumed plant growth.
54. A minimum 20' clear opening in vehicle gates is required for emergency vehicle access.
55. Provide approved police/fire bypass lock ("Best" padlock model 21B700 series or electric cylinder switch model 1W&B2) on drive access gate/s. All electrified gates shall be equipped with both the Best electric cylinder lock 1W7B2 and "Click to Enter" system. Gates/fence shall not obstruct minimum width required for fire lanes.
56. Provide approved visual recognition/features sign at the "Click to Enter" gate locations.
57. Electric gates shall be provided with battery back-up.
58. Curbs designated as "Fire Lane" shall be painted red and have "Fire Lane" stenciled in minimum 3" white letters every 50' or portion thereof. See highlighted site plan for locations.
59. Provide note on site plan: Provide sign(s) (17" x 22" minimum) at all public entrance drives to the property which state "Warning – Vehicles stopped, parked or left standing in fire lanes will be immediately removed at owner's expense – 22658(a) California Vehicle Code – Kerman Police Department 846-8800 (1" letters)
60. All pedestrian gates, where required for compliance of the 200' rule, shall remain unlocked or be provided with Police/Fire bypass locks. ("Best" padlock model 21B700 series). A Knox padlock may not be used.

61. Note on plan: Turn in private drives for fire apparatus access shall have minimum 44 foot centerline turn radius.
62. Street address shall be installed on the building with numbers that are a minimum twelve (12) inches in height and with a one (1) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external).

The project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the buildings(s) on site. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of the City of Kerman when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building. Any questions regarding requirements are to be addressed to: Fresno Fire Department, Community Risk Reduction Unit, Laurie Sawhill, Senior Fire Inspector at (559) 621-4147, email [Lauri.Sawhill@fresno.gov](mailto:Lauri.Sawhill@fresno.gov) . 911 H Street, Fresno, CA 93721

### Caltrans

Caltrans completed a review of the proposed site plan for the Gateway Villas Apartments and offered the following conditions of approval.

63. The proposed driveway connecting Siskiyou Avenue gives the appearance of a right in, right out driveway. This should be confirmed and confirmation submitted to Caltrans. No direct access from SR 180 is being proposed and none would be allowed.
64. The right-of-way along SR 180 should be 55 feet measured from the centerline of the highway to the Project's frontage.
65. A maintenance agreement for sidewalk and landscaping is required for this project.
66. It is predicted that a small percentage of the trips generated from the Gateway Villas Apartments would utilize the SR 180 intersection at Siskiyou. However, their impact to the State's facilities would be minimal.

Any questions regarding Caltrans conditions of approval are to be addressed to Jennifer Bryan-Sanchez, Associate Transportation Planner Caltrans-DO6 1352 W. Olive Avenue Fresno, CA 93728 (559)488-7307 or email [jennifer.bryan-sanchez@dot.ca.gov](mailto:jennifer.bryan-sanchez@dot.ca.gov)

### END OF CONDITIONS

Applicant hereby acknowledges receipt of and agrees with the Conditions of Approval.

\_\_\_\_\_  
Representative/Agent:  
Willow Community Partners, LLC

\_\_\_\_\_  
Date

Attachment 'H'

# City of Kerman

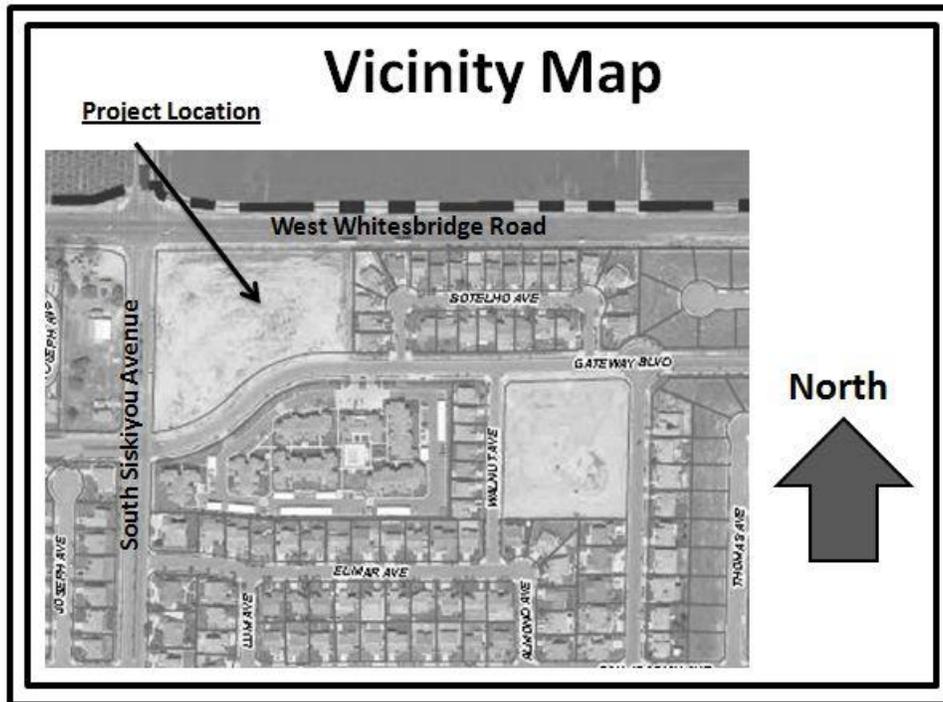
## Initial Environmental Study and Proposed Mitigated Negative Declaration

*for*

### Gateway Villas

Site Plan Review No. 16-01

General Plan Amendment No. 16-01  
and Change of Zone No. 16-01



*Prepared for*

City of Kerman

*Prepared by*

**Collins & Schoettler**  
PLANNING CONSULTANTS

## ENVIRONMENTAL REVIEW

### GENERAL INFORMATION

#### **What is being proposed?**

This document is an analysis of the potential environmental impacts of the project entitled Gateway Villas & Davis Slajhert/Willow Partners (Applicant). The applicant is seeking approval of a Site Plan Review, General Plan Amendment, Change of Zone, and Development Agreement to develop a sixty-one (61) unit affordable apartment complex on 4.38-acres located on the south east corner of West Whitesbridge Road (Highway 180) and South Siskiyou Avenue, in the City of Kerman.

#### **What is this document?**

The attached document is the review of potential environmental impacts that may occur if the City approves the project.

#### **Why is this document being prepared?**

The California Environmental Quality Act of 1970 requires government agencies to analyze how land use “projects” may impact the environment - before considering and approving or denying the project. Once the document is prepared, it must be made available to the public and circulated for review to potentially affected public agencies for a period of 20 days.

#### **Will this study result in any changes to the project?**

An environmental study may recommend measures to reduce or eliminate environmental impacts. These measures (called mitigation measures) may include actions to be taken during project construction (such as watering soils to keep down dust during construction) or may include changes to the design of the project itself.

#### **How do I comment on this study?**

Send written comments to the City's planning consultant: David Brletic, Collins & Schoettler, Planning Consultants, 1002 W. Main Street, Visalia, CA 93291.

#### **How does the City review this project?**

Following review by City staff, this particular project will require public hearings before the City of Kerman Planning Commission, and City of Kerman City Council. If you are interested in knowing the time and date for these meetings, please contact the Marci Reyes City Clerk at (559) 846-9380.

#### **Who do I contact for more information?**

David Brletic, Planning Consultant  
Collins & Schoettler  
1002 W. Main Street  
Visalia, CA 93291  
(559) 393-0315  
email: david@weplancities.com

Olivia Pimentel, Department Secretary and Planning Technician  
City of Kerman  
850 South Madera Avenue  
Kerman, CA 93630  
(559) 846-9386

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## **1.0 INTRODUCTION**

### **Executive Summary**

This document is an analysis of the potential environmental impacts of the project entitled Gateway Villas (also referred to as the “Davis Slajhert/Willow Partners Project” proposed in the City of Kerman. The applicant is seeking approval of a Site Plan Review, General Plan Amendment, Change of Zone, and Development Agreement to create a sixty-one (61) unit affordable apartment complex. The project site is bound by West Whitesbridge Avenue on the north and Siskiyou Avenue on the west.

This environmental study determined the project would not have a significant impact on the environment, subject to certain mitigation measures. Consistent with the California Environmental Quality Act, the City has elected to prepare a “Mitigated Negative Declaration”. A more thorough discussion of environmental impacts is found in Section 4.0 of this document.

### **1.1 What is This Document?**

The following document is an analysis of the potential environmental impacts of the project entitled Gateway Villas (also referred to as the “Davis Slajhert/Willow Partners Project” proposed in the City of Kerman.

The California Environmental Quality Act (CEQA) requires public agencies to evaluate the potential environmental effects of land use projects and actions that may impact the environment. An application for development, as proposed, is deemed a "project" under CEQA and must be evaluated for its environmental impacts.

The first step of environmental review is to determine whether a project is exempt from further review. CEQA contains a list of projects and actions normally considered to be exempt. The acts of approving a General Plan land use amendment, zoning amendment, and Development Agreement are not exempt from review. The next step is to prepare an Initial Environmental Study (IES). The IES is an initial review of the project and its potential effects. The IES includes:

- A profile of existing conditions on the project site and vicinity.
- A checklist of potential environmental effects of the project. This checklist helps the agency focus its examination of environmental issues.
- A discussion of the environmental effects contained on the checklist.
- A list of measures (mitigation measures) that can be employed to reduce or eliminate environmental effects resulting from the project.

The purpose of the IES is to determine the magnitude of potential environmental impacts of the project. The IES will make one of three determinations regarding the project:

- **The project will not have a significant impact on the environment.** A Negative Declaration is prepared to adopt the findings of the study.

- **The project could have a significant impact on the environment**, however mitigation measures have been devised that will minimize those potential impacts to a level that is considered "less than significant". A Mitigated Negative Declaration is prepared to adopt the findings of the study.
- **The project will have a significant impact on the environment** and an Environmental Impact Report (EIR) must be prepared. An EIR is an in-depth discussion of the project and its impacts. Mitigation measures that can reduce the magnitude of the impacts must also be discussed. The EIR must also examine alternatives to the project that may or may not reduce environmental impacts. These alternatives could include an alternative site or a different way to design the project. The EIR must also discuss "cumulative impacts" which are impacts that will occur when the project is considered along with other development in the area or the region that may be occurring in the same time frame.

Within an EIR, impacts that cannot be reduced to a level that is "less than significant" must be acknowledged. When considering these impacts the decision-making body (in this case, the Planning Commission) must consider and adopt a "Statement of Overriding Considerations" - a statement contained in a resolution that finds that the benefits of the project outweigh its negative environmental effects.

Environmental analysis must be conducted before the decision-making body can take action on the project itself - in this case, a land use/zoning amendments and a tentative subdivision map.

### Public Review

CEQA requires the environmental analysis to be made available for public review. This allows members of the public, individuals, and property owners and potentially affected public agencies to review the findings of the study. The review period for this Initial Environmental Study is 20 days. Individuals and agencies may submit comments on the study during the public review period. The City will be responsible for preparing written responses on any comment letters or phone calls received during the review process.

The Planning Commission must consider the findings of the IES in a public hearing. Any person may speak on the environmental study at the public hearing and the decision-making bodies must consider any comments. If, after taking testimony from the public, considering written comments submitted during the public review period, and considering the environmental study itself, the decision-making body feels that the findings of the study are correct, they may then adopt the findings of the study. If however, the decision-making body feels the study does not adequately analyze and document the project, it may require additional study.

### What is a "Significant Impact"?

The word "significant" is a subjective term; however CEQA contains a list of impacts that are normally considered to be "significant". Impacts most commonly found to be significant for development projects in Valley communities include:

- Loss of prime farmland
- Impacts to air quality
- Loss of endangered plant and animal species
- Exceeding capacity of infrastructure systems - local water or sewer systems
- Impacts/overdraft of groundwater
- Traffic/circulation
- Public services
- Growth-inducing impacts
- Cumulative impacts

This list is not all-inclusive - impacts will vary depending on the nature of a specific project, its site and surroundings. It should also be noted that if an impact was acknowledged as significant in a previous environmental document, a subsequent EIR is not typically required.

## **2.0 PROJECT INFORMATION**

### **2.1 Location**

The City of Kerman is located in Fresno County. The majority of the city is located on the south side of West Whitesbridge Avenue/Highway 180. The City of Kerman is located in the northwest part of Fresno County in the central San Joaquin Valley of California (see Map 1 – Regional Location). The City of Kerman is located approximately seventeen (17) miles west of the City of Fresno, the largest city in Fresno County and the county seat.

The project site (see Map 2 – Vicinity Map) includes one parcel of land totalling approximately 4.38 acres, located on the southeast corner of West Whitesbridge Avenue and Siskiyou Avenue.

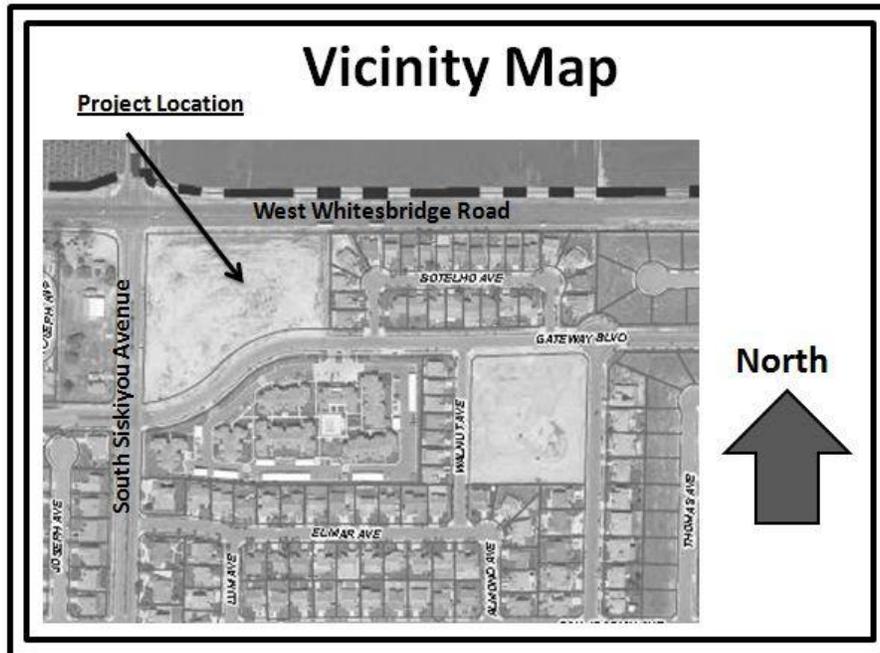
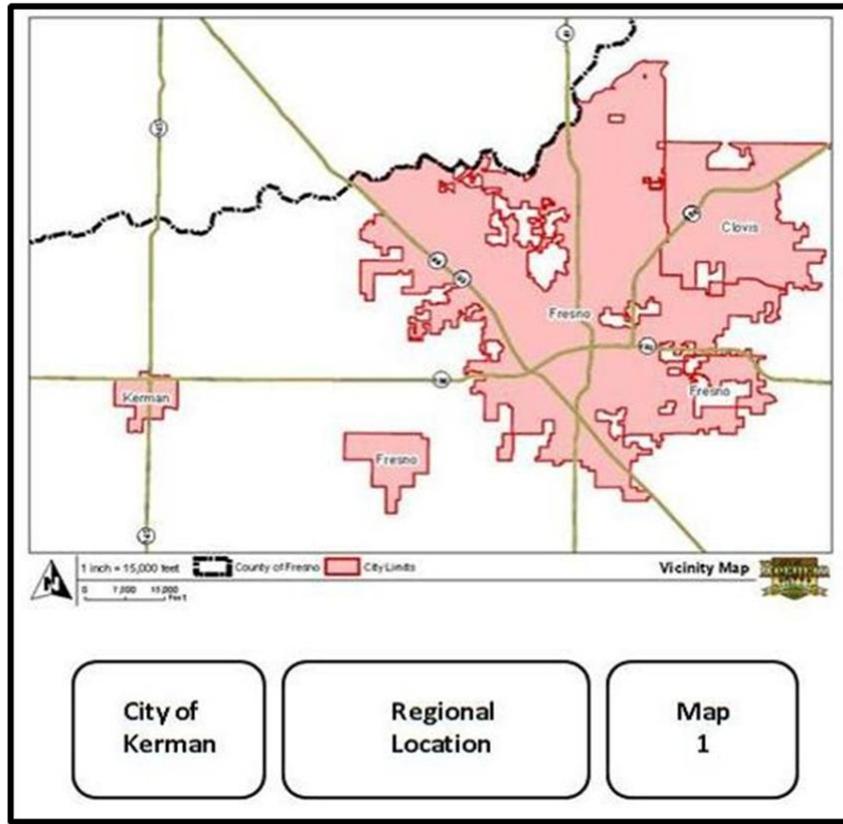
### **2.2 Project Description**

The project involves a request for a General Plan Amendment, Change of Zoned, Site Plan Review, and a Development Agreement for construction of an income qualified multi-family residential development (Exhibit 1).

#### **Existing General Plan Map Designations**

The 2007 Kerman General Plan shows the property designated “Neighbourhood Commercial”. The site is currently zoned “Neighbourhood Commercial”.

Property to the east and west of the subject property is designated “Medium Density Residential” and zoned R-1-7. Property to the south is designated “High Density Residential” and zoned Smart Development RM-2.5. The property to the north is designated “Medium Density Residential” and is located outside the city limits and is not zoned.



Map 2

## Exhibit 1 Proposed Site Plan



### Proposed Project Design

The proposed project is a sixty-one (61) unit affordable apartment complex. The project is situated on a 4.38 acre parcel on the south east corner of Whitesbridge Road and Siskiyou Avenue.

The Kerman General Plan designates Land surrounding the subject property as follows:

- North: Medium Density Residential
- South: High Density Residential
- West: Medium Density Residential
- East: Medium Density Residential

Zoning on surrounding properties is as follows:

North: Outside City Limits – Fresno County

South: Smart Development RM-2.5

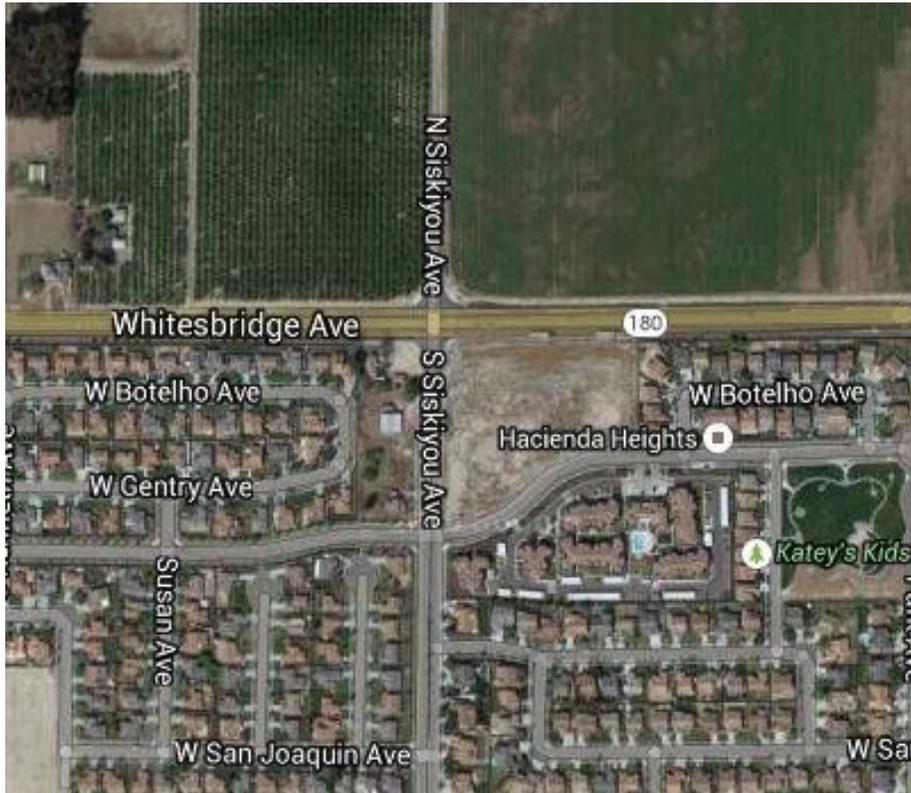
West: R-1-7

East: R-1-7

## 2.4 Existing Land Use

The subject property is currently vacant. Land east and west is occupied residential uses. Land to the south is occupied by an affordable apartment complex, and land to the north is vacant. The aerial photo in Map 3 shows existing land uses.

### Map 3: *Aerial Photo*



### **3.0 PROJECT SETTING**

#### **3.1 Population**

Kerman's population is approximately 14,255.

#### **3.2 Traffic and Circulation**

The subject site has access from Siskiyou Avenue and Gateway Boulevard. There are curbs and gutters on both sides of the roadways. Siskiyou Avenue is an arterial street. This roadway connects to Whitesbridge Road which is an expressway.

#### **3.3 Utilities**

##### **Sewer**

The City of Kerman provides sewer service to most developed properties within its city limits. The existing system to serve the project site is an existing 8- inch collection line in Gateway Boulevard that connects to an existing 12- inch mains in Siskiyou Avenue. Kerman's WWTP is currently operating at a capacity of 51%.

##### **Water**

The City of Kerman provides water service to most developed properties within its city limits. The project site can be served by existing 12- inch mains in Gateway Boulevard and Siskiyou Avenue.

##### **Storm Drainage**

Storm drainage within the City is provided by the City of Kerman. For the proposed project, storm water will be collected in site and will be channelled to a Lion's Park basin located southeast of the site. This existing basin has ample capacity to handle the runoff generated by the subdivision.

##### **Gas and Electricity**

Pacific Gas and Electric provides electrical service in Kerman (as well as the project area), while Southern California Gas Company supplies natural gas.

### **3.4 Biological Resources**

A known rare and endangered species that may occur outside the Kerman SOI is the San Joaquin Kit Fox (SJKF), a federally endangered species. None have been sighted in the area. If the SJKF were to be in the area, it is unlikely they would be south of West Whitesbridge Road where there is contiguous urbanization.

### **3.5 Geological Hazards**

Kerman is not located within close proximity to a known earthquake fault. According to the Five County Seismic Safety Element (FCSSE), the project site is located within the V1 zone.

The FCSSE states that the V1 zone: Includes most of the eastern San Joaquin Valley, and is characterized by a relatively thin section of sedimentary rock overlying a granitic basement. Amplification of shaking that would affect low to medium-rise buildings is relatively high, but the distance to either of the faults that are the expected sources of the shaking is sufficiently great that the effects should be minimal. The requirements of Zone II of the Uniform Building Code should be adequate for normal facilities. This data indicates that Kerman is located in a lower risk area in terms of earthquake activity. Building standards contained in the Uniform Building Code for Zone II should be adequate for protection from earthquake events in Kerman.

### **3.6 Flooding**

Kerman is The proposed project is within located within Flood Zone X, as determined by the Flood Insurance Rate map for the Kerman area. Zone X is the area determined to be outside the 500-year flood area.

### **3.7 Soils**

There are three (3) soil types on the subject site, according to soil maps maintained by the US Department of Agriculture – Soil Conservation Service.

1. HMS – Hesperia Sandy Loam, Moderately Deep
2. HA – Hanford Course Sandy Loam
3. TzbA – Tujanga Loamy Sand, 0-3% Slope.

**4.0 DISCUSSION OF POTENTIAL ENVIRONMENTAL IMPACTS**

This section of the Initial Environmental Study analyzes potential impacts of the proposed project. For each topic a determination of the magnitude of the impact is made (via checklist) and then the impact is analyzed and discussed. Where appropriate, mitigation measures are identified that will reduce or eliminate an impact.

<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
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**I. AESTHETICS** -- Would the project:

1. Have a substantial adverse effect on a scenic vista?

**Discussion:** The proposed project could have an adverse impact on the aesthetics of the area; however, Kerman’s 2007 General has designated this area of Kerman for urban development. The appearance of the proposed apartment complex will be "softened" by installation of landscaping.

2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

**Discussion:** The proposed project (apartment complex) will not have an impact on any scenic resources of the area. The area is residential in nature and the proposed development will be consistent with the current land uses that surround the subject property. Furthermore, there are no trees, rock formations or historic buildings on the site, nor is the site bordered by a state scenic highway.

3. Substantially degrade the existing visual character or quality of the site and its surroundings?

**Discussion:** Development of the site with an apartment complex will be in character with existing residential development, both single-family and multiple-family, to south and east. The project will be consistent with the existing residential neighborhood.

4. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
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**Discussion:** Development of the site will generate a new source of light for the area; however, the level of illumination will not be any greater than the lighting provided by existing residential development in the area.

**II. AGRICULTURE RESOURCES:** *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:*

1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

**Discussion:** The site is currently vacant. The USDA Prime Farmland Map for Fresno County identifies the site as “Urban and Built-Up Land” and therefore the proposed apartment complex will not convert farmland to a non-agricultural use.

- Conflict with existing zoning for agricultural use, or a Williamson Act contract?

**Discussion:** The subject site is not under a Williamson Act contract nor are adjacent properties under contract. The project will not conflict with adjacent lands that are zoned for agriculture.

3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?

**Discussion:** The site is not zoned for forestry and is not forested.

4. Result in the loss of forest land or conversion of forest land to non-forest use?

**Discussion:** The site is not forested and the project will not impact forestland.

	<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
5. Involve other changes in the existing environment that due to their location or nature could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** No impact will occur. From the perspective of preserving farmland, development of the subject vacant site is preferred – in that it will not result in the development of existing agricultural land.

**III. AIR QUALITY** -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

1. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:**

The project lies within the San Joaquin Valley Air Basin, which is managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD). National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone (O<sub>3</sub>), sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), and lead (Pb). The CAAQS also set standards for sulfates, lead, hydrogen sulfide, vinyl chloride and visibility.

Areas are classified under the Federal Clean Air Act as either “attainment” or “non-attainment” for each criteria pollutant based on whether the NAAQS have been achieved or not. The California Air Resources Board (CARB) determines attainment relative to the State standards. The San Joaquin Valley (SJV) is designated as a State and Federal non-attainment area for O<sub>3</sub>, and PM<sub>2.5</sub> and a Federal non-attainment area for PM<sub>10</sub>. It is a State and Federal attainment area for CO, SO<sub>2</sub>, NO<sub>2</sub>, and Pb (SJVAPCD, 2013<sup>1</sup>).

<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
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Impacts on air quality are expected during construction and operational phases of the project, primarily resulting from including engine emissions and dust-raising activities, among others.

The project would not conflict with or obstruct the implementation of air quality management standards. Standards set by the SJVAPCD, CARB, and Federal agencies relating to the project would continue to apply. The proposed residential project is considered to be infill. This urban development pattern minimizes air emissions generated by residential residents because they drive fewer miles to access services and employment sites.

2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

**Discussion:**

The San Joaquin Valley is designated as a Federal and State non-attainment area for Ozone and PM<sub>2.5</sub>, and a Federal non-attainment area for PM<sub>10</sub>. The SJVAPCD is the regional agency that regulates air permitting and maintains an extensive air quality-monitoring network to measure criteria pollution concentrations throughout the San Joaquin Valley air basin.

The project includes the construction of a single-family subdivision. Dust from the construction phase of the project will be mitigated to a less than significant level with the implementation of the District's dust control measures detailed below.

**Table 1  
San Joaquin Valley Air Pollution Control District  
Regulation VIII Control Measures for Construction Emissions of PM<sub>10</sub>**

<b>Regulation VIII Control Measures. The following are required to be implemented at all construction sites:</b>
- All disturbed areas, including storage piles, which are not actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizers/suppressants, covered with a tarp or other similar cover, or vegetative ground cover.
- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions during construction using water or chemical stabilizer suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading cut and fill, and demolition activities during construction shall be effectively controlled of fugitive dust emissions utilizing application of water or pre-soaking.
- When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from top of container shall be maintained.
- All operations shall limit, or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.
- Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
- Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site at the end of each workday.
- Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.

3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

**Discussion:** The Valley is a non-attainment region for PM<sub>10</sub> and ozone. The traffic generated by the project will not be substantial enough to have a significant cumulative impact on the Valley's ozone level. At approximately 10 trips per residential dwelling, 200 vehicle trips per day will be generated by the proposed subdivision.

4. Expose sensitive receptors to substantial pollutant concentrations?

**Discussion:** The subject property is adjacent to residential uses to the south, east, and west. To the north, the subject property is adjacent to West Whitesbridge Road. Generally, sensitive receptors include schools, hospitals, parks and residential neighborhoods, or any land use where persons might congregate that are of poor health or are young and might be susceptible to substantial pollutant concentrations. Residents of the proposed apartment complex will be subjected to air emissions generated by West Whitesbridge Road. Traffic on West Whitesbridge Road is heavier during peak periods in the morning and afternoon. The emissions generated by West Whitesbridge Road are dissipated into the air environment and do not remain concentrated throughout the day or adjacent to the project site.

5. Create objectionable odors affecting a substantial number of people?

**Discussion:** The project is not expected to create odors that will affect sensitive receptors.

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**IV. BIOLOGICAL RESOURCES** -- Would the project:

1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

**Discussion:** The subject site is vacant and is regularly plowed to remove weed growth and prevent fire danger. There is no vegetation on the site that forms habitat for rare, threatened or endangered animal or plant species. Accordingly, no impact is expected.

A known rare and endangered species that may to occur outside the Kerman SOI is the San Joaquin Kit Fox (SJKF), a federally endangered species. None have been sighted in the area. If the SJKF were to be in the area, it is unlikely they would be south of West Whitesbridge Road where there is contiguous urbanization.

2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

**Discussion:** There are no areas of riparian habitat or other sensitive natural communities on or adjacent to the site.

3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
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**Discussion:** There are no known wetlands on the subject site and this is confirmed by a review of the National Wetlands Map.

4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 

**Discussion:** The project does not serve as a wildlife corridor. The property is plowed periodically to reduce weed growth, thereby eliminating any habitat that would attract or hide migrating animals.

5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 

**Discussion:** The City of Kerman has no such policy or ordinance. The project does not contain or abut any known biological resources.

6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?
- 

**Discussion:** There are no adopted habitat conservation plans that apply to the project site.

**V. CULTURAL RESOURCES** -- Would the project:

- 1) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?
-

<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
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**Discussion:** The project area has been severely disturbed over at least the past fifty years with annual plowing to remove weed growth. There are no known historical resources located on the project site.

- 2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?
- 

**Discussion:** The project area has been severely disturbed over at least the past fifty years with annual plowing to remove weed growth. There are no known archeological resources located on the project site.

- 3) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- 

**Discussion:** Although there are no known paleontological resources located on the project site, any development does have the potential to directly or indirectly destroy a paleontological resource. If any paleontological materials are uncovered during project activities, work in the area shall halt until professional cultural resources evaluation and/or data recovery excavation can be planned and implemented.

- 4) Disturb any human remains, including those interred outside of formal cemeteries?
- 

**Discussion:** While unlikely due to past grading and agricultural activities, should any human remains be discovered during grading and construction, the Fresno County Coroner must be notified immediately. (The Coroner has two working days to examine the remains and 24 hours to notify the Native American Heritage Commission [NAHC] if the remains are Native American. The most likely descendants then have 24 hours to recommend proper treatment or disposition of the remains, following the NAHC guidelines).

**VI. GEOLOGY AND SOILS** -- Would the project:

- a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

**Discussion:** The proposed project is not located within close proximity to a known earthquake fault. According to the Five County Seismic Safety Element (FCSSE), the project site is located within the V1 zone.

The FCSSE states that the V1 zone: Includes most of the eastern San Joaquin Valley, and is characterized by a relatively thin section of sedimentary rock overlying a granitic basement. Amplification of shaking that would affect low to medium-rise buildings is relatively high, but the distance to either of the faults that are the expected sources of the shaking is sufficiently great that the effects should be minimal. The requirements of Zone II of the Uniform Building Code should be adequate for normal facilities. This data indicates that Kerman is located in a lower risk area in terms of earthquake activity. Building standards contained in the Uniform Building Code for Zone II should be adequate for protection from earthquake events in Kerman.

2. Strong seismic ground shaking?

**Discussion:** The proposed project is not located within close proximity to a known earthquake fault. According to the Five County Seismic Safety Element (FCSSE), the project site is located within the V1 zone.

The FCSSE states that the V1 zone: Includes most of the eastern San Joaquin Valley, and is characterized by a relatively thin section of sedimentary rock overlying a granitic basement. Amplification of shaking that would affect low to medium-rise buildings is relatively high, but the distance to either of the faults that are the expected sources of the shaking is sufficiently great that the effects should be minimal. The requirements of Zone II of the Uniform Building Code should be adequate for normal facilities. This data indicates that Kerman is located in a lower risk area in terms of earthquake activity. Building standards contained in the Uniform Building Code for Zone II should be adequate for protection from earthquake events in Kerman.

3. Seismic-related ground failure, including liquefaction?

**Discussion:** The project site is not subject to liquefaction and the risk of seismic-related ground failure is remote. The underlying soil HSM (Hesperia Sandy Loam, Moderately Deep), TzbA

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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(Tujunga Loamy Sand, 0-3% slope), and Ha (Hanford Coarse Loamy Sand), are not subject to liquefaction and the location of the project is not within a seismically active area.

4. Landslides?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** The project area is level and there is no danger of landslide.

5. Result in substantial soil erosion or the loss of topsoil?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** The subject property is level and the underlying soil is not considered to be an erosive soil. The developer will be required to submit a grading and drainage plan that ensures that on-site soils are stabilized and that storm water runoff properly flows.

6. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** Soils in the project area are considered to be stable; the site is also in a seismically stable zone. The project will not be susceptible to unstable soil conditions that would cause building failure.

7. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The project site soils HSM (Hesperia Sandy Loam, Moderately Deep), TzbA (Tujunga Loamy Sand, 0-3% slope), and Ha (Hanford Coarse Loamy Sand), are not considered expansive soils, and so no impact will occur. There are few limitations for urban development except for corrosively to steel. This problem can be corrected by the use of special coatings or substitution of materials other than steel.

8. Have soils incapable of adequately supporting the use of septic tanks or

	<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** The developer will connect the proposed residential units to Kerman’s wastewater collection system. The wastewater treatment plant is operating at approximately fifty-one percent (51%) of its capacity.

**VII. GREENHOUSE GAS EMISSIONS:**

Would the project:

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

**Discussion:** While climate change has been a concern since at least 1988, the efforts devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy have increased dramatically in recent years. Greenhouse gas emissions (GHG) are emissions of various types of gases that are believed to be causing an increase in global temperatures, which is affecting the world’s climate patterns. Scientists recognize GHG resulting from human activities, particularly the use of machinery that burns fossil fuels for power. Key greenhouse gases include carbon dioxide, methane, nitrous oxide, and hydro fluorocarbons.

In 2002, with the passage of Assembly Bill 1493 (AB 1493), California launched an innovative and proactive approach to dealing with GHG Emissions and climate change at the state level. AB 1493 requires the Air Resources Board (ARB) to develop and implement regulations to reduce automobile and light truck GHG emissions; these regulations applied to automobiles and light trucks beginning with the 2009 model year.

Greenhouse gas emissions will occur during both the construction phase of the project and when persons occupying each residential unit are generating emissions using motor vehicles. The construction phase will entail the grading of the site as well as the installation of sewer and water stubs.

Emissions from the construction phase of the project are not expected to have a significant impact on the environment. During the construction phase, CO2, CH4, and N2O will be emitted, which are emissions that result from the combustion of fuel utilized by construction equipment and motor vehicles. The emissions that would be generated during the construction phase of the

<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
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project are deemed less than significant because it would only involve a small construction crew operating graders, excavation equipment, cement mixers and personal vehicles. The greenhouse gas emissions generated by the construction phase of the project are insignificant when compared to the number of vehicles and stationary sources operating within the Kerman city limits, let alone the State of California's greenhouse gas emissions, which is estimated to be 483 million metric tons per year. No mitigation measures are required for this phase of the project. In addition, Regulation VIII measures, as seen in Table 2, will be implemented, further decreasing potential emissions.

Because this project is considered an "infill" residential project, the greenhouse gases that will be generated by residents will be less than most residential developments that occur on the fringe of a community. Persons living in this "infill" development will be able to walk to school or local services rather than use a motor vehicle. This activity will minimize greenhouse gas emissions.

2. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

**Discussion:** The proposed project, which will accommodate approximately 189 residents (at 3.1 persons per unit) , which will generate approximately 538 vehicle trips per day (2.85 trips per unit). This amount of trips is insignificant when compared to the total population of Kerman, which includes approximately 14,225 residents. Because this project is considered to be residential "infill" persons living in the development can potentially walk to nearby schools, services and employment centers whereas persons living on the fringe of the community may not have that opportunity.

**VIII. HAZARDS AND HAZARDOUS MATERIALS:** Would the project:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

**Discussion:** No impact is expected because the project will not involve the transport, use or disposal of hazardous materials.

	<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** No impact is expected because the project will not involve the handling or emissions of hazardous materials.

3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** Kerman Middle School is less than 1/2 mile southeast of the project site, however, no impact is expected because the project will not involve the handling or transport of hazardous materials.

4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The project site is not located within two miles of any airport and is not located within an airport land use plan.

<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
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6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

**Discussion:** The project site is not located within the vicinity of any known private airstrips.

7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**Discussion:** The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The site has access to Siskiyou Avenue and connectivity to Whitesbridge Road.

8. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

**Discussion:** There are no wildlands on or adjacent to the subject territory that might be the source of a fire.

**IX. HYDROLOGY AND WATER QUALITY** -- Would the project:

1. Violate any water quality standards or waste discharge requirements?

**Discussion:** No impact is expected. The proposed project will be required to connect to Kerman's domestic water system, which meets the State's Clean Water Standards. Further, there will be no waste discharge other than storm water runoff, which will be diverted to a nearby detention basin. In addition, all residential units will be connected to Kerman's wastewater collection system.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<p>2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:** Within the aquifer underlying Kerman, certain strata contain a number of contaminants. The primary contaminant that has been identified is Uranium. The presence of Uranium renders specific strata of the aquifer unusable for domestic purposes. In order attain and maintain adequate water supply, the City of Kerman has drilled four deep wells, constructed a 750,000 gallon storage tank, and constructed a booster station.

The proposed project is anticipated to use approximately 8,500 gallons of water per day. The City’s water system has ample capacity to serve this project. Because of the drought that has affected the San Joaquin Valley, many cities are implementing more stringent outdoor watering regulations. Kerman has implemented watering schedules and has conducted rebate programs for water efficient toilets and clothes washers. Kerman continues to look for effective water saving measures that can be introduced to residents.

<p>3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** The site will be graded to facilitate proper surface drainage on the site. Drainage will be directed to existing Lion’s Park basin, located southeast of the site. No streams or rivers are present on the subject site, so there would be no impacts to these types of features.

The applicant will be required to submit a grading and drainage plan prior to the development of the site, which will ensure that storm water runoff will be properly channeled to the detention basin.

	<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:** See IX. 3. above. There are no streams or rivers on or near the site. The proposed project is within located within Flood Zone X, as determined by the Flood Insurance Rate map for the Kerman area. Zone X is the area determined to be outside the 500-year flood area.

5. Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** Storm water runoff from the proposed project will be channeled to a Lion’s Park basin located southeast of the site. This existing basin has ample capacity to handle the runoff generated by the subdivision.

6. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** Runoff from the proposed subdivision will not be allowed to enter any surface water systems directly, thereby potentially degrading water quality. Any contaminantes contained in storm water runoff will typically be trapped by the soils underlying the existing Lion’s Park basin situated southeast of the subdivision.

7. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
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**Discussion:** The proposed project is within located within Flood Zone X, as determined by the Flood Insurance Rate map for the Kerman area. Zone X is the area determined to be outside the 500-year flood area.

8. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?
- 

**Discussion:** See IX. 7, above. The proposed project is within located within Flood Zone X, as determined by the Flood Insurance Rate map for the Kerman area. Zone X is the area determined to be outside the 500-year flood area.

9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- 

**Discussion:** The threat of flooding from dam or levee failure at the project site is remote.

10. Inundation by seiche, tsunami, or mudflow?
- 

**Discussion:** The project is located about 100 miles inland from the Pacific Ocean, the closest source of a seiche or tsunami. There are no aspects of the project that reasonably present the danger of a mudflow.

**X. LAND USE AND PLANNING - Would the project:**

1. Physically divide an established community?
- 

**Discussion:** The proposed project will not divide the community of Kerman. The subject property is part of an existing residential neighborhood located in the northwest quadrant of the city. The General Plan designates much of the surrounding area for residential development, and this is reinforced by the Zoning Map, which zones much of the area for residential uses.

2. Conflict with any applicable land use plan, policy, or regulation of an agency with

<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** The proposed project will bring the project into consistency with Kerman's General Plan, as well as its Zoning Ordinance. These proposed actions would provide for a better planned Kerman as well as promoting residential infill development.

3. Conflict with any applicable habitat conservation plan or natural community conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** There are no habitat conservation or natural community conservation plans that apply to the project site.

**XI. MINERAL RESOURCES** -- Would the project:

1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** There are no known mineral resources on or near the site. Mineral resources in Fresno County generally encompass sand and gravel resources, which are generally found in or along rivers flowing from the nearby foothills.

2. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** There are no known mineral resources on or near the site.

<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
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**XII. NOISE** -- Would the project result in?

1. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

**Discussion:** Residents of the proposed residential development will experience noise from nearby Whitesbridge Road. The Noise Element of the Kerman General Plan states that nNew development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected future levels of noise from transportation noise sources which exceed 60 dB Ldn in outdoor activity areas or 45 dB Ldn in interior spaces. Due to the distance from Whitesbridge road and construction of a block wall, the proposed project should not be exposed to noise in excess to that permitted by the Noise Element.

2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

**Discussion:** There are no known sources of groundbourne vibrations or groundborne noise.

3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

**Discussion:** The ambient noise levels of the environs around the proposed project will not be substantially increased. Residential development rarely substantially increase ambient noise levels in existing residential neighborhoods except for the periodic use of yard maintenance equipment.

4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
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**Discussion:** Ambient noise levels in the vicinity of the project will not substantially increase once the subdivision is constructed

5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- 

**Discussion:** The project site is not located within an airport land use plan.

6. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?
- 

**Discussion:** The project site is not located within the vicinity of any private airstrips.

**XIII. POPULATION AND HOUSING -- Would the project:**

1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- 

**Discussion:** The proposed project will generate approximately 189 residents based on 3.1 persons per dwelling unit. Some of the future residents are likely currently living within the City of Kerman. This new population is not considered to be a substantial population growth figure, given that the city's current population is 14,225.

2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
-

<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
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**Discussion:** The proposed project will not result in the removal of any existing housing. The project area is currently vacant.

3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**Discussion:** No residents will be removed as a result of the project.

**XIV. PUBLIC SERVICES**

1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

**Discussion:** The project site is served by the North Central Fire Protection District. The Kerman Fire Station is approximately 1/5 mile from the subject site. The project site is within a 5-minute response time of the fire station. Kerman also has a mutual-aid agreement with the Fresno County should an event require more than one station to respond. With construction of the project, North Central Fire Protection District will determine if new hydrants as required.

Police protection?

**Discussion:** The subject property will receive police protection services by the Kerman Police Department. The Department is headquartered in facilities located at Kerman City Hall, 850 S. Madera Avenue, near the center of Kerman. The project site is approximately 1.6 miles from the Kerman Police Station. The project is not expected to have a significant impact on the Kerman Police Department.

Schools?

<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
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**Discussion:** The proposed project will not have a significant impact on Kerman schools. Kerman Unified School District plans for growth in student population. In order to develop adequate school facilities, Kerman Unified School District collects school impact fees from new development.

Parks?

**Discussion:** The project will not have a significant impact on park or recreational facilities. The project site is less than 1/10 of a mile from City of Kerman - Katey's Park. The proposed project is required to pay park impact fees to provide for development of new park facilities to maintain the current level of service provided in the City of Kerman.

Other public facilities?

**Discussion:** The project is not expected to have significant impacts on other public facilities.

**XV. RECREATION --**

1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**Discussion:** The proposed project will not have a significant impact on existing neighborhood or regional parks. As noted previously City of Kerman - Katey's Park is located less than 1/10 of a mile from the project site. This park is a neighborhood park intended to serve surrounding residents. The proposed project will house approximately 189 residents. This increase in local population should not have an adverse impact on the park system's maintenance or operation. As previously stated, the developer will pay the city's park impact fee for each dwelling that is built. Funds accrued in this fund are used to purchase land for new park or recreation facilities or improve existing facilities.

2. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** The project does not involve the construction of recreational facilities. No impact will occur.

**XVI. TRANSPORTATION/TRAFFIC** -- Would the project:

1. Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** The project when fully developed will generate approximately 585 vehicle trips per day, based on a rate of 2.85 trips per dwelling unit per day. These trips would access Siskiyou Avenue and connect to Whitesbridge Road. Siskiyou Avenue is a, arterial street, which provides for traffic movement around or through a city. Arterial streets generally connect with a collector street or another arterial street. Whitesbridge Road is an expressway, which provides for through traffic movement on continuous routes through a city. It generally connects with arterials, highways, freeways. Also it connects a city with other cities. Arterials are generally four lane roadways, divided and undivided. The existing traffic infrastructure can adequately serve the anticipated 585 vehicle trips per day

2. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** The proposed project will cause some additional vehicle trips on the existing roadways. The anticipated increase of 585 vehicle trips per day will have little impact on the operation of the existing traffic system.

	<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
3. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** The project will not affect air traffic patterns.

4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The project will not change any street designs other than adding driveways to the south east side of Siskiyou Avenue and to the north side of Gateway Boulevard. The proposed driveway design must meet City standards and will be reviewed by the City Engineer, prior to construction.

5. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** Emergency access will not be affected by the project.

6. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The proposed project meets city parking requirements. The proposed project is an affordable/income qualified apartment complex. Affordable/income qualified housing typically does not generate the number of vehicles that can be accommodated by the required parking standard. The proposed project will likely have a surplus of parking stalls.

7. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The project will not conflict with any policies, plans, or programs supporting alternative transportation. Sidewalks will be installed along the frontage, which will facilitate pedestrian use.

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**XVII. UTILITIES AND SERVICE SYSTEMS** -- Would the project:

1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

**Discussion:** The subdivision will connect to the city's wastewater collection system, which transports effluent to the wastewater treatment plant. The plant operates under a license from the regional Water Quality Control Board. The plant is currently operating at about 51 percent of its design capacity, and can accommodate the proposed project.

2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

**Discussion:** The size of the project, 61 units, will not require Kerman to expand its waste water treatment plant or install new domestic wells nor will it require the extension of any new water or sewer lines.

3. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

**Discussion:** Storm drainage facilities already exist in this section of Kerman. The existing curbs and gutters that exist along the frontage of the subject property divert storm water runoff to a retention basin situated southwest of the subject property.

4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**Discussion:** The proposed project will be connected to the city's domestic water system. There is an existing 8” water service line stubbed to the project site from Gateway Avenue. There is adequate capacity in Kerman’s water system to serve the demand generated by the proposed project.

In addition, the project will be required to pay the city's development impact fee for water. This fee will be deposited in a fund that will be used to upgrade the city's water system, including new wells, water lines or pumps, over time.

5. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?
- 

Kerman’s wastewater treatment plant has adequate capacity to handle the effluent generated by the 61 proposed apartment units. The plant is operating at 51 percent capacity and can accommodate the effluent generated by the proposed project. Accordingly, the project’s impact on the City’s wastewater system will be insignificant.

However, similar to water, the project will be required to pay a development impact fee for wastewater collection and treatment. This fee will be deposited in a fund that will be used to upgrade the city’s treatment plant and collection system.

6. Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?
- 

**Discussion:** A less than significant impact is expected, as the project will generate minimum amounts of solid waste.

Kerman contracts with Mid Valley disposal. The company provides refuse and recycling containers so that residents and businesses can recycle their waste. With the proposed new dwelling units participating in this program, the project will have a less than significant impact on the county's landfill.

7. Comply with federal, state, and local statutes and regulations related to solid waste?

<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant with <u>Mitigation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
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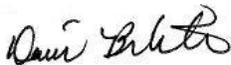
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The development of the proposed project will be required to participate in the City's solid waste and recycling programs, managed by Mid Valley Disposal. This compliance will ensure compliance with the State's mandatory recycling program.

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --**

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</p>   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>3. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?</p>   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Prepared By



Name

April 13, 2016

Date



# City of Kerman

*"Where Community Comes First"*

MAYOR  
Stephen B. Hill

MAYOR PRO-TEM  
Gary Yep

COUNCIL MEMBER  
Rhonda Armstrong

COUNCIL MEMBER  
Bill Nijjer

COUNCIL MEMBER  
Vacant

DEPARTMENT: PLANNING AND DEVELOPMENT  
STAFF REPORT  
CITY COUNCIL MEETING  
COUNCIL MEETING DATE: JUNE 1, 2016

**TO:** Mayor and City Council

**FROM:** Olivia Pimentel, Planning Technician, Dave Brletic, Planning Consultant

**SUBJECT:** Council Introduce, Conduct Public Hearing and Initiate Zone Ordinance Amendment, to the Kerman Municipal Code Title 17, Chapters 17.40 Single Family and Chapter 17.42 Multi-Family Residential Zone Districts to Add Cottage Food Operations to Permitted Uses in the Single Family and Multi-Family Residential Zone Districts in compliance with California AB 1616.

## RECOMMENDATION

Council receive staff's report, open the public hearing, receive any public comments, close the public hearing and introduce and initiate Zone Ordinance Amendment to the Kerman Municipal Code Title 17, Chapter 17.40 Single Family and Chapter 17.42 Multi-Family Residential Zone Districts to Add Cottage Food Operations to Permitted Uses in the Single Family and Multi-Family Residential Zone Districts in compliance with California AB 1616.

## EXECUTIVE SUMMARY

On May 2, 2016 the Planning Commission held a public hearing and approved a resolution recommending that the Council initiate an Ordinance Amendment to add Food Cottage Operations to the Kerman Municipal Code. In recent years, there has been a significant rise in the number of home-based food businesses across the country, as both professional and amateur chefs have begun churning out a wide variety of homemade baked breads, jams, jellies, and food items. These micro-enterprises have found widespread support in state legislatures, as 33 states have passed laws allowing and regulating home-based food businesses, commonly known as, "Cottage Food Operations". California officially joined this list on January 1, 2013, when the California Homemade Food Act (AB 1616) became effective.

AB 1616 exempts cottage food operations from many of the regulations that apply to traditional food production. It also requires cities and counties to allow cottage food operations in private residences, but permits local ordinances that impose "reasonable" standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking, and noise control. Cottage food operations must register with county health departments, but, depending on the nature of the operation, are subject to only very limited inspections.

AB 1616 defines cottage food products as "non-potentially hazardous food" prepared for sale in the private kitchen of a cottage food operator. Under this definition, meats, dairy products, or perishable items will not qualify as cottage foods. Cottage foods are those that do not require refrigeration to keep them safe or prevent bacterial growth.

Health and Safety Code section 114365.5(b) establishes the current list of approved cottage foods, which includes the following:

- Baked goods without cream, custard, or meat fillings, such as breads, biscuits, churros, cookies, pastries, and tortillas
- Candy, such as brittle and toffee
- Chocolate covered nonperishable foods, such as nuts and dried fruit
- Dried fruit
- Dried pasta
- Dry baking mixes
- Fruit pies, fruit empanadas, and fruit tamales
- Granola, cereals, and trail mixes
- Herb blends and mole paste
- Honey and sweet sorghum syrup
- Jams, jellies, preserves, and fruit butter that comply with the standard described in Part 150 of Title 21 of the Code of Federal Regulations
- Nut mixes and nut butters
- Popcorn
- Vinegar and mustard
- Roasted coffee and dried tea
- Waffle cones and pretzels

The State Public Health Officer may add to or delete from this list of cottage foods by posting notice of the proposed change on the California Department of Health's website. The public will have an opportunity to comment on any change before it becomes effective.

AB 1616 also establishes certain limits and requirements for cottage food operations:

- A cottage food operation may have one full-time equivalent employee, not including the operator's family or household members. (Health & Safety Code, §113758(a).)
- Cottage food operations may not have gross sales greater than \$35,000 in 2013, \$45,000 in 2014, and \$50,000 in 2015 and beyond. (Ibid.)
- Cottage food preparation may not occur in the home kitchen concurrent with other domestic activities, such as family meal preparation, dishwashing, kitchen cleaning, or guest entertainment. (Health & Safety Code §114365(a)(1)(A)(i).)
- There cannot be any infants, small children, or pets in the kitchen during cottage food preparation, packaging, or handling. (Health & Safety Code §114365(a)(1)(A)(ii).)
- The operator must keep all kitchen equipment and utensils clean and in good repair. (Health & Safety Code §114365(a)(1)(A)(iii).)
- Food contact surfaces, equipment, and utensils must be washed and sanitized before each use. (Health & Safety Code §114365(a)(1)(A)(iv).)
- Food preparation and food and equipment storage areas must be maintained free of rodents and insects. (Health & Safety Code §114365(a)(1)(A)(v).)
- Smoking is prohibited in the kitchen during food preparation and packaging. (Health & Safety Code §114365(a)(1)(A)(vi).)
- Individuals with contagious illnesses may not be in cottage food kitchens. (Health & Safety Code §114365.2(a).)
- All individuals involved in cottage food preparation must wash their hands before food preparation and packaging. (Health & Safety Code §114365.2(b).)

- All water used in the cottage food process must be potable water. (Health & Safety Code §114365.2(c).)
- Anyone who prepares or packages cottage food products must complete a food processor course provided by the Department of Health within three months of becoming registered. (Health & Safety Code §114365.2(d).)
- A cottage food operation must label all its products in compliance with the Federal Food, Drug, and Cosmetic Act (21 U.S.C. §343 et seq.). (Health & Safety Code §114365.2(e).)
- County health departments are responsible for ensuring compliance with the foregoing food safety standards. Before starting a cottage food business, an operator must obtain approval from the county health department.

#### WHAT MAY CITIES DO?

Government Code §51035 provides in detail what a city may do. The following is a summary of Government Code §51035.

With regard to local zoning regulations, a city “shall not prohibit a cottage food operation ... in any residential dwellings.” (Govt. Code §51035(a)) Instead, cities and counties must do one of the following:

- (1) Classify a cottage food operation as a permitted use of residential property for zoning purposes; OR
- (2) Establish a “nondiscretionary permit” for residential cottage food operations that must be granted administratively without a hearing if the applicant “complies with local ordinances prescribing reasonable standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking, and noise control.” The applicable noise standards must be consistent with local noise ordinances implementing the noise element of the general plan; OR
- (3) Establish a process for a zoning administrator to review permit applications for cottage food operations. The “permit shall be granted if the cottage food operation complies with local ordinance, if any, prescribing reasonable standards, restrictions and requirements concerning the following factors: spacing and concentration, traffic control, parking, and noise control relating to those homes.” As with option (2), the applicable noise standards must be consistent with local noise ordinances implementing the noise element of the general plan (Govt. Code §51035(a) (1)—3.)

In addition, Govt. Code §51035 provides:

- (1) That the commencement of a cottage food operation in a residence does not constitute a change of occupancy for purposes of either the State Housing Law or local building and fire codes that cottage food operations must be considered residences under applicable codes. Gov. Code §§51035(c), (d).)
- (2) That cottage food operations shall be considered residences for purpose of the State Uniform Building Standards Code and local building and fire codes.

A copy of Government Code §51035 is attached for your convenience.

Finally, cities can require operators to obtain local business licenses.

The proposed Ordinance would implement Option (1) and add Cottage Food Operations to the permitted uses in all residential zone districts and rely on County permit only. The City will require a business license and proof of approval by the health department.

## PUBLIC HEARING

Staff is requesting the Council open public hearing, receive any public comment, close public hearing and introduce and zone ordinance amendment to Amend Title 17 Chapter 17.40 Single Family and Chapter 17.42 Multi-Family Residential Zone Districts to Add Cottage Food Operations to Permitted Uses in the Single Family and Multi-Family Residential Zone Districts to comply with AB 1616 State mandated ordinance.

## FISCAL IMPACT

None anticipated, all cottage food operations will be required to obtain a City of Kerman business license and provide proof of Fresno County Health Department certification.

Following the public hearing, and introduction Council schedule for second reading and adoption June 15, 2016

Attachments:

- A. Ordinance

Attachment 'A'

ORDINANCE NO. 16- \_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KERMAN AMENDING CHAPTERS 17.40 AND 17.42 OF TITLE 17 OF THE KERMAN MUNICIPAL CODE TO ADD COTTAGE FOOD OPERATIONS TO PERMITTED RESIDENTIAL USES IN THE SINGLE FAMILY AND MULTI-FAMILY ZONE DISTRICTS

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

SECTION 1. Upon this ordinance becoming effective, Title 17 of the Kerman Municipal Code shall be amended to revise Chapter 17.40 and Chapter 17.42 read as follows:

Chapter 17.40.020, permitted uses;

Permitted uses in this district are as follows:

G. Cottage Food Operations (as regulated by State Law).

Chapter 17.40.020, permitted uses;

Permitted uses in this district are as follows;

J. Cottage Food Operations (as regulated by state law)

SECTION 2. 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. If a summary of the ordinance is published, the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted at City Hall at least five days prior to the meeting at which the ordinance is adopted and again after the meeting at which it is adopted. The ordinance shall become effective thirty days after its adoption.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Kerman on June 1, 2016 and was passed and adopted at a regular meeting of the City Council of the City of Kerman on \_\_\_\_\_ 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  
COUNCIL MEMBER  
Rhonda Armstrong  
MAYOR PRO-TEM  
Gary Yep  
COUNCIL MEMBER  
Bill Nijjer  
COUNCIL MEMBER  
Vacant

DEPARTMENT: PLANNING AND DEVELOPMENT  
STAFF REPORT  
CITY COUNCIL MEETING  
COUNCIL MEETING DATE: JUNE 1, 2016

To: Mayor and City Council  
From: Jerry Jones, City Engineer  
Subject: Resolution Authorizing the City Manager to Sign Program No. 022 for the Pedestrian Safety Improvements Project, State Project No. ATPL-5291(022)

## RECOMMENDATION

Council by motion adopt the resolution authorizing the City Manager to sign Program Supplement No. 022 for the Pedestrian Safety Improvements Project, State Project No. ATPL-5291(022).

## EXECUTIVE SUMMARY

The City has been allocated Safe Routes to School funding through the Active Transportation Program for the construction of pedestrian safety improvements at four locations within the City. The locations are all adjacent to Kerman Unified schools. The total Safe Routes to School funding allocated is \$250,000. Caltrans requires a Program Supplement to the Administering Agency-State Master Agreement for State Funded Projects for each new project. The City must sign the Program Supplement in order to receive any funds for this project.

## OUTSTANDING ISSUES

None.

## DISCUSSION

In May 2014 the City applied for and was subsequently awarded Safe Routes to School funding through the Active Transportation Program for the construction of pedestrian safety improvements at several locations. The project will consist of the construction of curb bulbouts and installation of high-visibility crosswalks and signage at four locations adjacent to Kerman Unified schools in order to improve the safety of students walking or bicycling to school. The four locations are as follows:

1. Intersection of Siskiyou Avenue and E Street, adjacent to Liberty Elementary School
2. First Street south of G Street, adjacent to Kerman Middle School
3. Intersection of F Street and 9<sup>th</sup> Street, adjacent to Kerman-Floyd Elementary School
4. Intersection of F Street and Pacheco Drive, adjacent to Kerman-Floyd Elementary School

The four locations were selected based on discussion of safety concerns with Kerman Unified Staff, as well as field review of the existing crossings and traffic conditions. Attachment B shows the locations of the improvements. The City was awarded \$250,000 in Safe Routes to School funding for the project. The project is currently advertising for bids with a contract anticipated to be awarded at the June 15, 2016 Council Meeting.

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The City has received State funding for various transportation projects over the years and has entered into a Master Agreement for the administration of those funds. Each individual project requires the approval of a separate Program Supplement. This Program Supplement to the Master Agreement is a standard form and is required before the City may receive the funding. The City is not allowed to make any changes to the Program Supplement. The Program Supplement requires the City to follow all of the applicable State guidelines for the project.

### FISCAL IMPACT

The City cannot receive any of the Safe Routes to School funding allocated for the project without executing the Program Supplement. The total Safe Routes to School funding allocated to the project is \$250,000. There is no local match requirement. However, costs incurred for the project above the \$250,000 must be covered by the City. The current budget for the project is \$271,000, or \$21,000 over the Safe Routes to School funding. The \$21,000 will be funded with Local Transportation Funds.

### PUBLIC HEARING

Not Required.

Attachments:

- A. Resolution w/Exhibit
- B. Vicinity Map

Attachment 'A'

RESOLUTION NO. 16-\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN, CALIFORNIA,  
AUTHORIZING THE CITY MANAGER TO SIGN PROGRAM SUPPLEMENT NO. 022  
FOR THE PEDESTRIAN SAFETY IMPROVEMENTS PROJECT; STATE PROJECT NO. ATPL-5291(022)

RESOLVED by the Council of the City of Kerman, County of Fresno, California, that:

WHEREAS, the City of Kerman is eligible to receive Federal and/or State funding for certain transportation projects, through the California Department of Transportation; and

WHEREAS, Program Supplemental Agreements, Fund Exchange Agreements and/or Fund Transfer Agreements need to be executed with the California Department of Transportation for the Pedestrian Safety Improvements Project before such funds can be claimed; and

WHEREAS, the City of Kerman wishes to delegate authorization to execute these agreements and any amendments thereto.

NOW, THEREFORE IT IS HEREBY FOUND, DETERMINED, AND ORDERED as follows:

1. The City Manager is hereby authorized to execute Program Supplement No. 022 attached hereto as Exhibit 'A' and all Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and/or any amendments thereto for the Pedestrian Safety Improvements Project, State Project No. ATPL-5291(022) with the California Department of Transportation.
2. This authorization shall be effective immediately and remain in effect until modified by council resolution.

The forgoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Kerman held on the 1<sup>st</sup> day of June, 2016, by the following vote to wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

The foregoing resolution is hereby approved.

ATTEST:

\_\_\_\_\_  
 Gary Yep  
 Mayor Pro Tem

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

Exhibit 'A'

**PROGRAM SUPPLEMENT NO. 022**  
 to  
**ADMINISTERING AGENCY-STATE AGREEMENT**  
**FOR STATE FUNDED PROJECTS NO 00478S**

**Adv Project ID**                      **Date:** April 28, 2016  
 0615000112                      **Location:** 06-FRE-D-KMN  
    **Project Number:** ATPL-6291 (022)  
    **E.A. Number:**  
    **Locode:** 6291

This Program Supplement, effective \_\_\_\_\_, hereby adopts and incorporates into the Administering Agency-State Agreement No. 00478S for State Funded Projects which was entered into between the ADMINISTERING AGENCY and the STATE with an effective date of 08/10/15 and is subject to all the terms and conditions thereof. This PROGRAM SUPPLEMENT is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. \_\_\_\_\_ approved by the ADMINISTERING AGENCY on \_\_\_\_\_ (See copy attached).

The ADMINISTERING AGENCY further stipulates that as a condition to the payment by the State of any funds derived from sources noted below encumbered to this project, Administering Agency accepts and will comply with the Special Covenants and remarks set forth on the following pages.

**PROJECT LOCATION:**

Various locations

**TYPE OF WORK:** Pedestrian Walkway

Estimated Cost	State Funds		Matching Funds	
	STATE	LOCAL	OTHER	
\$28,000.00	\$28,000.00	\$0.00		\$0.00

**CITY OF KERMAN**

**STATE OF CALIFORNIA**  
 Department of Transportation

By \_\_\_\_\_  
 Title \_\_\_\_\_  
 Date \_\_\_\_\_  
 Attest \_\_\_\_\_

By \_\_\_\_\_  
 Chief, Office of Project Implementation  
 Division of Local Assistance  
 Date \_\_\_\_\_

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer: \_\_\_\_\_ Date: *4/28/16* \$28,000.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT



06-FRE-0-KMN  
ATPL-5291(022)

04/28/2016

SPECIAL COVENANTS OR REMARKS

1. A. This PROJECT will be administered in accordance with the applicable CTC STIP guidelines and the Active Transportation Program guidelines as adopted or amended, the Local Assistance Procedures Manual (LAPM), the Local Assistance Program Guidelines (LAPG), and this PROGRAM SUPPLEMENT.

B. This PROJECT is programmed to receive State funds from the Active Transportation Program (ATP). Funding may be provided under one or more components. A component(s) specific fund allocation is required, in addition to other requirements, before reimbursable work can occur for the component(s) identified. Each allocation will be assigned an effective date and identify the amount of funds allocated per component(s).

This PROGRAM SUPPLEMENT has been prepared to allow reimbursement of eligible PROJECT expenditures for the component(s) allocated. Unless otherwise determined, the effective date of the component specific allocation will constitute the start of reimbursable expenditures.

C. STATE and ADMINISTERING AGENCY agree that any additional funds made available by future allocations will be encumbered on this PROJECT by use of a STATE-approved Allocation Letter and STATE Finance Letter. ADMINISTERING AGENCY agrees that STATE funds available for reimbursement will be limited to the amount allocated by the California Transportation Commission (CTC) and/or the STATE.

D. Upon ADMINISTERING AGENCY request, the CTC and/or STATE may approve supplementary allocations, time extensions, and fund transfers between components. Funds transferred between allocated project components retain their original timely use of funds deadlines, but an approved time extension will revise the timely use of funds criteria for the component(s) and allocation(s) requested. Approved supplementary allocations, time extensions, and fund transfers between components made after the execution of this PROGRAM SUPPLEMENT will be documented and considered subject to the terms and conditions thereof. Documentation will consist of a STATE approved Allocation Letter, Fund Transfer Letter, Time Extension Letter, and Finance Letter, as appropriate.

E. This PROJECT is subject to the timely use of funds provisions enacted by the Active Transportation Program guidelines, as adopted or amended, and by approved CTC and State procedures as outlined below.

Funds allocated for the environmental & permits (E&P), plan specifications & estimate (PS&E), and right-of-way components are available for expenditure until the end of the second fiscal year following the year in which the funds were allocated.

Funds allocated for the construction component are subject to an award deadline and contract completion deadline. ADMINISTERING AGENCY agrees to award the contract within 6 months of the construction fund allocation and to complete and accept the construction within 36 months of award.

F. Award information shall be submitted by the ADMINISTERING AGENCY to the District

08-FRE-0-KMN  
ATPL-6291(022)

04/28/2018

**SPECIAL COVENANTS OR REMARKS**

Local Assistance Engineer immediately after project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract. Failure to do so will cause a delay in the State processing of invoices for the construction phase.

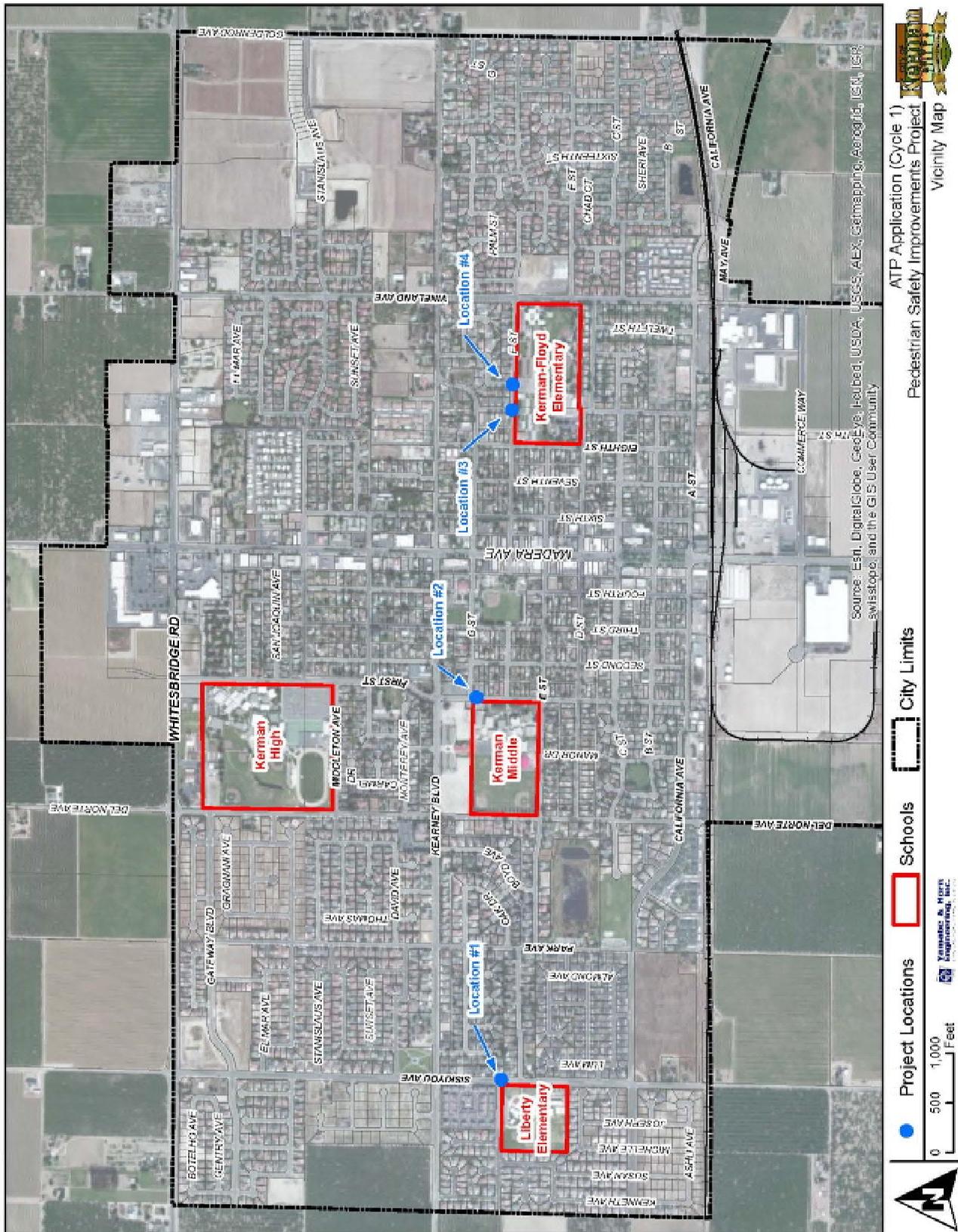
G. The ADMINISTERING AGENCY shall invoice STATE for environmental & permits (E&P), plans specifications & estimate (PS&E), and right-of-way costs no later than 180 days after the end of last eligible fiscal year of expenditure. For construction costs, the ADMINISTERING AGENCY has 180 days after project completion or contract acceptance to make the final payment to the contractor prepare the final Report of Expenditures and final invoice, and submit to STATE for verification and payment.

H. ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current LAPM and the Active Transportation Program (ATP) Guidelines.

I. ADMINISTERING AGENCY agrees to comply with Office of Management and Budget (OMB) Circular A-87, Cost Principles for State and Local Governments, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Notwithstanding the foregoing, ADMINISTERING AGENCY will not be required to comply with 49 CFR, Part 18.36 (i), subsections (3), (4), (5), (6), (8), (9), (12), and (13).

J. By executing this PROGRAM SUPPLEMENT, ADMINISTERING AGENCY agrees to comply with all reporting requirements in accordance with the Active Transportation Program guidelines, as adopted or amended.

Attachment 'B'





# City of Kerman

*"Where Community Comes First"*

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

DEPARTMENT: PLANNING AND DEVELOPMENT  
STAFF REPORT  
CITY COUNCIL MEETING  
COUNCIL MEETING DATE: JUNE 1, 2016

To: Mayor and City Council  
From: Jerry Jones, City Engineer  
Subject: Resolution Approving First Amendment to Reimbursement Agreement Regarding Railroad Crossing and Escrow Instructions with Walmart

## RECOMMENDATION

Council by motion adopt resolution approving the First Amendment to Reimbursement Agreement Regarding Railroad Crossing and Escrow Instructions with Walmart.

## EXECUTIVE SUMMARY

Walmart is obligated to install safety improvements at the Goldenrod Avenue crossing of the Union Pacific Railroad as part of the Commercial Specific Plan approved for their store. The improvements will include warning lights and gates, concrete planking, and widened pavement. The San Joaquin Valley Railroad, who operates and maintains the crossing, requires funds equal to the estimated cost of the improvements be deposited with them prior to moving forward with construction. The City has previously entered into a reimbursement agreement with Walmart regarding the funds required to be deposited in escrow by Walmart and provisions for reimbursement by the City from Development Impact Fees. At the time, the required funds were \$370,000. Due to an increase in construction costs of \$138,767, it is necessary to execute this first amendment to the reimbursement agreement to ensure sufficient funds are deposited into escrow by Walmart. Once the funds are deposited, they can be released to the San Joaquin Valley Railroad and they will move forward with bidding and construction.

## OUTSTANDING ISSUES

None.

## DISCUSSION

The current railroad crossing at Goldenrod Avenue has only two lanes of asphalt pavement and no warning lights or gates. The California Public Utilities Commission required the installation of new safety features at the crossing in anticipation of increased traffic to and from the Walmart store. Walmart and City Staff have been working with both the Union Pacific Railroad (owns the right-of-way and tracks) and San Joaquin Valley Railroad (operates and maintains facilities via lease agreement with Union Pacific) to improve the crossing. The railroad companies design their own improvements and require only qualified contractors of their choosing perform the work.

In August 2013 the City entered into a reimbursement agreement with Walmart for the reimbursement of costs associated with the improvements. The reimbursement agreement required Walmart to deposit the estimated cost of the improvements into an escrow account, per San Joaquin Valley Railroad requirements. At the time of execution of

the agreement, the estimated cost of the improvements was \$370,000 and funds in this amount have been deposited into escrow by Walmart.

Due to the time that has elapsed since the original estimate was prepared, the estimated cost of railroad crossing improvements has increased. The estimated cost of the improvements is now \$408,767. In addition, Walmart will be required to construct the associated street improvements at an estimated cost of \$50,000. In order to address these cost increases, it is necessary to execute an amendment to the original reimbursement agreement. The amendment requires Walmart to deposit the increase in railroad crossing improvement costs (\$38,767), street improvement costs (\$50,000) and a contingency amount (\$50,000) into the previously established escrow account. The amendment will bring the total amount required in escrow to \$508,767. Once the amendment is executed and Walmart deposits the additional funds, funds can be released to the San Joaquin Valley Railroad and they will move forward with bidding and construction.

### FISCAL IMPACT

Upon completion and acceptance of the improvements, Walmart will be eligible for reimbursement from the Railroad Crossing Development Impact Fee Account in an amount equal to the final cost of improvements less Walmart's Development Impact Fee obligation of \$21,942. The current estimated cost of the work is \$408,767. Reimbursements to Walmart will be made as Railroad Crossing Development Impact Fees are collected. The City is not obligated to reimburse Walmart from any other account.

### PUBLIC HEARING

Not Required.

Attachments:

- A. Resolution w/Exhibit

Attachment 'A'

RESOLUTION NO. 16-\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN  
APPROVING FIRST AMENDMENT TO REIMBURSEMENT AGREEMENT  
REGARDING RAILROAD CROSSING AND ESCROW INSTRUCTIONS WITH  
WAL-MART REAL ESTATE BUSINESS TRUST

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

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

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

WHEREAS, San Joaquin Valley Railroad Company requires funds in an amount equal to the estimated construction cost be deposited with them prior to bidding and constructing the improvements; and

WHEREAS, Wal-Mart is eligible to receive reimbursement for the amounts by which the cost of improvements constructed for the railroad crossing exceeds the amount of their Development Impact Fees which have been established by the City and;

WHEREAS, the City of Kerman and Wal-Mart desired to memorialize the amount of funds to be deposited into an escrow account by Wal-Mart for the crossing improvements and reimbursements due Walmart by means of a Reimbursement Agreement; and

WHEREAS, the City of Kerman and Wal-Mart executed said Reimbursement Agreement on August 8<sup>th</sup>, 2013; and

WHEREAS, recent increases in estimated construction costs have necessitated an amendment to the Reimbursement Agreement to ensure adequate funds are deposited into escrow by Wal-Mart; and

WHEREAS, the City of Kerman and Wal-Mart desire to memorialize the additional funds to be deposited into escrow by Wal-Mart for the improvements and reimbursements due Walmart by means of an amendment to the Reimbursement Agreement; and

---

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN RESOLVES that the First Amendment to Reimbursement Agreement Regarding Railroad Crossing and Escrow Instructions shown in Exhibit 'A' is hereby approved and that the City Manager is authorized to sign the agreement on behalf of the City of Kerman.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 1<sup>st</sup> day of June, 2016, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

\_\_\_\_\_  
Gary Yep  
Mayor Pro Tem

ATTEST:

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

Exhibit 'A'

Kerman, California  
Store No. 5701-01

**FIRST AMENDMENT TO REIMBURSEMENT AGREEMENT REGARDING  
RAILROAD CROSSING AND ESCROW INSTRUCTIONS**

This FIRST AMENDMENT TO REIMBURSEMENT AGREEMENT REGARDING RAILROAD CROSSING AND ESCROW INSTRUCTIONS (“**Amendment**”) made as of this day of \_\_\_\_\_, 2016 (“**Effective Date**”), by and among the CITY OF KERMAN (“**City**”), WAL-MART REAL ESTATE BUSINESS TRUST, a Delaware statutory trust, (“**Walmart**”), and STEWART TITLE GUARANTY COMPANY (“**Escrow Agent**”).

**RECITALS**

**WHEREAS**, Walmart and City are parties to that certain Reimbursement Agreement Regarding Railroad Crossing and Escrow Instructions dated August 8, 2013 (“**Reimbursement Agreement**”). Except as otherwise set forth in this Amendment, all capitalized terms shall have the same meanings as are attributed to those terms in the Reimbursement Agreement. In addition, all references in this Amendment shall be deemed to be references to the Reimbursement Agreement, as amended by this Amendment.

**WHEREAS**, pursuant to the terms of the Reimbursement Agreement, Walmart is obligated to construct and complete the Railroad Crossing Work required by the CPUC at the Goldenrod Avenue and California Avenue crossing located approximately one mile south of the Project.

**WHEREAS**, pursuant to the Reimbursement Agreement, Walmart placed the Escrowed Funds in the amount of Three Hundred Seventy Thousand and No/100 Dollars (\$370,000.00) in escrow to fund the Railroad Crossing Work (“**Initial Escrowed Funds**”).

**WHEREAS**, the City requires that Walmart construct street improvements related to the Railroad Crossing Work (“**Street Improvement Work**”). The Railroad Crossing Work and the Street Improvement Work shall be referred to collectively herein as the “**Work**.”

**WHEREAS**, plans for the Railroad Crossing Work have been completed and the Railroad Crossing Work is now estimated at a cost of approximately Four Hundred Eight Thousand Seven Hundred Sixty Seven and 24/100 Dollars (\$408,767.24) (“**Railroad Crossing Cost**”) and the Street Improvement Work is estimated at a cost of approximately Fifty Thousand and No/100 Dollars (\$50,000.00) (“**Street Improvement Cost**”), for a total cost of Four Hundred Fifty-Eight Thousand Seven Hundred Sixty Seven and 24/100 Dollars (\$458,767.24) (“**Total Work Cost**”).

**WHEREAS**, upon completion of the Work to the satisfaction of the CPUC as verified by the City, the City is required to reimburse Walmart the Work Reimbursement (as defined below), in accordance with the Kennan Commercial Specific Plan Section 17.49.040(B)(j) in the manner set forth in this Amendment.

Reimbursement of Escrow Agreement – 11/17/2016 04:00  
C:\Users\m... \AppData\Local\Microsoft\Word\11111111

**WHEREAS**, the City and Walmart desire that Escrow Agent hold the Total Escrowed Funds (as defined below) in an escrow account and undertake the duties of Escrow Agent under this Amendment, and Escrow Agent is willing to do so, on the terms and conditions of this Amendment.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are duly acknowledged, the parties hereto agree as follows:

**ARTICLE 1  
ESCROW DEPOSIT**

**1.1 Walmart's Obligation to Deliver the Additional Escrowed Funds.** Within ten (10) business days of the Effective Date of this Amendment, Walmart shall deliver an additional Eighty Eight Thousand Seven Hundred Sixty Seven and 24/100 Dollars (\$88,767.24) to cover the increased costs of the Work plus an additional Fifty Thousand and No/100 Dollars (\$50,000.00) for a total of One Hundred Thirty Eight Thousand Seven Hundred Sixty Seven and 24/100 Dollars (\$138,767.24). (the "**Additional Escrowed Funds**") in immediately available funds to Escrow Agent by wire transfer pursuant to Escrow Agent's wire instructions attached to this Agreement, as Exhibit "A". The Initial Escrowed Funds and the Additional Escrowed Funds are collectively referred to herein as the "**Total Escrowed Funds**."

**1.2 Deposit of Additional Escrowed Funds by Escrow Agent.** Escrow Agent is authorized and directed to deposit the Additional Escrowed Funds immediately in the same interest bearing money market account containing the Initial Escrowed Funds as created pursuant to the Reimbursement Agreement.

**ARTICLE 2  
DISBURSEMENT OF TOTAL ESCROWED FUNDS TO WALMART**

This Article 2 hereby amends and restates the Article 2 contained in the Reimbursement Agreement in its entirety. Escrow Agent is hereby instructed to release the Total Escrowed Funds in accordance with the following instructions:

**2.1 Initial Release for Railroad Crossing Work.** Within ten (10) business days of receipt of the Additional Escrowed Funds, Escrow Agent is instructed to release to the City, or at the City's request, directly to the San Joaquin Valley Railroad ("**Railroad**"), the Railroad Crossing Cost.

**2.2 Draws for Street Improvement Work.** After the initial release for the Railroad Crossing Work, the Total Escrowed Funds may be disbursed to Walmart for payment of the Approved Contractor for the Street Improvement Work up to one (1) time per calendar month upon delivery to Escrow Agent by Walmart of a draw request ("**Draw Request**"). A copy of each Draw Request shall be concurrently submitted by Walmart to the City for informational purposes so that City may determine whether the Draw Request reflects street work actually completed and approved by City Engineer. The City shall have the opportunity to disapprove of any Draw Request that does not involve the Street Improvement Work within ten (10) business

days of receipt of such Draw Request from Walmart. If any portion of the Draw Request is not approved by the City, the City shall designate the specific reason(s) for the disapproval in writing. As to such portion of the Draw Request that is disapproved by the City, Walmart, at its option, may: (i) resubmit its Draw Request (“**Supplemental Draw Request**”) at such time as Walmart has caused the deficiencies specified by the City to be corrected, which Supplemental Draw Request may be submitted independently of Walmart’s normal monthly Draw Requests and, once approved by the City, Escrow Agent shall disburse immediately such approved amount to Walmart for payment of the Approved Contractor); or (ii) dispute such disapproval in accordance with the dispute resolution provisions of this Agreement.

2.3 **Additional Draws for Railroad Crossing Work.** In the event the City receives a change order from the Railroad for the Railroad Crossing Work, the City shall advise Walmart of such change order to obtain Walmart’s reasonable approval. Upon Walmart’s approval, a portion of the Total Escrowed Funds may be disbursed to the Railroad up to one (1) time per calendar month upon delivery to Escrow Agent for increased costs from the change order, by either Walmart or the City, of a draw request (“**Railroad Draw Request**”).

2.4 **Final Draw Request.** Upon final completion of the Railroad Crossing Work and the Street Improvement Work, Walmart shall submit to Escrow Agent a final Draw Request which shall be processed in accordance with the Reimbursement Agreement, whereupon the amount stated in the final Draw Request shall be disbursed to Walmart.

### ARTICLE 3 DISBURSEMENT OF ESCROWED FUNDS TO CITY

Article 3 of the Reimbursement Agreement is hereby amended and restated in its entirety as follows:

If Walmart fails to cause the completion of any of the Work and the City elects to undertake the completion of the Work, then the City shall provide written notice (“**City Notice**”) of such election to Escrow Agent and Walmart. If Walmart fails to commence to cure such failure to complete the Work described with specificity in the City Notice within ten (10) days of such City Notice and to diligently prosecute such cure to completion, the City may cause the completion of all Work, not completed under the direction of Walmart. In the event that City causes the completion of the Work, and provides to Escrow Agent a copy of the City Notice after the 10 day cure period has elapsed, Escrow Agent shall pay to City or the Approved Contractor as directed by City, the funds requested in one or more Draw Requests. The City acknowledges and agrees that the disbursement of Escrowed Funds to Approved Contractor shall not affect payment of the Railroad Crossing Reimbursement to Walmart upon completion of the Railroad Crossing Work, provided that Walmart has performed its obligations under this Agreement and the SCD.

**ARTICLE 4  
REIMBURSEMENT OF WORK REIMBURSEMENT  
BY CITY TO WALMART**

Article 4 of the Reimbursement Agreement is hereby amended as follows:

4.1 Disbursement of Escrow Funds. Within thirty (30) days of the date that Walmart provides evidence to City and Escrow Agent that the Work has been completed to the satisfaction of the CPUC (which may consist of electronic or written communication wherein the CPUC indicates that it is so satisfied), Escrow Agent shall disburse any and all remaining Total Escrowed Funds in the escrow account to Walmart in accordance with Section 2.4.

4.2 Future Reimbursements. City and Walmart agree that upon completion of the Work, Walmart is eligible to receive future reimbursement in addition to the amount specified in Section 4.1 above to the extent the cost of the Work exceeds Walmart's Railroad Crossing Development Impact Fee ("Future Reimbursement"). Walmart's Railroad Crossing Development Impact Fee is currently Twenty One Thousand Nine Hundred Forty-Two and No/100 Dollars (\$21,942).

The source of the Future Reimbursement shall be from Railroad Crossing Development Impact Fees collected from other developments within the City, but in no event shall City be responsible for reimbursement from any other source. As the City accumulates Railroad Crossing Development Impact Fees, the City will pay the Future Reimbursement in whole, or in part, with interest to be paid at the Local Agency Investment Fund rate prevailing at the time of payment, with interest accruing from the date of completion of the Work. The actual amount of the Future Reimbursement will be based on the final cost of the Work as submitted by Walmart and approved by the City Engineer. The amount currently held by City in the Railroad Crossing Development Impact Fees (i.e., the Railroad Crossing Reimbursement) is Two Hundred Ninety-Five Thousand and No/100 Dollars (\$295,000.00).

4.3 City's Discretionary Scheduling of Payments. Walmart and City generally acknowledge that City must use development impact fees to promote the orderly development of public infrastructure within City. Reimbursements for the development of public infrastructure, such as the Future Reimbursements, shall be made in accordance with the City of Kernan Development Impact Fee program. By way of example only, and not as a limitation, the parties recognize and agree that a future development may be required to install other railroad crossing facilities, and that Railroad Crossing Development Impact Fees that are assessed to that development may necessarily be required to be used to construct such facilities, rather than used to reimburse Walmart at that time. City reserves its right to exercise its reasonable discretion to determine when Railroad Crossing Development Impact Fees are available to pay reimbursement to Walmart or alternatively, when such fees are required to be used to construct additional public infrastructure.

**ARTICLE 5  
MISCELLANEOUS PROVISIONS**

5.1 Notices. All notices and other communications required or permitted to be given hereunder shall be in writing and shall be sent by: (a) certified or registered mail, postage prepaid, return receipt requested, (b) personal delivery, or (c) a recognized overnight carrier that provides proof of delivery, and shall be addressed as follows:

(a) Prior to opening for business. For any period of time prior to the date that Walmart opens a store on the Walmart Tract (Walmart having no obligation to do so), all notices and other communications shall be sent to the following addresses:

If to Walmart:

Wal-Mart Real Estate Business Trust  
Attn: Real Estate Manager  
(Ref: Kerman, California;  
Store No. 5701-01  
2001 SE 10<sup>th</sup> Street  
Bentonville, AR 72716-0550

If to City:

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

With a Copy to:

Gresham Savage Nolan & Tilden  
Attn: J. Matthew Wilcox, Esq.  
(Ref: Kerman, California;  
Store No. 5701-01)  
550 E. Hospitality Lane, Suite 300  
San Bernardino, CA 92408-4205

With a copy to:

Hilda Cantú Montoy, Esq.  
Attn: City Attorney  
2125 Kern Street, Suite 308  
Fresno, CA 93721

With a Copy to:

Wal-Mart Real Estate Business Trust  
Attn: Mary Kendall, Esq.  
(Ref: Kerman, California;  
Store No. 5701-01  
2001 SE 10<sup>th</sup> Street  
Bentonville, AR 72716-0550

If to Escrow Agent:

Stewart Title Guaranty NTS  
Attn: Michael Lebovitz, Escrow Officer  
10 S. Riverside Plaza, Suite 1450  
Chicago, IL 60606

(b) After opening for business. For any period of time after Walmart has opened a store on the Walmart Tract (Walmart having no obligation to do so), all notices and other communications shall be sent to the following addresses:

**If to Walmart:**

Wal-Mart Real Estate Business Trust  
Attn: Property Manager  
(Rel: Kernan, California;  
Store No. 5701-01  
2001 SE 10<sup>th</sup> Street  
Bentonville, AR 72716-0550

**With a Copy to:**

Wal-Mart Real Estate Business Trust  
Attn: President  
(Rel: Kernan, California;  
Store No. 5701-01  
2001 SE 10<sup>th</sup> Street  
Bentonville, AR 72716-0550

**If to City:**

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

**With a copy to:**

Hilda Cantú Montoy, Esq.  
Attn: City Attorney  
2125 Kern Street, Suite 308  
Fresno, CA 93721

**If to Escrow Agent:**

Stewart Title Guaranty NTS  
Attn: Michael Lebovitz, Escrow Officer  
10 S. Riverside Plaza, Suite 1450  
Chicago, IL 60606

Notices shall be deemed effective upon receipt or rejection only.

5.2 **Counterparts.** This Amendment may be executed in any number of counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same instrument.

[SIGNATURES FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the parties hereto have executed and delivered this Amendment as of the date first above written.

“CITY”

“WALMART”

CITY OF KERMAN

WAL-MART REAL ESTATE BUSINESS TRUST, a Delaware statutory trust

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Approved as to Form:

“ESCROW AGENT”

STEWART TITLE GUARANTY COMPANY

\_\_\_\_\_  
Hilda Montoy, City Attorney  
City of Kerman

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto have executed and delivered this Amendment as of the date first above written.

**“CITY”**

**“WALMART”**

**CITY OF KERMAN**

**WAL-MART REAL ESTATE BUSINESS TRUST, a Delaware statutory trust**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By:   
Name: L.B. Johnson  
Title: V. P. of Real Estate

Approved as to Form:

**“ESCROW AGENT”**

**STEWART TITLE GUARANTY COMPANY**

\_\_\_\_\_  
Hilda Montoy, City Attorney  
City of Kerman

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**EXHIBIT "A"**

**Wire Instructions to Escrow Agent**



STEWART TITLE GUARANTY COMPANY  
CHICAGO COMMERCIAL DIVISION  
10 S. Riverside Plaza, Suite 1450  
CHICAGO, ILLINOIS 60606  
Phone: (312) 849-4400 FAX: (312) 849-4410

**WIRE TRANSFER INSTRUCTIONS**

**\*Stewart Title Guaranty Company is a separate entity than other Stewart Title Companies you may have wired monies to in the past. To avoid delays and ensure an expedient closing process Please take note of our wire instructions, as they differ from other Stewart Title Offices.\***

Send funds to: Wells Fargo Bank

Bank Address: 420 Montgomery  
San Francisco, CA 94104  
Attn: Daniel Davalos  
PH#: 212-614-3256

ABA Number: 121000248

Account Name: Stewart Title Guaranty Company

Account Number: 4121604284

International Swift Code: WFBUS55

ATTN: Michael Levitz

REF: Kerman, CA #5701-01

Escrow Number: 1300031436

2007-03-23 10:00:00 AM

W:\Escrow\CA\_Buy\35014-1\35014



# City of Kerman

*"Where Community Comes First"*

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

DEPARTMENT: PLANNING AND DEVELOPMENT  
STAFF REPORT  
CITY COUNCIL MEETING  
COUNCIL MEETING DATE: JUNE 1, 2016

To: Mayor and City Council  
From: Jerry Jones, City Engineer  
Subject: Resolution Approving Common Use Agreement with Fresno Irrigation District for Vineland Avenue Widening Project

## RECOMMENDATION

Council adopt the resolution approving the Common Use Agreement with Fresno Irrigation District for the Vineland Avenue Widening Project and authorize the City Manager to sign the agreement on behalf of the City.

## EXECUTIVE SUMMARY

The Vineland Avenue Widening Project will widen Vineland Avenue to ultimate width from Kearney Boulevard to 700 feet north. There is an existing 30" irrigation pipeline, the Towne No. 95, owned by Fresno Irrigation District (FID) located on the west side of Vineland Avenue. In order to construct the ultimate street improvements, the City must encroach into FID's pipeline easement. FID is willing to allow this encroachment if the City enters into a Common Use Agreement (CUA) with them. The CUA will establish the responsibilities and liabilities of both parties within the common use area. As a provision of the CUA, the City must require the relocation of the FID pipeline at the time the property on the west side of Vineland is developed.

## OUTSTANDING ISSUES

None.

## DISCUSSION

Vineland Avenue from Kearney Boulevard to approximately 700 feet north consists of one 12-foot-wide travel lane in each direction and a 12-foot-wide landscaped median. A map is included as Attachment 'B' for reference. This segment does not include bike lanes, parking lanes, and has not been improved with curb and gutter and sidewalk (permanent concrete sidewalk constructed on east side only). The Vineland Avenue Widening Project will consist of the widening of Vineland Avenue to ultimate width, construction of curb and gutter and sidewalk, and construction of bulbouts and decorative crossings at the Kearney Boulevard intersection. The City has allocated \$316,400 in RSTP Lifeline funds for this project.

FID owns and operates a 30" concrete irrigation pipeline, the Towne No. 95 pipeline, which is located along the west side of Vineland Avenue within the project limits. The pipeline is located within a 15-foot-wide FID easement that is located adjacent to the existing public street right-of-way. Originally, FID was going to require the City to relocate the pipeline as part of the project in order for the City to acquire the necessary right-of-way to construct the ultimate improvements. However, after months of discussion and negotiation between FID and City Staff, FID agreed to allow

the City to encroach into their existing easement if the City was willing to enter into a CUA with FID. The encroachment into FID's easement and construction of improvements also required the City to acquire an easement from the adjacent property owner, Mr. Bill Tolmachoff. The City has since acquired the pedestrian easement and is ready to move forward with the project.

In order to move forward with the project, the City must enter into a CUA with FID. The CUA is applicable to the land area that will be of "common use" to both the City and FID (i.e. the area in which FID's easement and the City's easement overlap), shown on Attachment 'C'. The primary purpose of the CUA is to establish the responsibilities and liabilities of each party for the common use area. In short, the CUA will allow the City to construct, operate, maintain, and repair street improvements within the common use area, but any damage caused to the FID pipeline by the City will be the City's responsibility to repair. In addition to establishing the responsibilities and liabilities within the common use area, the CUA requires the City to cause the pipeline to be relocated prior to, or concurrent with, the development of the adjacent property. The relocation or removal of irrigation pipelines is a typical City condition of approval for new developments, when pipelines exist on, or adjacent to, the site to be developed.

### FISCAL IMPACT

If the City does not enter into the CUA with FID, it will not be possible to construct the ultimate street improvements without relocating the pipeline at an estimated cost of \$113,000. There is not sufficient funding available in the project budget, or City Local Transportation Funds, to complete the relocation as part of the current project.

### PUBLIC HEARING

Not Required.

Attachments:

- A. Resolution w/Exhibit
- B. Vicinity Map
- C. Common Use Area Map

Attachment 'A'

RESOLUTION NO. 16-\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN  
APPROVING COMMON USE AGREEMENT WITH FRESNO IRRIGATION DISTRICT  
FOR THE VINELAND AVENUE WIDENING PROJECT

WHEREAS, The City of Kerman plans to widen Vineland Avenue to its ultimate street width from Kearney Boulevard to approximately 700 feet north of Kearney Boulevard; and

WHEREAS, Fresno Irrigation District owns, operates, and maintains a 30-inch diameter irrigation pipeline, the Towne No. 95 pipeline, along the west side of Vineland Avenue within the project limits; and

WHEREAS, the Towne No. 95 pipeline is located within a 15-foot-wide easement dedicated to Fresno Irrigation District immediately adjacent to the public street right-of-way; and

WHEREAS, In order to construct the required street improvements, the City must encroach into the Fresno Irrigation District easement; and

WHEREAS, Fresno Irrigation District is willing to allow the City to encroach into its easement and construct the required street improvements but requires that the City enter into a Common Use Agreement; and

WHEREAS, the Common Use Agreement establishes the provisions, conditions, responsibilities, and liabilities of the City and Fresno Irrigation District within the common use area.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN RESOLVES that the Common Use Agreement with Fresno Irrigation District for the Vineland Avenue Widening Project, as shown in Exhibit 'A', is hereby approved and that the City Manager is authorized to sign the agreement on behalf of the City of Kerman.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 1<sup>st</sup> day of June, 2016, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

\_\_\_\_\_  
Gary Yep  
Mayor Pro Tem

ATTEST:

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

Exhibit 'A'

Recording Requested By  
And When Recorded: M/L/T/L

**Fresno Irrigation District**  
2907 South Maple  
Fresno, CA 93725-2218

The undersigned grantor(s) hereby  
DECLINING ANY TRANSFER TAX IS SO

LOCATION: N/W Kearney and Vineland Avenues  
APN: 023-130-34  
CANAL: Towne No. 95

**COMMON USE AGREEMENT**

This Agreement is made effective as of \_\_\_\_\_, 2016, by and between (i) the Fresno Irrigation District, a California irrigation district ("District") and (ii) the City of Kerman, a municipal corporation ("City") with respect to the following facts and circumstances:

**RECITALS**

A. District holds an easement and right-of-way for its use in connection with the construction, maintenance, operation and use of an underground irrigation pipeline and incidental appurtenances known as the Towne No. 95, under that certain Grant of Easement and Right of Way dated July 12, 1973, recorded November 12, 1973 in Book 6233 Page 83 of the Official Records of Fresno County (the "District Easement").

B. A portion of the District Easement lies adjacent and to the north of Vineland Avenue. City desires to expand Vineland Avenue, and install sidewalk within that portion of the District Easement more particularly described in Exhibit A hereto, and as depicted in the diagram attached as Exhibit B hereto (the "Area of Common Use").

C. District is willing to permit such encroachment, provided that City agrees to require relocation of the District's pipeline upon development of certain adjacent property

D. District and City wish to establish certain conditions for their mutual operations within the Area of Common Use. District and City are sometimes referred to below individually as a "Party" and collectively as the "Parties."

AGREEMENT

NOW THEREFORE, in consideration of the mutual terms and conditions contained herein, the parties agree as follows:

1. Area of Common Use.

(a) District hereby consents to City's construction, installation, operation, maintenance, removal, and replacement of sidewalk improvements within the Area of Common Use ("Improvements"), on the terms and subject to the conditions of this Agreement, and subject to District's rights under the District Easement as modified hereby. City shall not plant or permit the growth of trees or other vegetation with roots that may jeopardize the District's pipeline within ten feet (10') of such pipeline.

(b) All of the City's Improvements constructed or installed pursuant to this Agreement shall be the property of City, and all District facilities installed or existing in the Area of Common Use, and any improvements which are related to District facilities shall be the property of District. Except as herein otherwise provided, neither District nor City shall have any right, title, or control over the other's property other than it already has under applicable law.

(c) City shall repair or replace at City's sole expense any portion of any District facilities damaged by City's activities of the Area of Common Use or as a result of the installation, maintenance, repair or replacement of the Improvements. In the event City fails, neglects, or refuses to repair or replace the such damage within 30 days after written notice from District or otherwise fails to proceed diligently in repairs or replacement, District shall have the right, but shall not be required, to make any such repairs or replacements, and City shall repay to District the cost of any such repairs or replacement with interest at the rate of 10% per annum from the date(s) amounts were expended by District.

(d) City shall be responsible to pay, and shall reimburse District upon demand, for any reasonable cost incurred by District for work performed by District that is caused by or required by City's construction, maintenance or use of the Improvements, whether such work was completed at City's expense or as reasonably determined to be necessary by District.

(e) Except as expressly set forth herein, this Agreement shall not in any way alter, modify, or terminate the District Easement. Both District and City shall use the Area of Common Use in such a manner as not to unreasonably interfere with the rights of one another and nothing herein shall be construed as a release or waiver of any claim for compensation or damages which District or City may now have, or may hereafter acquire, resulting from the construction or alteration of existing facilities or the construction or alteration of additional facilities by either District or City which causes damage to or unreasonable interference with the use of the Area of Common Use by the other Party.

(f) Except as described above, District and City shall be responsible for the maintenance, repair, alteration, replacement, upgrade, improvement or relocation of their respective facilities within the Area of Common Use. Nothing in this Agreement shall relieve the Parties from any responsibility toward the other for damage to the other's property located outside of the Area of Common Use.

(g) Except in the event of an emergency, or as necessary to maintain the flow of water in District's canal or pipeline, each Party shall give the other reasonable notice before performing or permitting any work affecting the other's facilities in the Area of Common Use, and shall furnish the other Party with plans and specifications describing the work to be done

beforehand. Neither Party shall permit installation of facilities by others in the Area of Common Use without the written consent of the other Party. The reviewing Party shall have the right to specify reasonable conditions on, or changes in, the proposed work and schedule when necessary to prevent damage to its facilities or interference with its operations in the Area of Common Use. Each Party agrees to repair any damage to the other Party's facilities caused by work permitted, directed or performed by it within the Area of Common Use, except that where City's facilities within the Area of Common Use must necessarily be damaged, destroyed or removed by District to accommodate repair, maintenance, modification or replacement of District's facilities, District shall have no obligation to restore City's affected facilities. In the event of an emergency, no such notice shall be required and either Party may proceed to do what is reasonably necessary to prevent serious loss or damage and to protect the public health and safety. An emergency shall be deemed to exist if immediate action is reasonably required to prevent serious loss or damage to life or property, or to protect the public health and safety.

(ii) Each Party acknowledges and agrees that the other Party's right to review any plans, specifications or construction under this Agreement (i) is solely for the benefit of the reviewing Party, (ii) shall not assign to the reviewing Party any responsibility for the safe and proper construction of the facilities in question, and (iii) shall not result in the reviewing Party's assumption of any liability for such facilities.

2. Indemnity. To the fullest extent permitted by law, City agrees to be solely responsible for any and all injuries, damages, and claims to persons or property arising out of its use of the Area of Common Use, except to the extent such injuries, damages, or claims arise out of the willful misconduct or negligent acts or omissions of District or its directors, officers, employees, agents, or authorized volunteers. City agrees to defend, hold harmless, and indemnify District, its directors, officers, employees or authorized volunteers against any and all such injuries, damages, and claims to the extent not arising out of the willful misconduct or negligent acts or omissions of District or its directors, officers, employees, agents, or authorized volunteers. This indemnification shall not be restricted to any insurance proceeds, and shall survive the termination of this Agreement.

3. Term of Agreement.

(a) This Agreement shall remain in effect while the real property located immediately to the west of the Area of Common Use (Fresno APN 023-130-34) remains in its current use (i.e., one single-family residence located on approximately 3.39 acres). Fresno APN 023-130-34 is more particularly described as follows:

Lot 4 of Tract No. 2488, Poire Tract, in the County of Fresno, State of California, as per map recorded in Book 28 Page 45 of Plats, Fresno County Records.

(b) Upon City's approval of any additional development on Fresno APN 023-130-34, City agrees to cause District's Towne Pipeline No. 95 to be replaced and relocated. The new pipeline shall meet District's then-current urban standards (which would currently require 30-inch diameter or larger ASTM C-361 Rubber Gasket Reinforced Concrete Pipe at such location). City shall cause District to be provided with a 30-foot wide exclusive easement in a

new alignment, reasonably acceptable to District. Upon receipt District's acceptance of the new pipeline, District shall quitclaim its interest in the Area of Common Use to City.

(c) This Agreement shall terminate within two years of any development approval described in Section 3(b). If this Agreement terminates prior to District's acceptance of the new pipeline described in Section 3(b), City shall be responsible to remove any City facilities from the Area of Common Use.

4. Specific Performance. Each Party agrees that the other Party will not have an adequate remedy at law if this Agreement is not performed in accordance with its terms, and that any damages available at law for breach of this Agreement would not be an adequate remedy. Therefore, each Party's obligations under this Agreement are enforceable by a decree of specific performance, and appropriate injunctive relief may be applied for and granted in connection therewith. These remedies and all other remedies provided for in this Agreement are cumulative and not exclusive and are in addition to any other remedies that such Party may have under this Agreement.

5. Further Assurances. From time to time and at any time after the execution and delivery hereof, each of the Parties, at its own expense, shall execute, acknowledge and deliver any further instruments, documents and other assurances reasonably requested by the other Party, and shall take any other action consistent with the terms of this Agreement that may reasonably be requested by the other Party, to evidence or carry out the intent of this Agreement.

6. Time and Computation of Time. Time is of the essence of this Agreement and each and all of its provisions. The Parties agree that the time for performance of any action permitted or required under this Agreement shall be computed as if such action were "an act provided by law" within the meaning of California Civil Code §10, which provides: "The time in which any act provided by law to be done is computed by excluding the first day and including the last, unless the last day is a holiday, and then it is also excluded."

7. Entire Agreement. This Agreement constitutes the entire agreement between the Parties pertaining to the subject matter contained in it and supersedes all prior and contemporaneous agreements, representations, and understandings of the Parties. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing by all of the parties hereto.

8. Waiver. Waiver of any breach of this Agreement by any party hereto shall not constitute a continuing waiver or a waiver of any breach of the same or another provision of this Agreement.

9. Counterparts. This Agreement may be executed in any number of counterparts and each such counterpart shall be deemed to be an original instrument, all of which together shall constitute one and the same instrument.

10. Binding Effect. This Agreement shall "run with the land" and be binding upon and inure to the benefit of the heirs, executors, administrators, assigns, and successors of the Parties hereto.

11. Interpretation. It is agreed and acknowledged by the Parties that this Agreement has been arrived at through negotiation, and that each Party has had a full and fair opportunity to revise the terms of this Agreement. Consequently, the normal rule of construction that any ambiguities are to be resolved against the drafting party shall not apply in construing or interpreting this Agreement.

12. Professionals' Fees. Should any action or proceeding be commenced between the Parties hereto concerning this Agreement, or the rights and duties of any party in relation thereto, the party prevailing in such action or proceeding shall be entitled, in addition to such other relief as may be granted, to recover from the losing party a reasonable sum for its attorneys', paralegals', accountants', and other professional fees and costs incurred in connection with such action or proceeding.

13. Parties in Interest. Nothing in this Agreement, whether expressed or implied, is intended to confer any rights or remedies on any persons other than the Parties hereto and their respective successors and assigns, nor is anything in this Agreement intended to relieve or discharge the obligation or liability of any third person to any party to this Agreement, nor shall any provision give any third person any right of subrogation or action over and against any Party to this Agreement.

14. Survival. Each of the terms, provisions, representations, warranties, and covenants of the Parties shall be continuous and shall survive the consummation of the transactions contemplated in this Agreement.

15. Notices. All notices and other communications required under this Agreement shall be in writing and shall be deemed to have been duly given (i) on the date of service, if served personally on the person to whom notice is to be given, (ii) on the date of service if sent by telecopier, provided the original is concurrently sent by first class mail, and provided that notices received by telecopier after 5:00 p.m. shall be deemed given on the next business day, (iii) on the next business day after deposit with a recognized overnight delivery service, or (iv) on the third (3rd) day after mailing, if mailed to the Party to whom notice is to be given by first class mail, registered or certified, postage-prepaid, and properly addressed as follows:

To District:            Fresno Irrigation District  
                                 2907 South Maple  
                                 Fresno, CA 93725-2218  
                                 Attn: General Manager

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

A Party may change its address for notices by providing notice to the other Party as provided above.

IN WITNESS WHEREOF, the Parties have executed this Agreement to be effective as of the date first above written.

“District”

“City”

The Fresno Irrigation District, a California irrigation district

The City of Kernan, a municipal corporation

By  
Ryan Jacobsen, President

By  
City Manager

By  
Gary R. Serrato, Secretary

Approved as to Form:

\_\_\_\_\_  
City Attorney

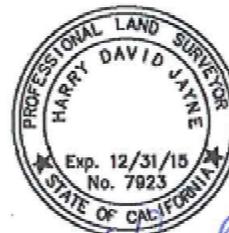
Exhibit "A"

PEDESTRIAN EASEMENT  
APN: 023-130-34 (PORTION)

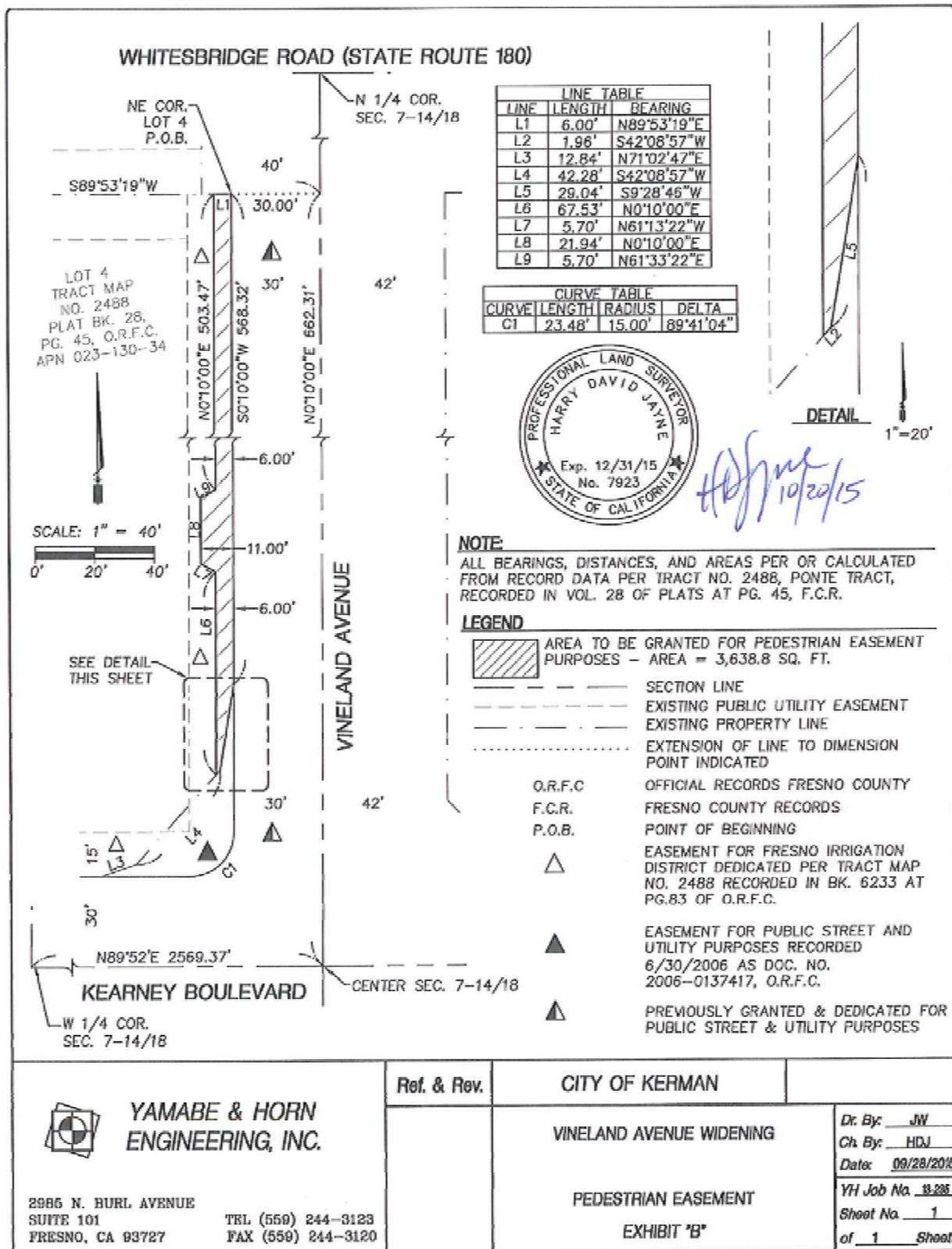
All that portion of Lot 4 of Tract No. 2488, Ponte Tract, according to the map thereof recorded in Book 28 of Plats at Page 45, Fresno County Records, in the City of Kerman, County of Fresno, State of California, described as follows:

BEGINNING at the Northeast corner of said Lot 4; thence, South 0°10' West, 568.32 feet along the East line of said Lot 4, to the North end of the Northerly line of the easement for public street and utility purposes granted to the City of Kerman by the Deed of Easement recorded June 30, 2006 as Document No. 2006-0137417, Official Records Fresno County; thence along said Northerly line the following two courses: 1) South 9°28'46" West, 29.04 feet; thence 2) South 42°08'57" West, 1.96 feet to a point on a line 6.00 feet West of and parallel with the East line of said Lot 4; thence North 0°10'00" East, 67.53 feet along said parallel line; thence North 61°13'22" West, 5.70 feet to a point on a line 11.00 feet West of and parallel with the East line of said Lot 4; thence North 0°10'00" East, 21.94 feet along said parallel line; thence North 61°33'22" East, 5.70 feet to a point on a line 6.00 feet West of and parallel with the East line of said Lot 4; thence North 0°10'00" East, 503.47 feet along said parallel line to a point on the North line of said Lot 4; thence, North 89°53'19" East, 6.00 feet along said North line to the POINT OF BEGINNING.

Containing 3,638.8 square feet, more or less.



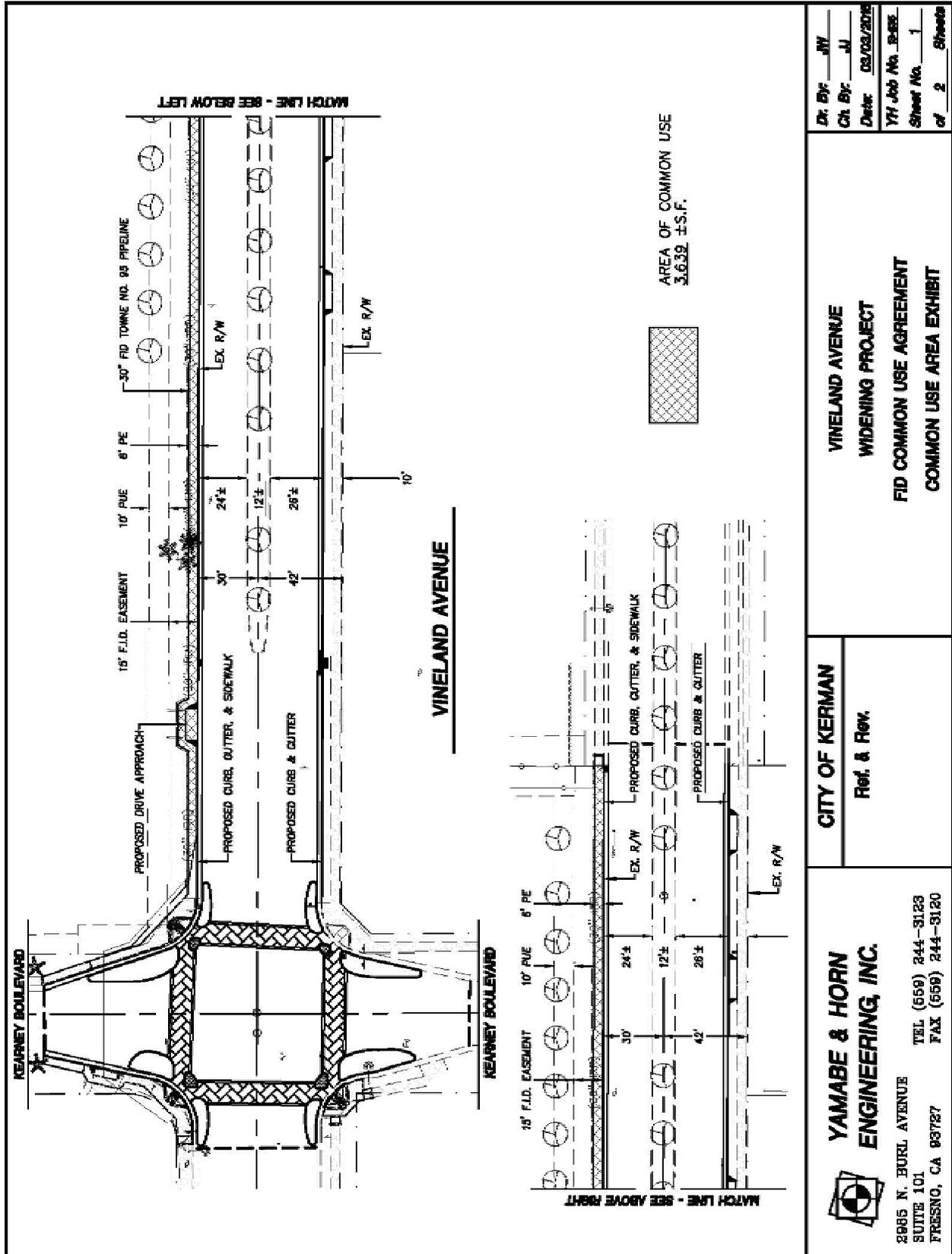
*Handwritten signature and date:* H. Jayne 10/20/15



Attachment 'B'



Attachment 'C'



 <p><b>YAMABE &amp; HORN ENGINEERING, INC.</b>                  2965 N. BURL AVENUE                  SUITE 101                  PLESSING, CA 95727                  TEL (559) 244-3123                  FAX (559) 244-3120</p>	<p><b>CITY OF KERMAN</b>                  Ref. &amp; Rev.</p>	<p><b>VINELAND AVENUE                  WIDENING PROJECT</b>                  FID COMMON USE AGREEMENT                  COMMON USE AREA EXHIBIT</p>	<p>Dr. By: <u>        </u> JY                  Ch. By: <u>        </u> JU                  Date: <u>03/03/2016</u>                  YH Job No. <u>18-005</u>                  Sheet No. <u>1</u>                  of <u>2</u> Sheets</p>
	<p>F:\2015\15-236\Vineland\15-236_FID Common Use.dwg</p>		



# City of Kerman

*"Where Community Comes First"*

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

DEPARTMENT: FINANCE  
STAFF REPORT  
CITY COUNCIL MEETING  
COUNCIL MEETING DATE: JUNE 1, 2016

To: Mayor and City Council  
From: Toni Jones, Finance Director  
Subject: Second Presentation of Preliminary General Fund Budget for Fiscal Year 2016/2017 Budget

## RECOMMENDATION

Council to review the preliminary Fiscal Year 2016/17 budgets for the General Fund and make any recommendations for changes.

## EXECUTIVE SUMMARY

Following discussion at the May 4<sup>th</sup> Council meeting staff made changes to the preliminary budget and is resubmitting the preliminary general fund budget for further comments or recommendations for changes.

The presentation on May 4<sup>th</sup> projected a deficit of \$436,000 and the revised General Fund budget reflects revenues of \$4,507,887 and expenditures of \$4,803,705 with a deficit of \$295,818. The major changes to the budgets are:

- Through attrition a vacant police officer position is on hold and will be filled by a reserve police officer; increasing his annual hours from 1,500 to 2,080 hours.
- Reduced the number of vehicles in PD's fleet for reserves
- Elimination of one of the two part time employees in the planning and building department.

The General Fund budget for fiscal year 2015/16 was adopted on June 17, 2015 with a projected deficit of \$148,266. Council approved that budget with a deficit but current estimated year-end budget numbers are projecting a surplus of \$90,000 including the administration fee received from the Successor Agency. Staff is confident that departments will continue to diligently monitor expenses and hopeful that revenues in the next fiscal year exceed our projections and the City will ultimately end up with a balanced budget.

## OUTSTANDING ISSUES

None

## FISCAL IMPACT

Preliminary budget only, no fiscal impact until adopted.

## PUBLIC HEARING

None Required

Attachments:

- A. General Fund Summary
- B. General Fund Revenue Summary
- C. General Fund Departmental Budgets

Attachment 'A'

**SUMMARY OF GENERAL FUND OPERATIONAL BUDGETS**

Activity	Description	Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	2015-2016 Estimated Year- End	Budget 2016-2017	Adopted vs Proposed \$ Change	Exp % of Total GF Revenue
<b>LEGISLATIVE &amp; GEN. GOVT.</b>								
6001	City Council	\$21,989	\$29,611	\$27,165	\$27,715	\$30,204	\$3,040	
6003	City Attorney	59,986	37,855	75,000	75,000	75,000	\$0	
1002	General Administration	228,773	199,990	205,256	235,104	259,746	\$54,490	
5005	Administrative Services	98,038	111,356	123,691	121,904	123,765	\$74	
6004	City Clerk	27,605	30,263	31,401	30,401	42,045	\$10,644	
	<b>TOTAL LEGISLATIVE &amp; GEN. GOVT.</b>	<b>436,390</b>	<b>409,075</b>	<b>462,513</b>	<b>490,124</b>	<b>530,761</b>	<b>\$68,248</b>	<b>11.8%</b>
<b>PLANNING &amp; DEVELOPMENT</b>								
1008	Planning	101,707	109,136	182,964	146,014	188,829	\$5,865	
1010	Engineering	40,276	26,291	25,000	35,000	25,000	\$0	
1042	Building	128,565	155,515	123,067	161,267	128,699	\$5,633	
	<b>TOTAL PLANNING &amp; DEVELOPMENT</b>	<b>270,549</b>	<b>290,943</b>	<b>331,031</b>	<b>342,281</b>	<b>342,529</b>	<b>\$11,498</b>	<b>7.6%</b>
<b>RECREATION/SOCIAL SERVICES</b>								
2002	Recreation Administration	234,547	234,867	293,656	298,340	307,938	\$14,283	
2010	Building Maintenance	45,802	63,241	127,940	136,940	161,542	\$33,602	
2044	Senior Center Services	109,487	100,931	120,651	117,395	116,626	(\$4,025)	
2047	Aquatics Program	21,779	27,728	42,219	42,219	34,174	(\$8,045)	
2062	Planned Recreation	22,556	26,997	33,392	32,092	30,060	(\$3,332)	
2065	Youth and Teen Services	37,521	52,566	57,315	54,217	54,176	(\$3,139)	
2069	Community Teen Center	129,628	125,850	56,503	60,903	81,754	\$25,251	
	<b>TOTAL REC/SOC SERVICES</b>	<b>601,320</b>	<b>632,181</b>	<b>731,676</b>	<b>742,106</b>	<b>786,271</b>	<b>\$54,595</b>	<b>17.5%</b>
<b>POLICE OPERATIONS</b>								
3011	Police Operations	2,483,503	2,708,022	2,915,417	2,925,103	2,941,301	\$25,883	
3041	Animal Control	56,209	57,527	60,312	58,512	57,110	(\$3,202)	
	<b>TOTAL POLICE OPERATIONS</b>	<b>2,539,711</b>	<b>2,765,550</b>	<b>2,975,729</b>	<b>2,983,614</b>	<b>2,998,410</b>	<b>\$22,681</b>	<b>66.6%</b>
<b>PUBLIC WORKS</b>								
4010	Parks Landscape Maintenance	145,064	126,062	148,551	149,759	145,734	(\$2,817)	
	<b>TOTAL PUBLIC WORKS</b>	<b>145,064</b>	<b>126,062</b>	<b>148,551</b>	<b>149,759</b>	<b>145,734</b>	<b>(\$2,817)</b>	<b>3.2%</b>
	<b>TOTAL GENERAL FUND OPERATIONS</b>	<b>3,993,035</b>	<b>4,223,811</b>	<b>4,649,500</b>	<b>4,707,884</b>	<b>4,803,705</b>	<b>\$154,205</b>	<b>106.7%</b>
	<b>TOTAL GENERAL FUND REVENUE</b>	<b>4,159,527</b>	<b>4,680,398</b>	<b>4,401,234</b>	<b>4,703,815</b>	<b>4,502,887</b>	<b>\$101,653</b>	
	<b>EXCESS (DEFICIT) REVENUE OVER EXPENDITURES</b>	<b>\$166,492</b>	<b>\$456,588</b>	<b>(\$248,266)</b>	<b>(\$4,069)</b>	<b>(\$300,818)</b>		
	<b>PERCENTAGE OF TOTAL G/F REVENUE</b>	<b>4.00%</b>	<b>9.76%</b>	<b>-5.64%</b>	<b>-0.09%</b>	<b>-6.68%</b>		
	<b>TRANSFER IN FROM SUCCESSOR AGENCY (S/A)</b>		<b>175,000</b>	<b>100,000</b>	<b>94,478</b>	<b>5,000</b>		
	<b>EXCESS (DEFICIT) AFTER TRANSFER IN FROM S/A</b>		<b>631,588</b>	<b>(148,266)</b>	<b>90,409</b>	<b>(295,818)</b>		

Attachment 'B'

General Fund Revenue Summary  
 100

Description						Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017
100	0000	311	10	00	Property Tax	557,915	624,315	620,000	595,000	620,000
100	0000	313	00	00	Sales Tax - General	1,181,028	1,347,987	1,470,000	1,525,000	1,816,461
100	0000	313	01	00	Triple Flip	422,703	418,274	324,000	224,068	0
100	0000	315	00	00	Franchise Taxes	100,800	103,912	100,000	113,400	100,000
100	0000	319	00	00	Real Estate Prop Trans Tax	11,531	18,463	15,000	15,000	15,000
100	0000	321	00	00	Business License Tax	61,781	56,473	60,000	64,000	60,000
100	0000	322	20	00	Alcohol Use Permit	1,075	945	750	1,050	900
100	0000	322	60	00	Animal Licenses & Permits	6,520	4,677	6,000	6,500	6,000
100	0000	322	70	00	Other Fees and Permits	3,175	2,692	3,000	2,500	2,500
100	0000	325	01	00	Vehicle Code Fines	32,387	28,321	30,000	36,000	25,000
100	0000	325	02	00	Criminal Code Fines/ Booking Fee	3,193	695	2,000	1,300	1,000
100	0000	335	00	00	Property Tax In-Lieu of VLF Backfill	990,634	1,047,961	1,050,000	1,107,938	1,100,000
100	0000	335	03	00	Vehicle License (Sec. 11001.5)	6,101	5,893	5,500	5,775	5,500
100	0000	335	04	00	Homeowners Prop Tax Relief	7,846	7,637	7,600	7,501	7,500
100	0000	335	06	00	SB90 Reimbursement	806	243,770	1,000	62,705	1,000
100	0000	341	01	00	Planning & Zoning Fees	9,250	5,714	5,000	12,500	5,000
100	0000	341	03	00	Reproduction Fee	90	153	100	100	100
100	0000	341	10	00	Notary Fees	90	30	100	20	50
100	0000	341	40	00	Building Permits	76,865	101,743	50,000	175,000	75,000
100	0000	341	41	00	Engineering Inspection Fees	4,767	0	5,000	0	0
100	0000	341	41	00	Archival and Technology Fees Collected	0	0	0	8,986	0
100	0000	341	43	00	Building Plan Check Fees	30,091	36,942	25,000	61,000	30,000
100	0000	341	48	00	Const & Demo Recycle Program	2,241	3,150	1,000	8,000	2,500
100	0000	342	01	00	Police Department - Special Svcs	3,373	4,829	4,000	5,200	4,500
100	0000	342	02	00	Sales Tax - Public Safety	14,104	14,993	14,500	14,000	14,000
100	0000	342	04	00	Live Scan Fingerprint Fee	7,687	5,361	5,000	5,000	5,000
100	0000	342	05	00	Proof of Correction Fees (CSO)	1,919	1,018	1,500	2,000	1,500
100	0000	342	07	00	Towed Vehicle Fee	15,750	13,125	12,500	14,500	13,000
100	0000	342	12	00	Parking Fines	11,590	5,179	5,000	6,700	4,000
100	0000	342	20	00	Sale of Surplus Items	4,982	556	0	0	0
100	0000	342	40	00	POST Reimbursements	3,741	2,392	1,000	3,500	7,000
100	0000	342	99	00	Miscellaneous Police Revenue	281	6,668	500	5,000	1,000
100	0000	344	40	00	Weed Abatement Fees	10,071	3,920	5,000	4,000	3,000
100	0000	344	45	00	Foreclosure Registration	1,217	750	1,000	1,050	1,000
100	0000	347	01	00	Swimming Pool Fees	13,603	13,657	15,000	15,000	17,000
100	0000	347	02	00	Recreational Programs	12,263	7,533	17,000	12,000	14,000
100	0000	347	03	00	Youth and Teen Program Revenues	13,742	14,781	13,500	13,500	14,500
100	0000	360	00	00	Rental Income - Ag Leases	15,656	16,142	16,142	16,142	16,142
100	0000	361	01	00	Interest Revenues	15,197	19,174	10,000	25,000	20,000
100	0000	361	02	00	Rents - Other (Parks and Facilities)	21,131	16,614	16,000	21,000	21,000
100	0000	361	03	00	Rents - Cell Tower Leases	20,060	32,036	26,969	21,282	21,920
100	0000	361	04	00	Rent - 942 Bldg	36,720	27,661	37,454	37,454	37,517
100	0000	361	05	00	Rents - Community Teen Center	33,312	41,983	40,000	44,000	35,000
100	0000	369	01	00	Miscellaneous	8,370	11,769	7,500	8,000	7,500
100	0000	369	02	00	PG&E Rebates	4,027	5,033	7,823	7,047	4,026
100	0000	369	03	00	WCCATV Distribution	58,029	42,680	50,000	76,302	56,000
100	0000	370	01	00	Self Insurance Refund	9,018	0	0	0	0
100	0000	375	01	00	Admin. & Overhead - Water & Sewer	223,547	214,558	214,558	214,558	214,558
100	0000	375	02	00	Admin. & Overhead - Equip.	56,964	56,964	56,964	56,964	56,964
100	0000	375	03	00	Admin. & Overhead - Drainage	7,453	7,453	7,453	7,453	7,453
100	0000	375	04	00	Admin. & Overhead - Refuse	14,851	23,840	23,840	23,840	23,840
100	0000	375	06	00	Admin. & Overhead - L&L District	7,956	7,956	7,956	7,956	7,956
100	0000	375	62	00	Admin. & O/H - Successor to RDA	2,025	2,025	2,025	2,025	0
<b>TOTAL GENERAL FUND RECURRING REVENUE</b>						<b>4,159,527</b>	<b>4,680,398</b>	<b>4,401,234</b>	<b>4,703,815</b>	<b>4,502,887</b>
100	0099	334	66	00	Transfer In from Successor Agency	249,548	169,478	100,000	94,478	5,000
<b>ONE TIME REVENUE</b>						<b>249,548</b>	<b>169,478</b>	<b>100,000</b>	<b>94,478</b>	<b>5,000</b>
<b>TOTAL GENERAL FUND REVENUE</b>						<b>4,409,075</b>	<b>4,849,876</b>	<b>4,501,234</b>	<b>4,798,293</b>	<b>4,507,887</b>

Attachment 'C'

**CITY COUNCIL**

**100 6001**

Description					Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017	
<b>PERSONNEL</b>										
100	6001	410	20	00		11,946	14,054	15,000	15,000	15,000
100	6001	420	00	00		1,263	1,680	1,849	1,849	1,898
100	6001	420	00	00						
100	6001	420	11	00		748	880	930	930	930
100	6001	420	12	00		175	206	218	218	218
100	6001	420	40	00				0	0	0
100	6001	420	50	00				0	0	0
100	6001	420	55	00		220	461	447	447	495
100	6001	420	60	00		119	133	255	255	255
						0	0	0	0	0
<b>TOTAL PERSONNEL</b>						<b>13,209</b>	<b>15,733</b>	<b>16,849</b>	<b>16,849</b>	<b>16,898</b>
<b>OPERATIONS &amp; MAINTENANCE</b>										
100	6001	510	10	00		0	0	500	500	-
100	6001	521	02	00		966	1,943	1,200	1,200	1,000
100	6001	552	01	00		1,369	765	1,000	2,500	3,000
100	6001	554	01	00			5,546	1,000	50	3,690
100	6001	555	06	00		1,140	0	0	0	0
100	6001	556	00	00		4,605	4,524	5,500	5,500	4,500
100	6001	565	00	00		700	1,100	1,115	1,115	1,117
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>						<b>8,780</b>	<b>13,878</b>	<b>10,315</b>	<b>10,865</b>	<b>13,307</b>
<b>CAPITAL</b>										
100	6001	600	03	00		0	0	0	0	0
100	6001	600	04	00		0	0	0	0	0
<b>TOTAL CAPITAL EXPENDITURES</b>						<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL DEPARTMENT BUDGET</b>						<b>21,989</b>	<b>29,611</b>	<b>27,165</b>	<b>27,715</b>	<b>30,204</b>
									Budget to Budget Increase/(Decrease)	<b>3,040</b>
									Percentage of Change	<b>11.2%</b>

**Budget Highlights:**

Travel-Conferences-Meetings - League of CA Cities New Mayor and Council Member Conference, Elections Nov. 2016

**CITY ATTORNEY**  
**100 6003**

Description					Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017	
<b>OPERATIONS &amp; MAINTENANCE</b>										
100	6003	510	10	00	Professional Services	59,986	37,855	75,000	75,000	75,000
<b>TOTAL</b>					<b>59,986</b>	<b>37,855</b>	<b>75,000</b>	<b>75,000</b>	<b>75,000</b>	<b>75,000</b>
<b>TOTAL DEPARTMENT BUDGET</b>					<b>59,986</b>	<b>37,855</b>	<b>75,000</b>	<b>75,000</b>	<b>75,000</b>	<b>75,000</b>
									Budget to Budget Increase/(Decrease)	0
									Percentage of Change	0.0%

**GENERAL ADMINISTRATION**

**100 1002**

Description					Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017	
<b>PERSONNEL</b>										
100	1002	410	10	00	Salaries	59,677	62,225	64,906	66,000	93,722
100	1002	420	51	00	CalPERS Unfunded Liability	0	0	1,391	1,391	2,415
100	1002	420	00	00	Fringe Benefits	18,452	19,923	18,051	20,959	31,916
100	1002	420	00	00	Fringe Benefits	834	1,617			
100	1002	420	11	00	FICA Tax Expense	3,690	3,807	3,990	3,990	5,355
100	1002	420	12	00	FICA MED Tax Expense	869	901	941	941	1,359
100	1002	420	40	00	Health Insurance Expense	3,186	4,655	3,654	3,654	12,686
100	1002	420	50	00	Retirement City Contribution	7,138	7,403	6,951	6,951	9,029
100	1002	420	55	00	Worker's Compensation Expense	2,158	978	1,534	1,534	2,113
100	1002	420	60	00	SDI Expense	577	562	982	3,890	1,374
					Check Total	0	0	0	0	0
<b>TOTAL PERSONNEL</b>					<b>78,130</b>	<b>82,148</b>	<b>84,348</b>	<b>88,350</b>	<b>128,054</b>	
<b>OPERATIONS &amp; MAINTENANCE</b>										
100	1002	510	01	00	Contract Services-Sales Tax Consultant/Grants	19,224	2,598	5,000	8,600	5,000
100	1002	510	10	00	Professional Services - Personnel Matters	2,880	500	0	15,600	2,500
100	1002	510	13	00	Professional Services - EDC Fresno County	7,318	0	6,000	6,000	6,000
100	1002	515	01	00	Utilities	11,899	15,805	15,000	15,000	17,000
100	1002	521	01	00	Office Supplies	906	1,091	1,500	1,500	1,750
100	1002	521	02	00	General Supplies	244	295	800	800	900
100	1002	521	07	00	Postage	1,600	77	300	300	300
100	1002	540	02	00	Equipment Rental - Lease	7,287	0	0	0	0
100	1002	550	00	00	Insurance	73,809	75,297	70,697	73,143	76,679
100	1002	551	01	00	Communications - Telephone	7,517	7,872	7,800	8,800	8,000
100	1002	551	02	00	Cellular Phone	0	0	0	750	1,000
100	1002	552	02	00	Public Notice / Advertising	0	0	3,000	3,400	750
100	1002	554	01	00	Training/Conferences/Meetings	371	1,436	1,000	2,700	1,000
100	1002	555	00	00	Dues & Subscriptions	6,342	6,394	6,500	6,850	7,500
100	1002	555	05	00	Property Taxes	2,655	0	0	0	0
100	1002	560	00	00	Administration & Overhead	2,025	2,025	2,025	2,025	2,025
100	1002	565	00	00	Internal Service Funds	6,567	4,455	1,285	1,285	1,288
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>					<b>150,643</b>	<b>117,842</b>	<b>120,908</b>	<b>146,753</b>	<b>131,692</b>	
<b>CAPITAL</b>										
100	1002	600	03	00	Capital Outlay - Improvements	0	0	0	0	0
<b>TOTAL CAPITAL EXPENDITURES</b>					<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>TOTAL DEPARTMENT BUDGET</b>					<b>228,773</b>	<b>199,990</b>	<b>205,256</b>	<b>235,104</b>	<b>259,746</b>	
Budget to Budget Increase/(Decrease)									<b>54,490</b>	
Percentage of Change									<b>26.5%</b>	

**ADMINISTRATIVE SERVICES**

**100 5005**

Description				Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017
<b>PERSONNEL</b>								
100	5005	410	10 00	18,825	13,093	21,500	21,500	18,889
100	5005	410	20 00	1,453	3,735	0	548	0
100	5005	410	30 00	28	159	0	1	0
100	5005	420	51 00	0	0	461	461	487
100	5005	420	00 00	7,292	5,381	8,334	8,334	7,776
<b>TOTAL PERSONNEL</b>				<b>27,598</b>	<b>22,369</b>	<b>30,294</b>	<b>30,844</b>	<b>27,153</b>
<b>OPERATIONS &amp; MAINTENANCE</b>								
100	5005	510	01 00	0	10,994	10,000	10,000	12,000
100	5005	510	10 00	13,800	14,300	14,300	12,800	12,900
100	5005	510	14 00	4,400	1,700	4,400	4,464	4,700
100	5005	521	01 00	250	1,021	1,500	1,500	1,750
100	5005	521	02 00	0	826	250	450	500
100	5005	521	07 00	1,122	2,060	2,000	2,000	2,500
100	5005	540	00 00	50,305	49,623	49,753	49,753	50,392
100	5005	540	02 00	0	7,242	8,500	8,500	8,500
100	5005	551	01 00	0	0	0	0	750
100	5005	554	01 00	242	379	500	500	1,500
100	5005	555	00 00	320	335	350	350	350
100	5005	565	00 00	0	508	244	244	271
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>				<b>70,440</b>	<b>88,987</b>	<b>91,797</b>	<b>90,560</b>	<b>96,112</b>
<b>CAPITAL</b>								
100	5005	600	03 99	0	0	1,100	0	0
100	5005	600	04 00	0	0	500	500	500
<b>TOTAL CAPITAL EXPENDITURES</b>				<b>0</b>	<b>0</b>	<b>1,600</b>	<b>500</b>	<b>500</b>
<b>TOTAL DEPARTMENT BUDGET</b>				<b>98,038</b>	<b>111,356</b>	<b>123,691</b>	<b>121,904</b>	<b>123,765</b>
Budget to Budget Increase/(Decrease)								<b>74</b>
Percentage of Change								<b>0.1%</b>

**CITY CLERK**  
**100 6004**

Description				Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017
<b>PERSONNEL</b>								
100	6004	410 10 00	Salaries	13,886	14,726	15,988	15,988	15,988
100	6004	420 51 00	CalPERS Unfunded Liability	0	0	343	343	412
100	6004	420 00 00	Fringe Benefits	4,791	4,413	4,257	4,257	4,381
<b>TOTAL PERSONNEL</b>				<b>18,676</b>	<b>19,139</b>	<b>20,588</b>	<b>20,588</b>	<b>20,780</b>
<b>OPERATIONS &amp; MAINTENANCE</b>								
100	6004	510 01 00	Contract Services	8,267	7,270	9,100	8,650	9,500
100	6004	510 02 00	Elections	0	2,695	0	0	9,000
100	6004	521 02 00	General Supplies & Postage	348	217	400	350	450
100	6004	554 01 00	Travel - Conferences - Meetings	8	0	500	0	1,500
100	6004	555 00 00	Dues & Subscriptions	305	315	350	350	350
100	6004	565 00 00	Internal Service Funds	0	627	464	464	465
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>				<b>8,928</b>	<b>11,124</b>	<b>10,814</b>	<b>9,814</b>	<b>21,265</b>
<b>CAPITAL</b>								
100	6004	600 04 00	Capital Outlay - Machinery & Equipment	0	0	0	0	0
<b>TOTAL CAPITAL EXPENDITURES</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL DEPARTMENT BUDGET</b>				<b>27,605</b>	<b>30,263</b>	<b>31,401</b>	<b>30,401</b>	<b>42,045</b>
Budget to Budget Increase/(Decrease)								<b>10,644</b>
Percentage of Change								<b>33.9%</b>

**Budget Highlights:**

Elections - Bi-Annual elections and ballot initiative costs.  
 Travel/Conferences/Meetings - Clerks Conference through League of CA Cities

**PLANNING**  
**100 1008**

Description				Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017
<b>PERSONNEL</b>								
100	1008	410	10 00	65,726	69,126	68,437	68,437	75,235
100	1008	410	20 00	2,243	2,407	15,000	15,000	15,000
100	1008	410	30 00	0	4,702	0	0	0
100	1008	420	51 00	0	0	1,467	1,467	1,939
100	1008	420	00 00	24,982	25,367	26,944	26,944	34,688
<b>TOTAL PERSONNEL</b>				<b>92,952</b>	<b>101,602</b>	<b>111,848</b>	<b>111,848</b>	<b>126,862</b>
<b>OPERATIONS &amp; MAINTENANCE</b>								
100	1008	510	01 00	3,253	2,203	2,500	2,500	3,150
100	1008	510	02 00	0	0	15,000	0	15,000
100	1008	510	10 00	0	0	50,000	27,000	40,000
100	1008	521	01 00	1,415	428	1,500	1,500	1,500
100	1008	521	07 00	299	31	300	300	300
100	1008	551	01 00	381	203	250	250	250
100	1008	552	01 00	300	300	550	1,600	750
100	1008	554	01 00	55	13	150	150	150
100	1008	565	00 00	181	1,057	866	866	868
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>				<b>5,884</b>	<b>4,235</b>	<b>71,116</b>	<b>34,166</b>	<b>61,968</b>
<b>CAPITAL</b>								
100	1008	600	03 99	1,100	3,300	0	0	0
100	1008	600	04 00	1,772	0	0	0	0
<b>TOTAL CAPITAL EXPENDITURES</b>				<b>2,872</b>	<b>3,300</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL DEPARTMENT BUDGET</b>				<b>101,707</b>	<b>109,136</b>	<b>182,964</b>	<b>146,014</b>	<b>188,829</b>
Budget to Budget Increase/(Decrease)								5,865
Percentage of Change								3.2%

## ENGINEERING

100 1010

Description					Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017	
<b>OPERATIONS &amp; MAINTENANCE</b>										
100	1010	510	10	00	Professional Services	40,276	26,291	25,000	35,000	25,000
<b>TOTAL</b>					<b>40,276</b>	<b>26,291</b>	<b>25,000</b>	<b>35,000</b>	<b>25,000</b>	
<b>TOTAL DEPARTMENT BUDGET</b>					<b>40,276</b>	<b>26,291</b>	<b>25,000</b>	<b>35,000</b>	<b>25,000</b>	
					Budget to Budget Increase/(Decrease)				0	
					Percentage of Change				0.0%	

**Budget Highlights:**

Professional Services - Yamabe & Horn: General engineering services for non-capital projects.

**BUILDING**  
**100 1042**

Description					Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017	
<b>PERSONNEL</b>										
100	1042	410	10	00	Salaries	72,189	70,754	65,003	65,003	65,644
100	1042	410	20	00	Part Time Salaries	0	0	0	3,000	0
100	1042	410	30	00	Overtime	799	1,165	500	500	500
100	1042	410	35	00	Stand By	396	414	101	101	107
100	1042	420	51	00	CalPERS Unfunded Liability	0	0	1,393	1,393	1,692
100	1042	420	00	00	Fringe Benefits	31,193	24,984	20,672	21,122	25,911
100	1042	420	11	00	FICA Tax Expense	4,375	4,369	4,036	4,036	4,077
100	1042	420	12	00	FICA MED Tax Expense	1,023	1,022	944	944	953
100	1042	420	40	00	Health Insurance Expense	10,142	8,381	6,975	6,975	11,186
100	1042	420	50	00	Retirement City Contribution	8,604	8,364	6,891	6,891	7,249
100	1042	420	55	00	Worker's Compensation Expense	6,316	2,196	810	810	1,420
100	1042	420	60	00	SDI Expense	733	652	1,015	1,465	1,026
					Check Total	0	0	0	0	0
<b>TOTAL PERSONNEL</b>					<b>104,576</b>	<b>97,317</b>	<b>87,669</b>	<b>91,119</b>	<b>93,852</b>	
<b>OPERATIONS &amp; MAINTENANCE</b>										
100	1042	510	01	00	Contract Services - Weed Abatement	4,267	987	5,000	5,000	5,000
100	1042	510	09	00	Professional Services - Digital Scan Plans	0	0	0	9,000	0
100	1042	510	10	00	Professional Services - Plan Check	7,930	43,169	15,000	40,000	15,000
100	1042	521	01	00	Office Supplies	700	914	750	750	750
100	1042	521	02	00	General Supplies	0	0	0	0	200
100	1042	521	06	00	Uniforms	49	47	75	75	75
100	1042	521	07	00	Postage	1,082	332	750	750	750
100	1042	540	02	00	Equipment Rent	1,232	2,727	2,500	3,250	3,250
100	1042	551	01	00	Communication - Telephone	1,135	965	1,000	1,000	1,000
100	1042	551	02	00	Cellular Phone	528	579	600	600	600
100	1042	554	01	00	Travel - Conferences - Meetings	124	109	150	150	150
100	1042	555	00	00	Dues & Subscriptions	1,412	393	400	400	1,750
100	1042	565	00	00	Internal Service Funds	5,303	7,977	9,173	9,173	6,322
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>					<b>23,762</b>	<b>58,199</b>	<b>35,398</b>	<b>70,148</b>	<b>34,847</b>	
<b>CAPITAL</b>										
100	1042	600	04	00	Capital Outlay - Machinery & Equipment	228	0	0	0	0
<b>TOTAL CAPITAL EXPENDITURES</b>					<b>228</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>TOTAL DEPARTMENT BUDGET</b>					<b>128,565</b>	<b>155,515</b>	<b>123,067</b>	<b>161,267</b>	<b>128,699</b>	
									Budget to Budget Increase/(Decrease)	5,633
									Percentage of Change	4.6%

**Budget Highlights:**

Dues & Subscriptions - 2016 Building Code Books (Updated every three years)

**RECREATION AND COMMUNITY SERVICES ADMINISTRATION**

**100 2002**

Description				Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017	
<b>PERSONNEL</b>									
100	2002	410	10 00	Salaries	108,036	113,727	154,921	154,921	164,679
100	2002	410	20 00	Part Time Salaries	12,503	13,374	12,700	10,000	6,700
100	2002	410	30 00	Overtime	0	0	500	500	500
100	2002	420	51 00	CalPERS Unfunded Liability	0	0	3,320	3,320	4,243
100	2002	420	00 00	Fringe Benefits	49,439	50,753	67,832	67,832	76,016
<b>TOTAL PERSONNEL</b>					<b>169,978</b>	<b>177,854</b>	<b>239,273</b>	<b>236,573</b>	<b>252,139</b>
<b>OPERATIONS &amp; MAINTENANCE</b>									
100	2002	510	10 00	Professional Services	0	1,191	1,200	1,314	0
100	2002	515	01 00	Utilities	30,869	29,113	27,000	32,000	28,000
100	2002	521	01 00	Office Supplies & Postage	638	493	600	600	600
100	2002	521	02 00	General Supplies	1,424	953	1,200	3,400	1,300
100	2002	521	06 00	Uniforms	380	461	380	450	380
100	2002	540	02 00	Equipment Rent - Lease	3,008	3,819	3,200	3,200	3,200
100	2002	551	01 00	Communications - Telephone	481	305	350	350	350
100	2002	551	02 00	Cellular Phone	284	312	300	300	300
100	2002	554	01 00	Travel/Conferences/Meetings	198	893	1,200	1,200	1,200
100	2002	555	00 00	Dues & Subscriptions	190	515	800	800	800
100	2002	555	04 00	Taxes & Assessments	1,867	0	0	0	0
100	2002	565	00 00	Internal Service Funds	25,231	18,958	18,153	18,153	19,670
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>					<b>64,570</b>	<b>57,012</b>	<b>54,383</b>	<b>61,767</b>	<b>55,800</b>
<b>CAPITAL</b>									
100	2002	600	03 00	Capital Outlay - Improvements	0	0	0	0	0
<b>TOTAL CAPITAL EXPENDITURES</b>					<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL DEPARTMENT BUDGET</b>					<b>234,547</b>	<b>234,867</b>	<b>293,656</b>	<b>298,340</b>	<b>307,938</b>
Budget to Budget Increase/(Decrease)								<b>14,283</b>	
Percentage of Change								<b>4.9%</b>	

**Budget Highlights:**

- General Supplies - FY 15/16 Increase due to purchase of Christmas lights and decorations for Kannami tree.
- Part-Time Salaries - Decrease due to Maintenance worker re-allocated to Building Maintenance budget.
- Capital Outlay - Eagle Scout Project

## BUILDING MAINTENANCE

100 2010

Description					Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017
<b>PERSONNEL</b>									
100	2010	410	10	00	0	0	49,536	49,536	54,180
100	2010	410	20	00	77	7,483	10,000	10,000	24,000
100	2010	420	51	00	0	0	0	0	1,396
100	2010	420	00	00	12	0	23,754	23,754	30,041
<b>TOTAL PERSONNEL</b>					<b>77</b>	<b>7,483</b>	<b>83,290</b>	<b>83,290</b>	<b>108,221</b>
<b>OPERATIONS &amp; MAINTENANCE</b>									
100	2010	510	01	00	8,212	33,404	26,500	28,000	26,500
100	2010	510	10	00	0	3,295	2,500	2,500	2,000
100	2010	521	02	00	0	0	0	2,500	800
100	2010	521	03	00	18,234	3,161	7,500	10,000	9,000
100	2010	521	04	00	7,645	8,319	8,000	10,500	9,000
100	2010	521	06	00	1,440	278	150	150	850
100	2010	551	02	00	0	0	0	0	900
100	2010	565	00	00	0	0	0	0	4,271
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>					<b>35,531</b>	<b>48,457</b>	<b>44,650</b>	<b>53,650</b>	<b>53,321</b>
<b>CAPITAL</b>									
100	2010	600	03	00	4,647	0	0	0	0
100	2010	600	03	00	5,547	0	0	0	0
100	2010	600	03	06	0	3,403	0	0	0
100	2010	600	03	07	0	1,398	0	0	0
100	2010	600	03	08	0	2,500	0	0	0
<b>TOTAL CAPITAL EXPENDITURES</b>					<b>10,194</b>	<b>7,301</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL DEPARTMENT BUDGET</b>					<b>45,802</b>	<b>63,241</b>	<b>127,940</b>	<b>136,940</b>	<b>161,542</b>
Budget to Budget Increase/(Decrease)									33,602
Percentage of Change									26.3%

**Budget Highlights:**

Part-time Wages - Reclassed part time maintenance workers from Recreation budget to Building Maintenance for \$10,000 plus additional PT staff needed (2 x 19 hours per week each) for new responsibilities including City Hall, Police Dept, Dental Building, Parks Landscaping Contract Maintenance, Additional restrooms at Katey's and Soroptimist Parks and B Street Park addition.

Communications- Cellular - Moved expenses from CTC Fund (100.2069) and added data card for mobile network services.

## SENIOR CENTER SERVICES

### 100 2044

Description				Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017
<b>PERSONNEL</b>								
100	2044	410 10 00	Salaries	60,341	60,738	61,718	67,059	68,034
100	2044	420 51 00	CalPERS Unfunded Liability	0	0	3,320	3,320	1,753
100	2044	420 00 00	Fringe Benefits	21,001	19,902	20,186	21,937	23,722
<b>TOTAL PERSONNEL</b>				<b>81,342</b>	<b>80,640</b>	<b>85,224</b>	<b>92,316</b>	<b>93,509</b>
<b>OPERATIONS &amp; MAINTENANCE</b>								
100	2044	515 01 00	Utilities	8,600	6,971	8,500	9,000	9,000
100	2044	521 01 00	Office Supplies	749	898	600	700	600
100	2044	521 02 00	General Supplies & Postage	1,025	966	800	800	800
100	0099	557 73 00	City Match to Senior Nutrition Grant (73)	12,032	2,481	14,942	3,994	4,028
100	2044	551 01 00	Communications - Telephone	2,694	2,539	2,600	2,600	2,700
100	2044	565 00 00	Internal Service Funds	3,045	6,437	7,985	7,985	5,989
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>				<b>28,145</b>	<b>20,292</b>	<b>35,427</b>	<b>25,079</b>	<b>23,117</b>
<b>CAPITAL</b>								
100	2044	600 04 00	Capital Outlay - Machinery & Equipment	0	0	0	0	0
<b>TOTAL CAPITAL EXPENDITURES</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL DEPARTMENT BUDGET</b>				<b>109,487</b>	<b>100,931</b>	<b>120,651</b>	<b>117,395</b>	<b>116,626</b>
Budget to Budget Increase/(Decrease)								<b>(4,025)</b>
Percentage of Change								<b>-3.3%</b>

**Budget Highlights:**

100.2044.410.10.00 - Based on FMAAA Audit reclassified wages for CS director from fund 730

**AQUATICS PROGRAM**  
**100 2047**

Description				Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017
<b>PERSONNEL</b>								
100	2047	410	10 00	4,117	6,414	6,785	6,785	7,125
100	2047	410	20 00	13,071	15,360	16,500	16,500	18,360
100	2047	410	20 01	0	0	2,400	2,400	2,200
100	2047	420	51 00	0	0	145	145	184
100	2047	420	00 00	3,530	5,028	6,841	6,841	5,381
<b>TOTAL PERSONNEL</b>				<b>20,719</b>	<b>26,802</b>	<b>32,671</b>	<b>32,671</b>	<b>33,249</b>
<b>OPERATIONS &amp; MAINTENANCE</b>								
100	2047	521	02 00	1,060	799	800	800	800
100	2047	521	03 00	0	0	8,623	8,623	0
100	2047	565	00 00	0	127	125	125	125
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>				<b>1,060</b>	<b>926</b>	<b>9,548</b>	<b>9,548</b>	<b>925</b>
<b>CAPITAL</b>								
100	2047	600	04 00	0	0	0	0	0
<b>TOTAL CAPITAL EXPENDITURES</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL DEPARTMENT BUDGET</b>				<b>21,779</b>	<b>27,728</b>	<b>42,219</b>	<b>42,219</b>	<b>34,174</b>
Budget to Budget Increase/(Decrease)								<b>(8,045)</b>
Percentage of Change								<b>-19.1%</b>

**PLANNED RECREATION**

**100 2062**

Description				Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017
<b>PERSONNEL</b>								
100	2062	410 10 00	Salaries	6,862	10,690	11,308	11,308	11,874
100	2062	410 20 00	Part Time Salaries	4,135	4,060	7,300	6,000	6,000
100	2062	420 51 00	CalPERS Unfunded Liability	0	0	242	242	306
100	2062	420 00 00	Fringe Benefits	4,513	5,516	5,408	5,408	5,246
<b>TOTAL PERSONNEL</b>				<b>15,510</b>	<b>20,266</b>	<b>24,258</b>	<b>22,958</b>	<b>23,426</b>
<b>OPERATIONS &amp; MAINTENANCE</b>								
100	2062	510 01 00	Contract Services	945	630	1,200	1,200	0
100	2062	515 01 00	Utilities	2,611	2,797	2,500	2,500	2,500
100	2062	521 01 00	Office Supplies & Postage	2	60	200	200	200
100	2062	521 02 00	Program Supplies	3,464	3,007	5,000	5,000	3,700
100	2062	551 01 00	Communications - Telephone	25	25	25	25	25
100	2062	565 00 00	Internal Service Funds	0	212	209	209	209
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>				<b>7,046</b>	<b>6,731</b>	<b>9,134</b>	<b>9,134</b>	<b>6,634</b>
<b>CAPITAL</b>								
100	2062	600 03 00	Capital Outlay	0	0	0	0	0
<b>TOTAL CAPITAL EXPENDITURES</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL DEPARTMENT BUDGET</b>				<b>22,556</b>	<b>26,997</b>	<b>33,392</b>	<b>32,092</b>	<b>30,060</b>
Budget to Budget Increase/(Decrease)								<b>(3,332)</b>
Percentage of Change								<b>-10.0%</b>

**YOUTH AND TEEN SERVICES**  
**100 2065**

Description				Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017
<b>PERSONNEL</b>								
100	2065	410	10 00	9,625	14,966	15,831	15,831	16,624
100	2065	410	20 00	16,671	19,260	22,000	18,900	20,000
100	2065	420	51 00	0	0	339	339	428
100	2065	420	00 00	6,554	9,145	9,563	9,563	9,239
<b>TOTAL PERSONNEL</b>				<b>32,850</b>	<b>43,370</b>	<b>47,733</b>	<b>44,633</b>	<b>46,292</b>
<b>OPERATIONS &amp; MAINTENANCE</b>								
100	2065	521	01 00	48	0	0	0	0
100	2065	521	02 00	4,533	8,808	9,200	9,200	7,500
100	2065	551	01 00	91	91	90	92	92
100	2065	565	00 00	0	297	292	292	292
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>				<b>4,671</b>	<b>9,196</b>	<b>9,582</b>	<b>9,584</b>	<b>7,884</b>
<b>CAPITAL</b>								
100	2065	600	03 00	0	0	0	0	0
<b>TOTAL CAPITAL EXPENDITURES</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL DEPARTMENT BUDGET</b>				<b>37,521</b>	<b>52,566</b>	<b>57,315</b>	<b>54,217</b>	<b>54,176</b>
Budget to Budget Increase/(Decrease)								(3,139)
Percentage of Change								-5.5%

**COMMUNITY TEEN CENTER**

**100 2069**

Description				Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017
<b>PERSONNEL</b>								
100	2069	410	10 00	46,333	48,017	0	0	0
100	2069	410	20 00	12,230	13,463	16,500	16,500	32,500
100	2069	410	30 00	0	0	0	0	0
100	2069	420	51 00	0	0	0	0	0
100	2069	420	00 00	23,446	24,349	1,902	1,902	3,852
<b>TOTAL PERSONNEL</b>				<b>82,009</b>	<b>85,828</b>	<b>18,402</b>	<b>18,402</b>	<b>36,352</b>
<b>OPERATIONS &amp; MAINTENANCE</b>								
100	2069	510	01 00	3,016	3,907	3,600	2,000	3,500
100	2069	510	10 00	0	0	0	0	0
100	2069	515	01 00	29,122	24,734	26,000	32,000	32,000
100	2069	521	01 00	483	657	500	500	600
100	2069	521	02 00	10,306	5,985	4,500	4,500	4,000
100	2069	551	01 00	2,493	2,336	2,400	2,400	3,000
100	2069	551	02 00	284	312	300	300	300
100	2069	565	00 00	0	816	801	801	802
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>				<b>45,704</b>	<b>38,747</b>	<b>38,101</b>	<b>42,501</b>	<b>44,202</b>
<b>CAPITAL</b>								
100	2069	600	04 00	1,915	1,276	0	0	1,200
<b>TOTAL CAPITAL EXPENDITURES</b>				<b>1,915</b>	<b>1,276</b>	<b>0</b>	<b>0</b>	<b>1,200</b>
<b>TOTAL DEPARTMENT BUDGET</b>				<b>129,628</b>	<b>125,850</b>	<b>56,503</b>	<b>60,903</b>	<b>81,754</b>
Budget to Budget Increase/(Decrease)								<b>25,251</b>
Percentage of Change								<b>44.7%</b>

**Budget Highlights:**

- Part-Time Wages - PT CTC Coordinator needed (24 hours per week) for customer service to alleviate full time staff enabling time for newly assigned building and facility maintenance and repairs.
- Cellular Phone - Reallocated expense to building maintenance fund (100.2010)
- Capital Outlay - Machinery & Equipment - Replace four (4) round tables

**POLICE**  
**100 3011**

Description				Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017	
<b>PERSONNEL</b>									
100	3011	410	10 00	Salaries	1,149,089	1,237,415	1,340,804	1,340,804	1,334,643
100	3011	410	20 00	Part Time Salaries	73,049	82,966	94,000	94,000	103,360
100	3011	410	30 00	Overtime	41,935	51,839	50,000	50,000	50,000
100	3011	410	35 00	Court Standby	1,682	1,494	2,500	2,500	2,500
100	3011	410	36 00	FTO	1,122	3,491	5,200	5,200	5,200
100	3011	410	38 00	Uniform Allowance	21,974	21,825	23,200	23,200	22,100
100	3011	410	40 00	Holiday Pay	41,612	51,520	51,227	51,227	44,669
100	3011	420	51 00	CalPERS Unfunded Liability	0	0	29,820	29,820	36,286
100	3011	420	00 00	Fringe Benefits	631,505	640,227	639,393	639,393	672,062
<b>TOTAL PERSONNEL</b>					<b>1,961,967</b>	<b>2,090,777</b>	<b>2,236,144</b>	<b>2,236,144</b>	<b>2,270,820</b>
<b>OPERATIONS &amp; MAINTENANCE</b>									
100	3011	510	11 00	Professional Services - New Hires	3,022	11,337	6,000	9,000	5,520
100	3011	510	12 00	Professional Services - Lab Criminal	6,374	7,671	6,000	9,300	8,000
100	3011	510	13 00	Professional Services - Lab Employees	915	625	1,400	1,400	1,400
100	3011	510	14 00	Professional Services - Investigations	0	0	0	0	1,500
100	3011	510	15 00	Assault/Medical Examinations	3,823	6,000	4,000	4,000	4,000
100	3011	510	28 00	Dispatch	223,212	214,185	227,611	227,611	227,611
100	3011	510	29 00	RMS-CAD	1,992	2,007	2,200	2,200	2,200
100	3011	510	30 00	Booking Fees	2,112	1,488	1,200	1,200	1,500
100	3011	510	31 00	Parking Citations	3,225	2,088	3,600	3,600	3,600
100	3011	510	32 00	Live Scan Fingerprints	4,090	3,442	4,000	4,000	4,000
100	3011	515	01 00	Utilities	17,201	18,029	16,500	17,500	17,500
100	3011	521	01 00	Office Supplies	3,821	3,789	4,500	4,500	4,500
100	3011	521	02 00	General Supplies	5,338	7,073	7,000	7,000	7,000
100	3011	521	07 00	Postage	2,208	2,143	2,200	2,200	2,200
100	3011	521	10 00	Uniform Supplies	796	2,778	4,000	4,000	8,000
100	3011	521	12 00	Bullet Resistant Vests	0	1,288	1,625	1,625	2,400
100	3011	521	25 00	Evidence and Property	0	1,200	0	0	1,200
100	3011	521	35 00	Firearms Purchase	1,454	0	1,200	1,585	1,000
100	3011	521	40 00	Range Supplies	0	0	0	0	6,000
100	3011	521	41 00	Range Maintenance	0	0	0	0	500
100	3011	530	01 00	Equipment Maintenance - Repair	6,743	3,319	3,500	3,500	3,500
100	3011	540	02 00	Equipment Rental	5,008	4,745	4,500	4,500	4,500
100	3011	551	01 00	Communications - Telephone	3,699	3,555	3,600	3,600	3,600
100	3011	551	02 00	Communications - Cell Phone	2,110	2,314	2,200	2,200	2,200
100	3011	551	05 00	Live Scan Line	7,555	8,134	7,500	7,500	7,500
100	3011	551	06 00	MDT Monthly Access	3,420	3,365	3,600	3,600	3,600
100	3011	552	02 00	Public Notice	0	0	500	500	500
100	3011	554	01 00	Travel - Meetings	6,195	7,691	7,000	12,000	2,000
100	3011	554	02 00	Training - Post Reimbursable	0	0	0	0	7,000
100	3011	554	05 00	Training Supplies	2,757	2,375	3,150	3,150	2,500
100	3011	555	02 00	Professional Dues and Codes	878	1,205	1,550	1,550	1,550
100	3011	555	04 00	Prof Dues/Subscrip. Forensic Software Upgrade	0	0	3,100	3,100	3,100
100	3011	555	05 00	Explorer Program	0	0	1,500	1,500	1,500
100	3011	500	00 00	Ford Explorer Vehicle Loan Payment (1 of 5)	0	0	0	0	30,434
100	3011	565	00 00	Internal Service Funds (Additional Officer FY 15/16)	0	0	11,625	11,625	0
100	3011	565	00 00	Internal Service Funds	203,588	295,399	329,913	329,913	277,196
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>					<b>521,536</b>	<b>617,245</b>	<b>676,274</b>	<b>688,959</b>	<b>660,311</b>
<b>CAPITAL</b>									
100	3011	600		Capital Outlay-Technology Equipment	0	0	0	0	5,450
100	3011	600		Capital Outlay-Car Alarms (10 Vehicles)	0	0	0	0	1,700
100	3011	600		Capital Outlay-Install Radar Equipment (4 Vehicles)	0	0	0	0	3,020
<b>TOTAL CAPITAL EXPENDITURES</b>					<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10,170</b>
<b>TOTAL DEPARTMENT BUDGET</b>					<b>2,483,503</b>	<b>2,708,022</b>	<b>2,915,417</b>	<b>2,925,103</b>	<b>2,941,301</b>
								Budget to Budget Increase/(Decrease)	<b>25,883</b>
								Percentage of Change	<b>0.9%</b>

**Budget Highlights:**

- 100.3011.420.00.00 - Fringe Benefits - Added PERS benefits to part-time employees
- 100.3011.521.35.00 - Firearms - Replace three rifles
- 100.3011.521.02.00 - General Supplies - One time additional cost for tactical equipment for SID Unit
- 100.3011.554.02.00 - Training - POST Reimbursable costs are offset by General Fund revenue code 100.0000.342.40.00

**ANIMAL CONTROL**

**100 3041**

Description				Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017
<b>PERSONNEL</b>								
100	3041	410 10 00	Salaries	26,705	26,789	23,977	23,977	25,099
100	3041	410 30 00	Overtime	28	288	1,000	1,000	1,000
100	3041	410 35 00	Stand By	0	0	0	0	0
100	3041	420 51 00	CalPERS Unfunded Liability	0	0	514	514	647
100	3041	420 00 00	Fringe Benefits	12,302	11,189	8,869	8,869	6,806
<b>TOTAL PERSONNEL</b>				<b>39,035</b>	<b>38,265</b>	<b>34,360</b>	<b>34,360</b>	<b>33,552</b>
<b>OPERATIONS &amp; MAINTENANCE</b>								
100	3041	510 01 00	Contract Services	10,460	8,365	9,500	9,500	9,500
100	3041	521 01 00	Office Supplies	12	162	300	300	300
100	3041	521 02 00	General Supplies	2,459	1,290	3,000	3,000	4,000
100	3041	521 06 00	Uniforms	151	393	350	350	350
100	3041	521 07 00	Postage	210	100	150	150	150
100	3041	551 02 00	Cellular Phone	244	267	300	300	300
100	3041	554 01 00	Travel - Conferences - Meetings	0	10	4,000	2,500	1,000
100	3041	565 00 00	Internal Service Funds	3,639	8,676	8,052	8,052	7,958
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>				<b>17,174</b>	<b>19,262</b>	<b>25,652</b>	<b>24,152</b>	<b>23,558</b>
<b>CAPITAL</b>								
100	3041	600 04 00	Capital Outlay - Machinery & Equipment	0	0	300	0	0
<b>TOTAL CAPITAL EXPENDITURES</b>				<b>0</b>	<b>0</b>	<b>300</b>	<b>0</b>	<b>0</b>
<b>TOTAL DEPARTMENT BUDGET</b>				<b>56,209</b>	<b>57,527</b>	<b>60,312</b>	<b>58,512</b>	<b>57,110</b>
Budget to Budget Increase/(Decrease)								<b>(3,202)</b>
Percentage of Change								<b>-5.3%</b>

**Budget Highlights:**

General Supplies - Animal Control Officer with provide preventative shots and euthanasians

**PARKS LANDSCAPE MAINTENANCE**

**100 4010**

Description					Audited 2013-2014	Audited 2014-2015	Adopted 2015-2016	Estimated Year- End	Budget 2016-2017	
<b>PERSONNEL</b>										
100	4010	410	10	00	Salaries	53,323	39,832	53,727	53,727	52,232
100	4010	410	30	00	Overtime	2,921	1,984	3,000	3,000	3,000
100	4010	410	35	00	Stand By	1,915	1,284	1,476	1,476	1,977
100	4010	420	51	00	CalPERS Unfunded Liability	0	0	1,151	1,151	1,346
100	4010	420	00	00	Fringe Benefits	27,360	22,884	28,107	28,107	29,521
<b>TOTAL PERSONNEL</b>					<b>85,519</b>	<b>65,984</b>	<b>87,462</b>	<b>87,462</b>	<b>88,076</b>	
<b>OPERATIONS &amp; MAINTENANCE</b>										
100	4010	510	01	00	Contract Services	0	0	0	0	0
100	4010	515	01	00	Utilities	4,830	5,696	5,000	5,500	6,000
100	4010	515	02	00	Utilities - Old Town "LME"	15,054	15,054	15,054	15,054	15,054
100	4010	521	01	00	Office Supplies & Postage	560	415	400	500	500
100	4010	521	05	00	Park Supplies	16,937	20,006	17,500	17,500	17,000
100	4010	521	06	00	Uniforms	1,440	0	300	325	325
100	4010	551	01	00	Communications - Telephone	934	762	750	750	800
100	4010	551	02	00	Cellular Phone	345	378	400	400	400
100	4010	554	01	00	Training / Meetings	59	80	250	250	250
100	4010	555	04	00	Taxes & Assessments (Fresno Irrig. District)	0	1,867	1,875	1,867	1,875
100	4010	555	05	00	Property Taxes	0	2,668	2,675	2,812	2,850
100	4010	565	00	00	Internal Service Funds	14,739	13,153	16,885	16,885	9,604
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>					<b>54,898</b>	<b>60,078</b>	<b>61,089</b>	<b>61,843</b>	<b>54,658</b>	
<b>CAPITAL</b>										
100	4010	600	03	08	Capital - Skate Park Demolition	0	0	0	455	0
100	4010	600	03	00	Capital - Small Equipment Replacement	4,647	0	0	0	3,000
<b>TOTAL CAPITAL EXPENDITURES</b>					<b>4,647</b>	<b>0</b>	<b>0</b>	<b>455</b>	<b>3,000</b>	
<b>TOTAL DEPARTMENT BUDGET</b>					<b>145,064</b>	<b>126,062</b>	<b>148,551</b>	<b>149,759</b>	<b>145,734</b>	
									Budget to Budget Increase/(Decrease)	(2,817)
									Percentage of Change	-1.9%