

Table of Contents

Agenda	2
Minutes	
April 16, 2014.	6
Payroll	
Payroll	8
Overtime	10
Warrants	
Accounts Payable.	11
Resolution Accepting the Wooten Park Lighting Project	
Staff Report - Wooten Park Acceptance	30
Adoption of New Development Impact Fee and Increase in Existing Development Impact Fees	
Staff Report - Development Impact Fees	32
Request for Resolution by Assembly Member Henry T. Perea Affirming Support for Assembly Bill (AB) 2686 (Perea), the Clean, Safe, and Reliable Water Supply Act of 2014 and the Importance of Above-Ground Water Storage, Delta Restoration and Safe Drinking Water	
AB 2686 Fact Sheet - Sample Resolution	44
Resolution Approving Agreement with N.T. Hill, Inc. for the Construction of Ten Homes in Kerman Estates, Tract 5478.	
Staff Report - Hill Agreement	47
Resolution Approving Agreement with California Real Estate Solutions, LLC for the Construction of Ten Homes in Kerman Estates, Tract 5478	
Staff Report - CRES Agreement	61
Approval to Submit Active Transportation Program Funding Applications	
Staff Report - ATP Applications	77
Resolution of Intention to Levy and Collect the Annual Assessments for Landscape and Lighting District No. 1	
Staff Report-LLMD Intent	85
Selection of Bulbout Alternative at Intersection of Vineland Avenue and Kearney Boulevard and Authorization of Re-programming of Federal Regional Surface Transportation Program (RSTP) Lifeline Funding	
Staff Report - Vineland Bulbouts.	88
Presentation of Preliminary Budget for Fiscal Year 2014-15	
Staff Report - Preliminary Budget Report.	93



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

AGENDA
KERMAN CITY COUNCIL
 REGULAR MEETING
 Kerman City Hall
 850 S. Madera Avenue
 Wednesday, May 7, 2014
 6:30 PM

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

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

OPENING CEREMONIES

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

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

- Pledge of Allegiance – City Clerk

AGENDA APPROVAL/ADDITIONS/DELETIONS

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

1. CEREMONIAL MATTERS

None

REQUEST TO ADDRESS COUNCIL

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

2. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Council Member may request an item be removed from the Consent Calendar and it will be considered separately.

A. **SUBJECT**: Minutes

RECOMMENDATION: Council approve minutes as presented.

ATTACHMENTS: [April 16, 2014](#)

B. **SUBJECT**: Payroll

Payroll Report: March 30, 2014 - April 12, 2014: \$122,673.32; Retro Pay: \$37.80;
Overtime: \$3,141.15; Standby & FTO: \$1,071.64

RECOMMENDATION: Council approve payroll as presented.

ATTACHMENTS: [Payroll/Overtime](#)

C. **SUBJECT**: Warrants/Electronic Bank Transfers

Nos. 38992-39149: \$324,833.05; Electronic Funds Transfer: \$62,633.37
Excepting: Kerwest Newspapers: #39076 - \$81.38 and #39134 - \$833.34
Valley Food Center: #39096 - \$18.77

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

ATTACHMENTS: [Accounts Payable](#)

D. **SUBJECT**: Resolution Accepting the Wooten Park Lighting Project (GH)

RECOMMENDATION: Council adopt resolution accepting the Wooten Park Lighting Project and authorize the City Engineer to record the Notice of Completion.

ATTACHMENTS: [Staff Report - Wooten Park Acceptance](#)

3. PUBLIC HEARINGS

A. **SUBJECT**: Adoption of New Development Impact Fee and Increase in Existing Development Impact Fees (GH)

RECOMMENDATION: Council open Public Hearing, receive testimony, close Public Hearing and adopt resolutions establishing a new Development Impact Fee and increasing existing Development Impact Fees.

ATTACHMENTS: [Staff Report - Development Impact Fees](#)

4. DEPARTMENT REPORTS

- A. **SUBJECT:** Request for Resolution by Assembly Member Henry T. Perea Affirming Support for Assembly Bill (AB) 2686 (Perea), the Clean, Safe, and Reliable Water Supply Act of 2014 and the Importance of Above-Ground Water Storage, Delta Restoration and Safe Drinking Water (LP)

RECOMMENDATION: Council consider adopting resolution in support of AB 2686 the Clean, Safe, and Reliable Water Supply Act of 2014.

ATTACHMENTS: [AB 2686 Fact Sheet - Sample Resolution](#)

- B. **SUBJECT:** Update on Solar Project Wastewater Treatment Plant (KM)

RECOMMENDATION: Representatives from Borrego Solar will provide a brief presentation on the status of the solar project at the wastewater treatment plant. This item is informational only.

- C. **SUBJECT:** Resolution Approving Agreement with N.T. Hill, Inc. for the Construction of Ten Homes in Kerman Estates, Tract 5478. (LP/TL)

RECOMMENDATION: Council adopt resolution approving the agreement with N.T. Hill, Inc. for the construction of ten homes in Kerman Estates, Tract 5478 and authorize the Mayor to execute the agreement.

ATTACHMENTS: [Staff Report - Hill Agreement](#)

- D. **SUBJECT:** Resolution Approving Agreement with California Real Estate Solutions, LLC for the Construction of Ten Homes in Kerman Estates, Tract 5478 (LP)

RECOMMENDATION: Council adopt resolution approving the agreement with California Real Estate Solutions, LLC for the construction of ten homes in Kerman Estates, Tract 5478 and authorize the Mayor to execute the agreement.

ATTACHMENTS: [Staff Report - CRES Agreement](#)

- E. **SUBJECT:** Approval to Submit Active Transportation Program Funding Applications (GH)

RECOMMENDATION: Council approve submission of applications for Active Transportation Program Funding to the California Department of Transportation.

ATTACHMENTS: [Staff Report - ATP Applications](#)

- F. **SUBJECT:** Resolution of Intention to Levy and Collect the Annual Assessments for Landscape and Lighting District No. 1 (GH)

RECOMMENDATION: Council adopt resolution of intention to levy and collect the annual assessments for Landscape and Lighting District No. 1 and set the date for the required Public Hearing for June 18, 2014.

ATTACHMENTS: [Staff Report - LLMD Intent](#)

- G. SUBJECT:** Selection of Bulbout Alternative at Intersection of Vineland Avenue and Kearney Boulevard and Authorization of Re-programming of Federal Regional Surface Transportation Program (RSTP) Lifeline Funding (GH)

RECOMMENDATION: Council considers taking the following actions:

1. Select the preferred Bulbout alternative for the intersection of Vineland Avenue and Kearney Boulevard; and
2. Authorize the City Engineer to re-program Federal RSTP Lifeline Funds for FYs 16/17 and 17/18.

ATTACHMENTS: [Staff Report - Vineland Bulbouts](#)

- H. SUBJECT:** Presentation of Preliminary Budget for Fiscal Year 2014-15 (TJ)

RECOMMENDATION: Informational Only

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

5. CITY MANAGER/STAFF COMMUNICATIONS

None

6. MAYOR/COUNCIL REPORTS

7. CLOSED SESSION

- A.** Government Code Section 54956.9(a) Conference with Legal Counsel - Pending Litigation: Pacific Mountain Partners
- B.** Government Code Section 54956.9 Liability Claim - Claimant: DeWitt; Agency Claimed Against: City of Kerman
- C.** Government Code Section 54957.6 - Conference with Labor Negotiators; Agency Designated Representatives: City Manager Luis Patlan; Employee organization: City of Kerman Miscellaneous Employees Group, and Kerman Public Safety Employees Association.

COUNCIL RECONVENE FROM CLOSED SESSION & REPORT ANY ACTION TAKEN

8. ADJOURNMENT

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



AGENDA
KERMAN CITY COUNCIL
 REGULAR MEETING
 Kerman City Hall
 850 S. Madera Avenue
 April 16, 2014
 6:30 PM

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

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

OPENING CEREMONIES

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

6:35p.m.
 All Present
 Performed

AGENDA APPROVAL/ADDITIONS/DELETIONS

1. CEREMONIAL MATTERS

- A. Update on Kerman Relay for Life by Event Chair Shavawn Meyer (GY)

RECOMMENDATION: Informational only.

Approved
 DW/RD
 (5-0-0)
 Shavawn Meyer
 Presented
 update

REQUEST TO ADDRESS COUNCIL

2. CONSENT CALENDAR

- A. **SUBJECT:** Minutes

RECOMMENDATION: Council approve minutes as presented.

Approved
 BN/RD
 (5-0-0)
 Except
 38948,38952
 & 38984

- B. **SUBJECT:** Payroll

Payroll Report: March 16, 2014 - March 29, 2014: \$123,696.88; Overtime: \$2,611.56; Standby & FTO: \$1,324.57; Comp Time Earned: 1 hour

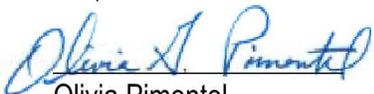
RECOMMENDATION: Council approve payroll as presented.

<p>C. <u>SUBJECT</u>: Warrants/Electronic Bank Transfers</p> <p>Nos. 38893-38991: \$429,226.73; EFT: \$62,051.69 Except: Kerman Car Wash: 38948 - \$270.00, Kerwest 38952 - \$120.00, Valley Food Center: #38984 - \$79.35</p> <p><u>RECOMMENDATION</u>: Council approve warrants and electronic bank transfers as presented. (Pursuant to Government Code 37208)</p>	<p>Approved 38948 DW/NF (4-0-1) RD Approved 38952 DW/NF (4-0-1) DW Approved 38984 DW/NF (4-0-1) GY</p>
<p>D. <u>SUBJECT</u>: Monthly Investment Report Ending March 31, 2014 (TJ)</p> <p><u>RECOMMENDATION</u>: Council approve the monthly investment report as presented.</p>	<p>None</p>
<p>3. PUBLIC HEARINGS</p>	<p>None</p>
<p>4. DEPARTMENT REPORTS</p>	<p>Approved RD/DW (5-0-0)</p>
<p>A. <u>SUBJECT</u>: Surplus Sale of Equipment and Material (KM)</p> <p><u>RECOMMENDATION</u>: City Council approve sale to highest bidder for each item.</p>	<p>Approved RD/DW (5-0-0)</p>
<p>B. <u>SUBJECT</u>: Consideration of Amendment to CDBG Project Application (GH)</p> <p><u>RECOMMENDATION</u>: Council approve an additional allocation of \$50,000 in FY 2014/2015 CDBG funds for improvements at Katie's Kids Nature Park.</p>	<p>Approved DW/NF (5-0-0)</p>
<p>5. CITY MANAGER/STAFF COMMUNICATIONS</p>	<p></p>
<p>6. MAYOR/COUNCIL REPORTS</p>	<p></p>
<p>7. CLOSED SESSION</p>	<p></p>
<p>A. Government Code Section 54956.9(a) Conference with Legal Counsel - Pending Litigation: Pacific Mountain Partners</p>	<p>No Action taken</p>
<p>B. Government Code Section 54956.9 Liability Claim - Claimant: DeWitt; Agency Claimed Against: City of Kerman</p>	<p>Nothing to Report</p>
<p>COUNCIL RECONVENE FROM CLOSED SESSION & REPORT ANY ACTION TAKEN</p>	<p>7:51 p.m.</p>
<p>8. ADJOURNMENT</p>	<p>7:55 p.m.</p>

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: April 17, 2014


 Olivia Pimentel
 Deputy City Clerk

**CITY OF KERMAN
PAYROLL REPORT**

PAY PERIOD: March 30, 2014 - April 12, 2014

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME		STANDBY & FTO		GROSS SALARY	COMP TIME EARNED
			HOURS	AMOUNT	HOURS	AMOUNT		
<u>ADMINISTRATION</u>								
414 Patlan, Luis	\$ 4,664.77	\$ -	-	\$ -	-	\$ -	\$ 4,664.77	
15 Gonzalez, Diana	\$ 1,872.00	\$ -	2.25	\$ 78.98	-	\$ -	\$ 1,950.98	
332 Alvarez, Josefina	\$ 335.23	\$ -	-	\$ -	-	\$ -	\$ 335.23	
350 Jones, Toni	\$ 2,897.54	\$ -	-	\$ -	-	\$ -	\$ 2,897.54	
375 Reyes, Marcia	\$ 2,463.23	\$ -	-	\$ -	-	\$ -	\$ 2,463.23	
435 Nazaroff, Helen	\$ 1,810.62	\$ -	-	\$ -	-	\$ -	\$ 1,810.62	
518 Garza, Amy	\$ 936.00	\$ -	-	\$ -	-	\$ -	\$ 936.00	
TOTAL	\$ 14,979.38	\$ -	2.25	\$ 78.98	-	\$ -	\$ 15,058.36	0.00

<u>REC/SOCIAL</u>								
11 Gallegos, Philip	\$ 3,734.77	\$ -	-	\$ -	-	\$ -	\$ 3,734.77	
35 Arredondo, Barbara	\$ 1,462.15	\$ -	-	\$ -	-	\$ -	\$ 1,462.15	
76 Wright, Judy	\$ 224.00	\$ -	-	\$ -	-	\$ -	\$ 224.00	
97 Gonzalez, Jose Felix	\$ 1,505.08	\$ -	-	\$ -	-	\$ -	\$ 1,505.08	
237 Salvador, Mark	\$ 1,846.15	\$ -	-	\$ -	-	\$ -	\$ 1,846.15	
292 Silva, Jessica	\$ 536.50	\$ -	-	\$ -	-	\$ -	\$ 536.50	
405 Sidhu, Nirmal	\$ 1,436.31	\$ -	-	\$ -	-	\$ -	\$ 1,436.31	
361 Lujan, Vanessa	\$ 540.00	\$ -	-	\$ -	-	\$ -	\$ 540.00	
517 Johnson, Theresa	\$ 1,555.85	\$ -	-	\$ -	-	\$ -	\$ 1,555.85	
388 Arredondo, Michelle	\$ 50.00	\$ -	-	\$ -	-	\$ -	\$ 50.00	
497 Arredondo, Raquel	\$ 477.00	\$ -	-	\$ -	-	\$ -	\$ 477.00	
498 Ayala, Adrien	\$ 268.00	\$ -	-	\$ -	-	\$ -	\$ 268.00	
502 Gallegos, Yenifer	\$ 228.00	\$ -	-	\$ -	-	\$ -	\$ 228.00	
506 Rangel, Jose A	\$ 16.00	\$ -	-	\$ -	-	\$ -	\$ 16.00	
508 Pinkerton, Selah	\$ 34.00	\$ -	-	\$ -	-	\$ -	\$ 34.00	
513 Jeanna Burdine-Slaven	\$ 1,411.38	\$ -	-	\$ -	-	\$ -	\$ 1,411.38	
515 Figueroa, Rita	\$ 342.00	\$ -	-	\$ -	-	\$ -	\$ 342.00	
516 Villarreal, Arlene	\$ 234.00	\$ -	-	\$ -	-	\$ -	\$ 234.00	
TOTAL	\$ 15,901.19	\$ -	-	\$ -	-	\$ -	\$ 15,901.19	

<u>POLICE</u>								
29 Rodrigues, Mary	\$ 1,724.77	\$ -	-	\$ -	-	\$ -	\$ 1,724.77	
59 Madruga, Ron	\$ 2,908.15	\$ -	-	\$ -	-	\$ -	\$ 2,908.15	
69 Chapman, Tom	\$ 2,211.23	\$ -	-	\$ -	-	\$ -	\$ 2,211.23	
101 Cubillos, Teresa	\$ 2,980.62	\$ -	-	\$ -	-	\$ -	\$ 2,980.62	
245 Barbosa, Isaias	\$ 2,211.23	\$ -	-	\$ -	-	\$ -	\$ 2,211.23	
291 Ramirez, Donald	\$ 1,724.77	\$ -	-	\$ -	-	\$ -	\$ 1,724.77	
296 Mendoza, Sandra	\$ 597.82	\$ -	-	\$ -	-	\$ -	\$ 597.82	6
343 Davis, Jeff	\$ 2,769.69	\$ -	20.00	\$ 1,038.63	-	\$ -	\$ 3,808.33	
354 Ness, Lee	\$ 2,005.85	\$ -	-	\$ -	-	\$ -	\$ 2,005.85	
363 Barcoma, Wilbert	\$ 2,638.15	\$ 37.80	14.00	\$ 692.52	-	\$ -	\$ 3,368.47	
369 Ramer, Joseph	\$ 1,394.77	\$ -	-	\$ -	-	\$ -	\$ 1,394.77	
380 Armstrong, Scott	\$ 480.00	\$ -	-	\$ -	-	\$ -	\$ 480.00	
402 Nevis, James	\$ 2,211.23	\$ -	-	\$ -	-	\$ -	\$ 2,211.23	
423 Magallon, Peter	\$ 2,158.62	\$ -	-	\$ -	-	\$ -	\$ 2,158.62	1.5
425 Belding, Jeff	\$ 2,148.00	\$ -	-	\$ -	-	\$ -	\$ 2,148.00	
442 Antuna, Eric	\$ 1,957.85	\$ -	-	\$ -	-	\$ -	\$ 1,957.85	
458 Nelson, Christopher J	\$ 2,908.15	\$ -	4.00	\$ 218.11	-	\$ -	\$ 3,126.27	

**CITY OF KERMAN
PAYROLL REPORT**

PAY PERIOD: March 30, 2014 - April 12, 2014

EMPLOYEE	SALARY	RETRO PAY & Other	OVERTIME		STANDBY & FTO		GROSS SALARY	COMP TIME EARNED
			HOURS	AMOUNT	HOURS	AMOUNT		
459 Milchovich, Lindsay	\$ 1,910.31	\$ -	-	\$ -	-	\$ -	\$ 1,910.31	
468 Tiwana, Manpreet	\$ 1,901.08	\$ -	-	\$ -	-	\$ -	\$ 1,901.08	
474 Blohm, Joseph	\$ 3,854.77	\$ -	-	\$ -	-	\$ -	\$ 3,854.77	
476 Rodriguez, Erika	\$ 1,865.08	\$ -	-	\$ -	2.00	\$ 11.66	\$ 1,876.73	
478 O'Bar, Joshua	\$ 1,732.62	\$ -	4.00	\$ 129.95	-	\$ -	\$ 1,862.56	
479 Attkisson, Joseph	\$ 1,650.00	\$ -	-	\$ -	-	\$ -	\$ 1,650.00	
485 Lehman, Dustin	\$ 1,200.00	\$ -	-	\$ -	2.00	\$ 7.50	\$ 1,207.50	
487 Antuna, Miguel	\$ 300.00	\$ -	-	\$ -	-	\$ -	\$ 300.00	
501 Ledezma, Linda	\$ 1,119.69	\$ -	-	\$ -	-	\$ -	\$ 1,119.69	
504 Labetiaux, EJ Medina	\$ 480.00	\$ -	-	\$ -	-	\$ -	\$ 480.00	
505 Valenzuela, Arnold	\$ 897.00	\$ -	-	\$ -	-	\$ -	\$ 897.00	
512 Seroka, Dylan	\$ 495.00	\$ -	-	\$ -	-	\$ -	\$ 495.00	
521 Gerardo Ochoa	\$ -	\$ -	-	\$ -	-	\$ -	\$ -	
TOTAL:	\$ 52,436.44	\$ 37.80	42.00	\$ 2,079.21	4.00	\$ 19.16	\$ 54,572.60	7.50

PUBLIC WORKS

8 Gonzales, Ruben	\$ 1,926.00	\$ -	-	\$ -	-	\$ -	\$ 1,926.00	
20 Rodriguez, Joe	\$ 1,879.85	\$ -	-	\$ -	-	\$ -	\$ 1,879.85	
25 Prieto, Ruben	\$ 1,687.85	\$ -	-	\$ -	-	\$ -	\$ 1,687.85	
26 Gruce, Robert	\$ 2,429.54	\$ -	-	\$ -	-	\$ -	\$ 2,429.54	
27 Hearld, Douglas	\$ 2,838.92	\$ -	-	\$ -	-	\$ -	\$ 2,838.92	
87 Madruga, Lydia	\$ 1,926.00	\$ -	-	\$ -	-	\$ -	\$ 1,926.00	
134 Ramirez, Manuel	\$ 1,751.08	\$ -	-	\$ -	-	\$ -	\$ 1,751.08	
172 Chavez, Fernando M.	\$ 2,322.00	\$ -	-	\$ -	-	\$ -	\$ 2,322.00	
290 Gastelum, Humberto	\$ 1,886.31	\$ -	-	\$ -	-	\$ -	\$ 1,886.31	
298 Barajas, Michael	\$ 1,834.15	\$ -	16.00	\$ 613.30	22.50	\$ 515.86	\$ 2,963.30	
322 Castro, Joseph	\$ 1,708.15	\$ -	-	\$ -	-	\$ -	\$ 1,708.15	
349 Arechiga, Pastor	\$ 1,607.54	\$ -	-	\$ -	-	\$ -	\$ 1,607.54	
378 Sanchez, Daniel	\$ 1,436.31	\$ -	-	\$ -	-	\$ -	\$ 1,436.31	
329 Moore, Ken	\$ 3,853.85	\$ -	-	\$ -	-	\$ -	\$ 3,853.85	
420 Medeiros, Cheryl	\$ 1,791.69	\$ -	-	\$ -	-	\$ -	\$ 1,791.69	
460 Vallejo, Edward	\$ 1,908.00	\$ -	9.50	\$ 369.68	22.50	\$ 536.63	\$ 2,814.30	
486 Palacios, Jesus	\$ -	\$ -	-	\$ -	-	\$ -	\$ -	
TOTAL	\$ 32,787.23	\$ -	25.50	\$ 982.97	45.00	\$ 1,052.48	\$ 34,822.68	

PLANNING

37 Pimentel, Olivia	\$ 2,104.62	\$ -	-	\$ -	-	\$ -	\$ 2,104.62	
234 Kufis, Chris	\$ 2,346.00	\$ -	-	\$ -	-	\$ -	\$ 2,346.00	
326 Fonseca, Monica	\$ 1,368.46	\$ -	-	\$ -	-	\$ -	\$ 1,368.46	3.38
TOTAL	\$ 5,819.08	\$ -	-	\$ -	-	\$ -	\$ 5,819.08	3.38

PLANNING

Epperson, R	\$ -
Lopez, Michael	\$ -
Bandy, Robert	\$ -
Harris, Jordan	\$ -
Melgoza, G	\$ -
Total	\$ -

COUNCIL

Dhaliwal	\$ 250.00
Wilcox	\$ 125.00
Yep	\$ 125.00
Fox	\$ 125.00
Nijjer	\$ 125.00
Total	\$ 750.00

GRAND TOTAL:	\$122,673.32	\$37.80	69.75	\$3,141.15	49.00	\$1,071.64	\$ 126,923.91	10.88
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**CITY OF KERMAN
OVERTIME SUPPLEMENTAL PAYROLL REPORT**

PAY PERIOD 03/30/14- to -04/12/14

POLICE DEPARTMENT

Overtime Categories - Number of Hours

Regular Overtime	Court	Shift Coverage	SID	Detail	Avoid the 21 Grant	Special Events	Total
12 (see note below)		30 (see note below)					42
DOUBLE TIME: (Sunday)							0
							Sub Total 42

PUBLIC WORKS DEPARTMENT

Overtime Categories - Number of Hours

Water Service	Sewer Emergencies	Animal Control	Special Events	Call back other	On Call Duties	Total
5.5 (see note below)	7 (see note below)	2 (see note below)		0.5 (see note below)	4 (see note below)	19
DOUBLE TIME: (Sunday)						2.5
						Sub Total 25.5

COMMUNITY SERVICES DEPARTMENT

Overtime Categories - Number of Hours

Regular Overtime	After Hour Event	Total
		0
		Sub Total 0

FINANCE / PLANNING DEPARTMENTS

Overtime Categories - Number of Hours

Regular Overtime	Utility Billing	Payroll	Dog Clinic	Year End Audit	Total
			2.25		2.25
					Sub Total 2.25
					Total Hours (All Departments) 69.75

POLICE DEPARTMENT:

Regular Overtime – 12 Hours Total: 8 hrs for supervisor meeting, 4 hrs for late report

Court – Officer attending court proceedings.

Shift Coverage – 30 Hours Total: 30 hours of shift coverage due to vacations

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

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

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

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

PUBLIC WORKS DEPARTMENT:

Water Service- Includes 5.5 hrs overtime for shut-off and turn-on of service, all water related emergencies. (wells, storm drains)

Sewer Emergencies - Includes 7 hrs. Overtime and 2.5 hrs. doubletime-SCADA problems/Sewer emergencies. (SCADA controls pumps, wells and sewer, lift stations, all sewer and storm drain related issues)

Animal Control - Includes 2 hrs. overtime-Vicious or dead animals. (not normally used for stray animals)

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

Other - .5 hr. overtime to turn off alarm @ shop. Anything not covered in other categories.

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

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

COMMUNITY SERVICES DEPARTMENT

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

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

FINANCE / PLANNING DEPARTMENTS

Regular Overtime - Only as needed.

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

Payroll - Completed bi-weekly.

Dog Clinic - 2.25 hours-Once a year clinic held after business hours.

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

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description	Net amount	Invoice number	PO number
38992- 2035	1	4/11/2014	0 JUAN J HERNANDEZ			
	1		52907 C*-UTILITY DEPOSIT REFUND	145.23	443 ALMOND AVE	
38992- 2035	1	4/11/2014	Logged	*** Total ***	145.23	
38993- 2035	2	4/11/2014	0 CENTURY 21			
	2		52908 C*-UTILITY PREPAYMENT REFUND	15.38	15685 WOOTEN CT	
38993- 2035	2	4/11/2014	Logged	*** Total ***	15.38	
38994- 2035	3	4/11/2014	0 RUTH LLAMAS			
	3		52909 C*-UTILITY PREPAYMENT REFUND	71.69	1-001-12083-04	
38994- 2035	3	4/11/2014	Logged	*** Total ***	71.69	
38995- 2035	4	4/11/2014	0 GREGORIO & DOMINGA LOPEZ			
	4		52910 C*-UTILITY PREPAYMENT REFUND	6.63	1-01-12478-05	
38995- 2035	4	4/11/2014	Logged	*** Total ***	6.63	
38996- 2035	5	4/11/2014	0 ANA LILIA MATA			
	5		52911 C*-UTILITY PREPAYMENT REFUND	45.52	15370 W C ST	
38996- 2035	5	4/11/2014	Logged	*** Total ***	45.52	
38997- 2035	6	4/11/2014	0 JOSE R HERNANDEZ-LOYA			
	6		52912 C*-UTILITY PREPAYMENT REFUND	40.45	570 S 1ST ST	
38997- 2035	6	4/11/2014	Logged	*** Total ***	40.45	
38998- 2035	7	4/11/2014	0 ALFONSO GONZALEZ			
	7		52913 C*-UTILITY PREPAYMENT REFUND	14.18	1-01-29067-00	
38998- 2035	7	4/11/2014	Logged	*** Total ***	14.18	
38999- 2035	8	4/11/2014	0 KISHORE K CHALASANI			
	8		52914 C*-UTILITY PREPAYMENT REFUND	8.78	14344 TAYLOR ST	
38999- 2035	8	4/11/2014	Logged	*** Total ***	8.78	
39000- 2035	9	4/11/2014	0 ADILENE GAYTAN & JUAN FLORES			
	9		52935 *C*-UTILITY DEPOSIT REFUND 470 S 2ND STREET	218.28	1-01-16040-04	
39000- 2035	9	4/11/2014	Logged	*** Total ***	218.28	
39001- 2035	10	4/11/2014	0 CELIA CRUZ			
	10		52936 *C*-UTILITY DEPOSIT/PREPAY REFUND 567 S DEL NORTE AVE	196.59	1-01-16354-01	
39001- 2035	10	4/11/2014	Logged	*** Total ***	196.59	
39002- 2035	11	4/11/2014	0 3Z FARMS LLC/ISABELLA CAMACHO			
	11		52937 *C*-UTILITY DEPOSIT/PREPAY REFUND 15447 W CALIFORNIA AVE	166.15	1-01-25033-07	
39002- 2035	11	4/11/2014	Logged	*** Total ***	166.15	
39003- 2035	12	4/11/2014	0 ROBERT JARRETT			
	12		52938 *C*-UTILITY PREPAYMENT REFUND 14315 W TAYLOR STREET	20.51	1-01-40158-00	
39003- 2035	12	4/11/2014	Logged	*** Total ***	20.51	

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description	Net amount	Invoice number	PO number
39004-	2035	13	4/11/2014	0 JEREMY & SHAWNA RHOADES		
		13		52939 *C-UTILITY PREPAYMENT REFUND	37.29	1-01-54854-00
				16012 W BRIAN AVE		
39004-	2035	13	4/11/2014	Logged	*** Total ***	37.29
39005-	2035	14	4/11/2014	0 HERONA CRUZ		
		14		52940 *C-UTILITY DEPOSIT REFUND	58.98	1-01-07285-03
				398 S 2ND STREET		
39005-	2035	14	4/11/2014	Logged	*** Total ***	58.98
39006-	2035	15	4/11/2014	0 OTHON BAEZ		
		15		52941 *C-UTILITY DEPOSIT REFUND	4.81	1-01-12477-08
				882 S 1ST STREET		
39006-	2035	15	4/11/2014	Logged	*** Total ***	4.81
39007-	2035	16	4/11/2014	1121 ACCOUNTEMP		
		16		52915 FIN-TEMPORARY STAFFING-SR. ACC	564.00	40085815
39007-	2035	16	4/11/2014	Logged	*** Total ***	564.00
39008-	2035	17	4/11/2014	1135 AT&T MOBILITY		
		17		52930 PD-MAR MONTHLY WIRELESS SERVICE	265.65	287249141774X03
39008-	2035	17	4/11/2014	Logged	*** Total ***	265.65
39009-	2035	18	4/11/2014	3032 CAMCO		
		18		52917 VAR-GLOVES,PRESS VALVE,O RING	122.21	85585
39009-	2035	18	4/11/2014	Logged	*** Total ***	122.21
39010-	2035	19	4/11/2014	6082 CITY OF FRESNO WMD		
		19		52895 WTR/SWR-LAB ANALYSIS	126.00	K031914
		19		52918 WTR/SWR-LAB ANALYSIS	126.00	K032614
39010-	2035	19	4/11/2014	Logged	*** Total ***	252.00
39011-	2035	20	4/11/2014	3023 CLEANSTREET		
		20		52945 STR-PW STREET SWEEPING FEE	6,672.90	73803
39011-	2035	20	4/11/2014	Logged	*** Total ***	6,672.90
39012-	2035	21	4/11/2014	3104 CONSOLIDATED ELECTRICAL		
		21		52902 BPO-LAMPS, LGHT PARTS/CITY HALL	108.23	2574-713656
39012-	2035	21	4/11/2014	Logged	*** Total ***	108.23
39013-	2035	22	4/11/2014	4057 DUNN EDWARDS CORPORATION		
		22		52927 STRC-PAINT FOR GRAFFITI	213.72	2036144332
39013-	2035	22	4/11/2014	Logged	*** Total ***	213.72
39014-	2035	23	4/11/2014	5053 FASTENAL COMPANY		
		23		52894 VAR-SFTY GLS,BG FOAM CORD,EAR	61.39	245124
39014-	2035	23	4/11/2014	Logged	*** Total ***	61.39
39015-	2035	24	4/11/2014	6063 FRESNO DISTRIBUTING CO.		
		24		52916 STR-FUSE HOLDER/MADERA & CALIF	145.40	84020
39015-	2035	24	4/11/2014	Logged	*** Total ***	145.40

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Obligat'n	Name / Description	Net amount	Invoice number	PO number
39016- 2035	25	4/11/2014	8000	H & J CHEVROLET INC			
	25		52897	V/E-OIL FILTER FOR VEHICLE 145	33.54	CTCS46532	
39016- 2035	25	4/11/2014	Logged	*** Total ***	33.54		
39017- 2035	26	4/11/2014	8041	HD SUPPLY WATERWORKS, LTD			
	26		52901	SWR-METAL LID FOR TRAFFIC BOX	219.70	C129516	
39017- 2035	26	4/11/2014	Logged	*** Total ***	219.70		
39018- 2035	27	4/11/2014	10028	HENRY, LOGOLUSO, & BLUM			
	27		52950	CC-MARCH LEGAL FEES	2,114.60	033114	
39018- 2035	27	4/11/2014	Logged	*** Total ***	2,114.60		
39019- 2035	28	4/11/2014	8013	HOME DEPOT CREDIT SERVICES			
	28		52891	SWA-DESKSIDE RECYCLE BINS	616.88	299838	
39019- 2035	28	4/11/2014	Logged	*** Total ***	616.88		
39020- 2035	29	4/11/2014	8902	INDEPENDENT STATIONERS			
	29		52885	SCS-COPY PAPER	39.85	IN-000403238	
	29		52886	SCS-COPY PAPER	90.61	IN-000403287	
	29		52887	SCS- COPY PAPER RETURN	-39.85	CM-000019460	
39020- 2035	29	4/11/2014	Logged	*** Total ***	90.61		
39021- 2035	30	4/11/2014	9012	INDUSTRIAL CONTROL & DESIGN, I			
	30		52903	SWR-HEADWORKS MOTOR PROBLEM/WW	257.00	10743	
	30		52919	SWR-STORM LIFT STATION COMM W/	543.00	10769	
	30		52920	SWR-SCADA & NETWORK ISSUES	115.00	10770	
39021- 2035	30	4/11/2014	Logged	*** Total ***	915.00		
39022- 2035	31	4/11/2014	11063	KRAZAN & ASSOCIATES INC			
	31		52905	SWRC-CMPC TEST,INSPC/SLDG DRYI	2,030.00	A603608-2054	
	31		52906	SWRC-CMPC TEST,INSPC/SLDG DRYI	3,470.00	A603594-2054R1	
39022- 2035	31	4/11/2014	Logged	*** Total ***	5,500.00		
39023- 2035	32	4/11/2014	11970	LIGHTHOUSE ELECTRIC, INC			
	32		52904	SWR-BLOWER #2 REPAIRS	295.75	1082	
39023- 2035	32	4/11/2014	Logged	*** Total ***	295.75		
39024- 2035	33	4/11/2014	13081	MID VALLEY DISPOSAL, INC			
	33		52934	SWA-APRIL S/W CHARGES	68,173.34	041114	
39024- 2035	33	4/11/2014	Logged	*** Total ***	68,173.34		
39025- 2035	34	4/11/2014	13068	MUNICIPAL MAINTENANCE EQUIP			
	34		52928	V/E-CRACKSEALER BURNER MODULE	372.77	89593	
39025- 2035	34	4/11/2014	Logged	*** Total ***	372.77		
39026- 2035	35	4/11/2014	15032	O'REILLY AUTOMOTIVE, INC			
	35		52924	V/E-ALTERNATOR, TAILGATE HANDLE	734.00	1456637-32814	
39026- 2035	35	4/11/2014	Logged	*** Total ***	734.00		
39027- 2035	36	4/11/2014	15010	OFFICE DEPOT CREDIT ACCOUNT			
	36		52884	YSB-PENCILS,FILES,INK/AFTR SCH	55.52	695903614001	
	36		52892	RA-PAPER, BADGES/SNR PROM SUPP	128.47	3013-32414	

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Name / Obligat'n	Description	Net amount	Invoice number	PO number
	36		52942	RA-BUSINESS CARDS & LABELS	60.24	7592578	
	36		52943	RA-PRINTER & INK	154.74	7502614	
	36		52944	RA-INK RETURNED	-68.03	7605542	
39027- 2035	36	4/11/2014	Logged	*** Total ***	330.94		
39028- 2035	37	4/11/2014	16025	P.G.& E.			
	37		52896	BPO-ELEC/GAS MONTHLY SERVICE	329.37	032714	
	37		52923	ADM-MAR MONTHLY UTILITIES	688.74	6825025396	0414
	37		52929	WTR/SWR/SD-MONTHLY SERVICES	12,994.76	5467738309	0314
	37		52946	V/E-MONTHLY SERVICES	508.19	4939626163	0314
	37		52947	STR-MONTHLY SERVICES	3,738.27	3920400666	0314
	37		52948	LLD-MONTHLY SERVICES	2,556.63	4055166878	0314
39028- 2035	37	4/11/2014	Logged	*** Total ***	20,815.96		
39029- 2035	38	4/11/2014	16030	PAPER PLUS			
	38		52889	CS-FINE PARCHMENT PAPER	25.47	6230025827	
	38		52890	CS-RETURN OF FINE PARCHMENT PAPER	-25.47	6230025862	
39029- 2035	38	4/11/2014	Logged	*** Total ***	.00		
39030- 2035	39	4/11/2014	18027	RENO'S HARDWARE			
	39		52925	VAR-NUTS,BOLTS,ELECT,PLMB,TOOL	297.94	86-031914	
39030- 2035	39	4/11/2014	Logged	*** Total ***	297.94		
39031- 2035	40	4/11/2014	11053	SEBASTIAN			
	40		52931	ADM-MONTHLY FIRE ALARM SERVICE	48.70	10243608	
	40		52932	ADM-MONTHLY BURGLAR ALARM SVC	48.70	10243609	
	40		52933	VAR-MONTHLY PHONE SERVICE	2,505.24	10239321	
39031- 2035	40	4/11/2014	Logged	*** Total ***	2,602.64		
39032- 2035	41	4/11/2014	19063	SLUMBERGER LUMBER			
	41		52899	SWR-DUMP SITE KEYS, BROOM	17.90	3305-32714	
	41		52900	V/E/WTR-PHTO CELL,OIL,BRUSH,BU	50.32	1068-32714	
39032- 2035	41	4/11/2014	Logged	*** Total ***	68.22		
39033- 2035	42	4/11/2014	19064	SMITH AUTO			
	42		52926	VAR-BRATCHET,BATTERY,OIL FILTE	876.08	C39900-033114	
39033- 2035	42	4/11/2014	Logged	*** Total ***	876.08		
39034- 2035	43	4/11/2014	6021	STATE OF CALIFORNIA			
	43		52951	*C FTB TAX-WAGE GARNISHMENT	115.00	040414	
39034- 2035	43	4/11/2014	Logged	*** Total ***	115.00		
39035- 2035	44	4/11/2014	19565	TAYLOR MADE IRRIGATION			
	44		52893	BPO-PIPE CMPND REPAIR/GLDNROD	34.65	8520	
39035- 2035	44	4/11/2014	Logged	*** Total ***	34.65		
39036- 2035	45	4/11/2014	19550	TOM HODGES			
	45		52949	PR-INSTRUCTOR FEES/KENPO KARATE	1,466.46	040114	
39036- 2035	45	4/11/2014	Logged	*** Total ***	1,466.46		
39037- 2035	46	4/11/2014	22010	VALLEY SANITARY SUPPLY			
	46		52883	BPO-MATRIX TOILET TISSUE DISPE	87.28	259665	

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description	Net amount	Invoice number	PO number
39037-	2035	46	4/11/2014 Logged	*** Total ***	87.28	
39038-	2035	47	4/11/2014	23022 WEST HILLS OIL, INC		
		47		52921 V/E-MOTOR OIL/5 GALLONS	727.38	225179
		47		52922 V/E-FUEL - 458.126 GAL	1,523.07	42800
39038-	2035	47	4/11/2014 Logged	*** Total ***	2,250.45	
39039-	2035	48	4/11/2014	23048 WORKINGARTS MARKETING, INC		
		48		52888 CC-WEB MAINT-MARCH 2014	95.00	2776
39039-	2035	48	4/11/2014 Logged	*** Total ***	95.00	
39040-	2035	49	4/11/2014	24002 XEROX CORPORATION		
		49		52898 VAR-PW COPIER MONTHLY SERVICE	262.70	73362854
39040-	2035	49	4/11/2014 Logged	*** Total ***	262.70	
39041-	2035	50	4/11/2014	26007 ZIM INDUSTRIES INC.		
		50		52882 WTR-WELL 17 PIPE REPAIR	17,399.99	885
39041-	2035	50	4/11/2014 Logged	*** Total ***	17,399.99	
39042-	2036	1	4/22/2014	0 EFRAIN VERDUZCO		
		1		52970 FACILITY RENTAL DEPOSIT REFUND	100.00	43672
39042-	2036	1	4/22/2014 Logged	*** Total ***	100.00	
39043-	2036	2	4/22/2014	0 MARTHA GOMEZ		
		2		52971 FACILITY RENTAL DEPOSIT REFUND	100.00	43707
39043-	2036	2	4/22/2014 Logged	*** Total ***	100.00	
39044-	2036	3	4/22/2014	0 VERONICA LAZARIT		
		3		52987 CTC-FACILTY RENTAL REFUND/04/1	400.00	121412
39044-	2036	3	4/22/2014 Logged	*** Total ***	400.00	
39045-	2036	4	4/22/2014	0 SYLVIA VALDEZ		
		4		52988 FACILITY RENTAL REFUND-SCOUT H	100.00	43404
39045-	2036	4	4/22/2014 Logged	*** Total ***	100.00	
39046-	2036	5	4/22/2014	0 MARIA E MONDEJAR/CITY OF KERMA		
		5		53012 *C-UTILITY DEPOSIT REFUND	28.62	1-01-12477-09
				882 S. 1ST STREET		
39046-	2036	5	4/22/2014 Logged	*** Total ***	28.62	
39047-	2036	6	4/22/2014	0 EVA BATES		
		6		53021 FACILITY RENTAL DEPOSIT REFUND	400.00	42243
39047-	2036	6	4/22/2014 Logged	*** Total ***	400.00	
39048-	2036	7	4/22/2014	1121 ACCOUNTEMP		
		7		52992 FIN-TEMPORARY STAFFING-SR ACCT	1,128.00	40135719
39048-	2036	7	4/22/2014 Logged	*** Total ***	1,128.00	
39049-	2036	8	4/22/2014	1038 ADMINISTRATIVE SOLUTIONS, INC		
		8		53020 HR-SEC 125 EMP CONT APRIL	1,873.18	042114
39049-	2036	8	4/22/2014 Logged	*** Total ***	1,873.18	

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description	Net amount	Invoice number	PO number
39050- 2036	9	4/22/2014	1020 AFLAC			
	9		53018 HR-APR EMPLOYEE CONT.	200.68	474574	
39050- 2036	9	4/22/2014	Logged	*** Total ***	200.68	
39051- 2036	10	4/22/2014	981 ALL PHASE MSI MEDALLION SUPPLY			
	10		52995 BPO-LIGHTS/COLEMAN FIELD	492.73	2580-644268	
39051- 2036	10	4/22/2014	Logged	*** Total ***	492.73	
39052- 2036	11	4/22/2014	1117 AMERICAN DRYER			
	11		53010 PFM-REPAIR HAND DRYERS/LIONS P	663.00	69187	
	11		53011 PFM-REPAIR (1) HAND DRYER	332.81	69325	
39052- 2036	11	4/22/2014	Logged	*** Total ***	995.81	
39053- 2036	12	4/22/2014	851 ANTHEM BLUE CROSS			
	12		53019 HR-MEDICAL COVERAGE MAY 2014	24,856.00	0201404204043	
39053- 2036	12	4/22/2014	Logged	*** Total ***	24,856.00	
39054- 2036	13	4/22/2014	1012 AVR INC.			
	13		52952 VAR-UB ONLINE ACCESS-APR	250.00	38320	
39054- 2036	13	4/22/2014	Logged	*** Total ***	250.00	
39055- 2036	14	4/22/2014	2080 BARRACUDA CONSTRUCTION, INC			
	14		52953 SWR-PROGRESS PMT #3-RETENTION/	9,916.96	431	
39055- 2036	14	4/22/2014	Logged	*** Total ***	9,916.96	
39056- 2036	15	4/22/2014	2020 BSN SPORTS			
	15		52994 PR-MESH BALL NET	178.03	95961089	
39056- 2036	15	4/22/2014	Logged	*** Total ***	178.03	
39057- 2036	16	4/22/2014	3243 CALIFORNIA BUILDING STANDARDS			
	16		52955 BLD-BLDG STDS ADMIN FEE 1ST QT	63.90	033114	
39057- 2036	16	4/22/2014	Logged	*** Total ***	63.90	
39058- 2036	17	4/22/2014	3270 CONSOLIDATED EDISON SOLUTIONS,			
	17		53017 SWR-MAR SOLAR POWER	10,495.32	2302299	
39058- 2036	17	4/22/2014	Logged	*** Total ***	10,495.32	
39059- 2036	18	4/22/2014	3120 CRESCO			
	18		52997 CS- GLASSWARE REPLACEMENT	78.08	201296	
39059- 2036	18	4/22/2014	Logged	*** Total ***	78.08	
39060- 2036	19	4/22/2014	4020 DEPARTMENT OF CONSERVATION			
	19		52956 BLD-STRONG MOTION 1ST QTR 2014	143.91	033114	
39060- 2036	19	4/22/2014	Logged	*** Total ***	143.91	
39061- 2036	20	4/22/2014	4023 DEPARTMENT OF JUSTICE			
	20		52957 PD-5 BLOOD ALCOHOL ANALYSIS	175.00	29882	
	20		52958 PD-MAR LIVE SCAN PRINTS	177.00	27200	
39061- 2036	20	4/22/2014	Logged	*** Total ***	352.00	
39062- 2036	21	4/22/2014	4033 DEPARTMENT OF TRANSPORTATION			
	21		52954 STR-TRAF LGHT PROB-KEARNEY/145	88.02	67317	

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description	Net amount	Invoice number	PO number
39062- 2036	21	4/22/2014	Logged *** Total ***	88.02		
39063- 2036	22	4/22/2014	4057 DUNN EDWARDS CORPORATION			
	22		53001 BPO-PAINT SUPPLIES/LIONS PARK	64.10	2036143075	
39063- 2036	22	4/22/2014	Logged *** Total ***	64.10		
39064- 2036	23	4/22/2014	5053 FASTENAL COMPANY			
	23		52959 VAR-GLOVES, VEST, BATTERIES, TAPE	25.66	245432	
39064- 2036	23	4/22/2014	Logged *** Total ***	25.66		
39065- 2036	24	4/22/2014	5150 FRANKLIN MILLER			
	24		52960 SWR-GEAR GRINDER	718.64	26174	
	24		52961 SWR-PRTS/GR SPUR, BALL BRNG, PR	9,576.51	26177	
	24		52962 SWR-CREDIT/WRG PRTS DELIVERED	-1,450.22	26253	
39065- 2036	24	4/22/2014	Logged *** Total ***	8,844.93		
39066- 2036	25	4/22/2014	6056 FRESNO COUNTY TREASURER			
	25		52963 PD-MAR 2014 RMS/JMS/CAD ACCESS	165.96	SO 11429	
	25		52964 PD-DISPATCHING SVCS APR 2014	18,600.96	SO 11428	
39066- 2036	25	4/22/2014	Logged *** Total ***	18,766.92		
39067- 2036	26	4/22/2014	6070 FRESNO MADERA AREA AGNY ON AGI			
	26		52966 NSM-NUTRITION MEALS & SITE SUP	247.73	887	
39067- 2036	26	4/22/2014	Logged *** Total ***	247.73		
39068- 2036	27	4/22/2014	6039 FRESNO PET CEMETARY			
	27		52965 AAC-12 ANML DISPOSED/PICK UP F	251.10	19712	
39068- 2036	27	4/22/2014	Logged *** Total ***	251.10		
39069- 2036	28	4/22/2014	6096 FRYER ROOFING CO., INC			
	28		52967 BPO-REPAIR LEAK/942 S MADERA A	314.00	4945	
39069- 2036	28	4/22/2014	Logged *** Total ***	314.00		
39070- 2036	29	4/22/2014	8000 H & J CHEVROLET INC			
	29		52968 V/E-GEAR SHIFTER/V/E #1374	202.01	CVW15510	
39070- 2036	29	4/22/2014	Logged *** Total ***	202.01		
39071- 2036	30	4/22/2014	8960 IDTS, INC			
	30		53006 PD-5 ANNL ENRL/PRE EMPL DRUG T	90.00	34320	
39071- 2036	30	4/22/2014	Logged *** Total ***	90.00		
39072- 2036	31	4/22/2014	8902 INDEPENDENT STATIONERS			
	31		53000 RA-LBLES INDX BNDR PNCL DISPEN	55.27	IN-000395672	
	31		53015 RA-COPIER TONER	219.87	IN-000408829	
39072- 2036	31	4/22/2014	Logged *** Total ***	275.14		
39073- 2036	32	4/22/2014	10994 KENT M KAWAGOE, PH.D.			
	32		52969 PD-PRE EMPLOYMENT PSYCHOLOGICAL	350.00	022814	
39073- 2036	32	4/22/2014	Logged *** Total ***	350.00		
39074- 2036	33	4/22/2014	11031 KERMAN U SAVE MINIMART			
	33		52991 V/E-FUEL FOR KPD CARD PROBLEMS	31.23	7594	

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description	Net amount	Invoice number	PO number
39074- 2036	33	4/22/2014	Logged	*** Total ***	31.23	
39075- 2036	34	4/22/2014	11060 KERMAN UNIFIED SCHOOL DISTRICT			
	34		52998 BPO-PG&E FEB SVC/GLDNROD BALL	808.50	140352	
	34		53014 BPO-7 MON. SVC/GOLDENROD BALL	7,684.87	140293	
39075- 2036	34	4/22/2014	Logged	*** Total ***	8,493.37	
39076- 2036	35	4/22/2014	11033 KERWEST NEWSPAPERS			
	35		53009 BLD-SIGNATURE/DATE STAMP	81.38	36051	
39076- 2036	35	4/22/2014	Logged	*** Total ***	81.38	
39077- 2036	36	4/22/2014	13097 MID VALLEY RO			
	36		52986 WTR-SNR YARD ABATEMENT	146.50	330718	
			718 S. 2ND STREET-SARA RUIZ			
39077- 2036	36	4/22/2014	Logged	*** Total ***	146.50	
39078- 2036	37	4/22/2014	13002 MUNISERVICES, LLC			
	37		52993 ADM-STARS SVC FPR 4TH QTR RPTS	500.00	33488	
39078- 2036	37	4/22/2014	Logged	*** Total ***	500.00	
39079- 2036	38	4/22/2014	14004 NASCO MODESTO			
	38		52985 AAC-(4) 3/4" & (4) 1" NEEDLES/	67.34	920429	
39079- 2036	38	4/22/2014	Logged	*** Total ***	67.34	
39080- 2036	39	4/22/2014	14014 NEXTEL COMMUNICATIONS			
	39		53022 VAR-SERVICE 03/12/14-04/11/14	660.37	6222685312-149	
39080- 2036	39	4/22/2014	Logged	*** Total ***	660.37	
39081- 2036	40	4/22/2014	15000 OFFICE DEPOT			
	40		52989 PLN/BLD-PENS FOLDERS END TABS	52.62	703108968001	
	40		52990 PLN-FINGER TIP MOISTENER	3.87	703108902001	
	40		53007 BLD/PLN-ENVLP TAPE BIZ CRDS PA	113.86	701250910001	
	40		53008 BLD/PLN-FINGER PAD	1.79	701251044001	
39081- 2036	40	4/22/2014	Logged	*** Total ***	172.14	
39082- 2036	41	4/22/2014	15015 OFFICEMAX INCORPORATED			
	41		52999 PD-TONER POST ITS SUPPLIES	155.15	412807	
39082- 2036	41	4/22/2014	Logged	*** Total ***	155.15	
39083- 2036	42	4/22/2014	14901 ONTRAC			
	42		53016 BLD-OVERNIGHT PLAN CHECK	44.32	7929604	
39083- 2036	42	4/22/2014	Logged	*** Total ***	44.32	
39084- 2036	43	4/22/2014	16025 P.G.& E.			
	43		52984 PD-MAR 2014 MONTHLY SERVICES	853.37	4647279811-0414	
39084- 2036	43	4/22/2014	Logged	*** Total ***	853.37	
39085- 2036	44	4/22/2014	15200 PDF ELECTRIC & SUPPLY COMPANY,			
	44		53023 WTR-VERSAMAX SERIAL/ETHERNET D	517.00	129659	
39085- 2036	44	4/22/2014	Logged	*** Total ***	517.00	
39086- 2036	45	4/22/2014	18075 R. G. EQUIPMENT			

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description	Net amount	Invoice number	PO number
	45		52981 V/E-MOWER LEVER/TRANS WASHERS	38.33	93672	
	45		52982 V/E-BELT SPRING FOR MOWER	4.44	93686	
39086- 2036	45	4/22/2014	Logged *** Total ***	42.77		
39087- 2036	46	4/22/2014	18058 REC1			
	46		52983 CTC-CREDIT CARD READER/REGISTR	100.00	REC1-000535	
39087- 2036	46	4/22/2014	Logged *** Total ***	100.00		
39088- 2036	47	4/22/2014	18016 REFRIGERATION SPECIALTIES			
	47		53002 CTC-REFRIGERATOR REPAIR/RECHAR	140.61	21859	
39088- 2036	47	4/22/2014	Logged *** Total ***	140.61		
39089- 2036	48	4/22/2014	18040 RIVERSIDE LANDSCAPE AND NURSER			
	48		52979 STR-TREES & PLANTS/COMMUNITY C	108.20	79049	
39089- 2036	48	4/22/2014	Logged *** Total ***	108.20		
39090- 2036	49	4/22/2014	11053 SEBASTIAN			
	49		52980 PD-MAR T 1-LINE	407.33	10243176	
39090- 2036	49	4/22/2014	Logged *** Total ***	407.33		
39091- 2036	50	4/22/2014	19063 SLUMBERGER LUMBER			
	50		52977 PD-14 KEYS GATES @ HACIENDA HE	26.46	D95341	
	50		52978 BPO-BULB,VNYL LEG,OUTLET,KEYS,	228.63	3116-022714	
39091- 2036	50	4/22/2014	Logged *** Total ***	255.09		
39092- 2036	51	4/22/2014	6021 STATE OF CALIFORNIA			
	51		53013 *C FTB TAX - WAGE GARNISHMENT	115.00	041814	
39092- 2036	51	4/22/2014	Logged *** Total ***	115.00		
39093- 2036	52	4/22/2014	20056 THE HARTFORD-PRIORITY ACCOUNTS			
	52		53024 HR-LTD INS-MAY 2014 EE PORTION	2,135.11	6726835-9	
39093- 2036	52	4/22/2014	Logged *** Total ***	2,135.11		
39094- 2036	53	4/22/2014	10068 THERESA JOHNSON			
	53		53003 YSB-REIMBURSEMENT/YSB SUPPLIES	35.95	108-041014	
39094- 2036	53	4/22/2014	Logged *** Total ***	35.95		
39095- 2036	54	4/22/2014	22044 VALLEY FARM SUPPLY STORES, INC			
	54		52972 VAR-WELDER,EDGER WHL,TRIMMER,R	626.53	040414	
39095- 2036	54	4/22/2014	Logged *** Total ***	626.53		
39096- 2036	55	4/22/2014	22002 VALLEY FOOD CENTER			
	55		53004 YSB-AFTR SCHOOL PRGM SNK SUPPL	18.77	D2525-040114	
39096- 2036	55	4/22/2014	Logged *** Total ***	18.77		
39097- 2036	56	4/22/2014	22019 VETERINARY MEDICAL CENTER			
	56		52973 ACC-12 ANIMAL EUTHANASIA/DISPO	220.40	208103	
39097- 2036	56	4/22/2014	Logged *** Total ***	220.40		
39098- 2036	57	4/22/2014	24002 XEROX CORPORATION			
	57		52974 PD-MAR COPIER SERVICE	399.68	73362853	
	57		52975 ADM-APRIL COPIER LEASE	428.51	073362853	

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Obligat'n	Name / Description	Net amount	Invoice number	PO number
	57		52976	PLN/BLD-MAR COPIER LEASE	275.46	73471872	
	57		52996	CS-MONTHLY COPIER SERVICE	242.13	73362855	
39098- 2036	57	4/22/2014	Logged	*** Total ***	1,345.78		
39099- 2036	58	4/22/2014		25001 YAMABE & HORN ENGINEERING			
	58			53005 VAR-MARCH ENGINEERING FEES	31,717.63	040214	
39099- 2036	58	4/22/2014	Logged	*** Total ***	31,717.63		
39100- 2037	1	4/29/2014		1038 ADMINISTRATIVE SOLUTIONS, INC			
	1			53077 HR-MAY SEC 125 PLAN ADMIN	90.00	70912	
	1			53078 HR-MAY BLUE CROSS PLAN ADMIN	780.00	26163	
39100- 2037	1	4/29/2014	Logged	*** Total ***	870.00		
39101- 2037	2	4/29/2014		1038 ADMINISTRATIVE SOLUTIONS, INC			
	2			53076 HR-MAY EMPLOYER FLEX PLAN	10,000.00	05012014	
39101- 2037	2	4/29/2014	Logged	*** Total ***	10,000.00		
39102- 2037	3	4/29/2014		1123 ADVANCED CONTRACTORS & SERVICE			
	3			53096 SWR-WWTP FENCE DAMAGE	950.00	602649	
39102- 2037	3	4/29/2014	Logged	*** Total ***	950.00		
39103- 2037	4	4/29/2014		1128 AQUA NATURAL SOLUTIONS			
	4			53095 SWR-DEGREASER/SLUDGE AWAY	491.72	2200	
39103- 2037	4	4/29/2014	Logged	*** Total ***	491.72		
39104- 2037	5	4/29/2014		1075 ARCO BUSINESS SOLUTIONS			
	5			53100 V/E-FUEL MAR 16, 2014-APR 15,	5,051.70	FJ373-041614	
39104- 2037	5	4/29/2014	Logged	*** Total ***	5,051.70		
39105- 2037	6	4/29/2014		1109 AT&T			
	6			53046 PD-T-1 LINE	262.12	041014	
39105- 2037	6	4/29/2014	Logged	*** Total ***	262.12		
39106- 2037	7	4/29/2014		2019 BSK ASSOCIATES			
	7			53029 WTR-LAB SAMPLES	648.00	A408755	
	7			53056 WTR-LAB SAMPLES QUARTERLY	438.00	A404227	
39106- 2037	7	4/29/2014	Logged	*** Total ***	1,086.00		
39107- 2037	8	4/29/2014		3032 CAMCO			
	8			53091 VAR-VALVE,RESPIRATOR,CLMP,EXT	235.69	85724	
39107- 2037	8	4/29/2014	Logged	*** Total ***	235.69		
39108- 2037	9	4/29/2014		2103 CDW GOVERNMENT			
	9			53102 WTR-MEDIA CONVERTER AT-SCADA	998.55	LG36166	
39108- 2037	9	4/29/2014	Logged	*** Total ***	998.55		
39109- 2037	10	4/29/2014		3061 CHEM QUIP INC			
	10			53037 WTR-WTR SYST CHLOR/PUMP	2,511.72	5286523	
	10			53038 WTR-WTR SYST CHLOR/PUMP	-590.00	5286489	
39109- 2037	10	4/29/2014	Logged	*** Total ***	1,921.72		
39110- 2037	11	4/29/2014		12901 CHERYL MEDEIROS			

CITIBANK AP						
Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description	Net amount	Invoice number	PO number
39110- 2037	11		53043 V/E-REFUND/DMV OUT OF STATE TAX	4,083.00	042314	
	11	4/29/2014	Logged	*** Total ***	4,083.00	
39111- 2037	12	4/29/2014	6082 CITY OF FRESNO WMD			
	12		53032 WTR/SWR-LAB ANALYSIS	120.00	K040914	
	12		53033 WTR/SWR-LAB ANALYSIS	165.00	K040214	
39111- 2037	12	4/29/2014	Logged	*** Total ***	285.00	
39112- 2037	13	4/29/2014	2995 CLEANSOURCE			
	13		53035 CTC-JANITORIAL SUPPLIES	1,227.89	5104248-00	
39112- 2037	13	4/29/2014	Logged	*** Total ***	1,227.89	
39113- 2037	14	4/29/2014	3247 COLONIAL LIFE			
	14		53079 HR-MAY EMPLOYEE CONT.	680.28	3420205-0501854	
39113- 2037	14	4/29/2014	Logged	*** Total ***	680.28	
39114- 2037	15	4/29/2014	3102 COOKS COMMUNICATIONS			
	15		53042 V/E-BATTERY BRAIN ANTENNA CONN	382.22	119061	
39114- 2037	15	4/29/2014	Logged	*** Total ***	382.22	
39115- 2037	16	4/29/2014	3173 CROWN SHORT LOAD CONCRETE			
	16		53062 SWR/WTR-CONCRETE AT WWTP	220.78	85904	
	16		53088 STRC-SIDEWALK REPAIR	181.82	85883	
39115- 2037	16	4/29/2014	Logged	*** Total ***	402.60	
39116- 2037	17	4/29/2014	3981 DASH MEDICAL GLOVES			
	17		53045 PD-MEDICAL GLOVES	146.97	INV0854941	
39116- 2037	17	4/29/2014	Logged	*** Total ***	146.97	
39117- 2037	18	4/29/2014	4017 DELRAY TIRE & RETREADING			
	18		53040 V/E-NEW TIRES VEH #1454	463.19	454009	
	18		53041 V/E-STOCK TIRES	231.60	454010	
39117- 2037	18	4/29/2014	Logged	*** Total ***	694.79	
39118- 2037	19	4/29/2014	4033 DEPARTMENT OF TRANSPORTATION			
	19		53039 STRT-SIGNALS & LIGHTING	968.74	SL140758	
39118- 2037	19	4/29/2014	Logged	*** Total ***	968.74	
39119- 2037	20	4/29/2014	4118 DFS FLOORING			
	20		53101 CTC-NEW OFFICE CARPET & ENTRY	1,484.00	600463-1	
39119- 2037	20	4/29/2014	Logged	*** Total ***	1,484.00	
39120- 2037	21	4/29/2014	5023 EWING IRRIGATION PRODUCTS			
	21		53026 LLD/STRT-SPRINKLER SUPPLES	490.80	7808717	
	21		53064 VAR-NZZL STRP SPRAY SRINKLER P	473.65	9425069-A-2	
	21		53065 BPO-SPRINKLER RTR INST ULTRA P	298.27	9425123-A-1	
39120- 2037	21	4/29/2014	Logged	*** Total ***	1,262.72	
39121- 2037	22	4/29/2014	5053 FASTENAL COMPANY			
	22		53063 LLD/STRT-BATTEREY SPRINKLER TI	341.59	CAFR246159	
	22		53089 VAR-BATTERIES FOR SPRINKLER TI	233.81	245918	
39121- 2037	22	4/29/2014	Logged	*** Total ***	575.40	

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Obligat'n	Name / Description	Net amount	Invoice number	PO number
39122- 2037	23	4/29/2014	6056	FRESNO COUNTY TREASURER			
	23		53057	PD-FEB PRISONER PROCESSING SER	480.00	S0 11396	
	23		53058	PD-MAR PRISONER PROCESSING SER	192.00	S011481	
39122- 2037	23	4/29/2014	Logged	*** Total ***	672.00		
39123- 2037	24	4/29/2014	6071	FRESNO NETWORKS			
	24		53081	TECH-MONTHLY CUSTOMER SUPPORT	1,935.22	AT18428	
39123- 2037	24	4/29/2014	Logged	*** Total ***	1,935.22		
39124- 2037	25	4/29/2014	7065	G & K SERVICES, INC			
	25		53068	VAR-UNIFORMS MATS/SUPPLIES	1,437.26	033114	
39124- 2037	25	4/29/2014	Logged	*** Total ***	1,437.26		
39125- 2037	26	4/29/2014	8005	HELENA CHEMICAL COMPANY			
	26		53087	SWR-ROUNDUP 5 GALLONS	151.52	69470408	
	26		53090	STRT-ROUNDUP/WEED CONT 10 GAL	313.85	69470643	
39125- 2037	26	4/29/2014	Logged	*** Total ***	465.37		
39126- 2037	27	4/29/2014	7200	HOGENTOGLER & CO INC			
	27		53099	SWR-MOISTURE ANALYZER	1,936.90	0188144-IN	
39126- 2037	27	4/29/2014	Logged	*** Total ***	1,936.90		
39127- 2037	28	4/29/2014	8902	INDEPENDENT STATIONERS			
	28		53050	PR-PAPER/SORTKWIK/FLYRS FILE F	60.53	IN-000410532	
	28		53051	PR-PAPER FOR FLYERS	22.42	IN-000410896	
	28		53052	PR-LAMINATING SHEETS	11.43	IN-0000411030	
39127- 2037	28	4/29/2014	Logged	*** Total ***	94.38		
39128- 2037	29	4/29/2014	9012	INDUSTRIAL CONTROL & DESIGN, I			
	29		53066	SWR-PRGM/WIRED BACK FLOAT SWIT	432.50	10811	
	29		53067	SWR-PRGM FLOW METER CLBR EF EL	375.00	10815	
	29		53085	SWR/WTR-VMSE CONFIG/WELL 12 &	660.25	10778	
	29		53086	SWR/WTR-LOCATE USEFUL FIBER LI	401.50	10792	
39128- 2037	29	4/29/2014	Logged	*** Total ***	1,869.25		
39129- 2037	30	4/29/2014	9045	iPROMOTEu			
	30		53036	SWA-RECYCLE T-SHITS EARTH DAY	668.46	755750PT9	
39129- 2037	30	4/29/2014	Logged	*** Total ***	668.46		
39130- 2037	31	4/29/2014	10066	JOSE CANDELARIA			
	31		53055	CS-REFINSH 2 BENCHES/SNR CNTR	330.00	100	
39130- 2037	31	4/29/2014	Logged	*** Total ***	330.00		
39131- 2037	32	4/29/2014	10050	JUDICIAL DATA SYSTEMS CRP			
	32		53060	PD-PARKING ACTIVITY FOR MAR	100.00	4452	
39131- 2037	32	4/29/2014	Logged	*** Total ***	100.00		
39132- 2037	33	4/29/2014	11015	KERMAN CHAMBER OF COMMERCE			
	33		53069	CC-2014 FIREWORKS DONATION	600.00	042514	
39132- 2037	33	4/29/2014	Logged	*** Total ***	600.00		
39133- 2037	34	4/29/2014	11020	KERMAN FLORAL			

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Obligat'n	Name / Description	Net amount	Invoice number	PO number
39133- 2037	34	4/29/2014	53070	CC-PLANT/NEW BABY FOR BILL NIJJER *** Total ***	61.69	7724	
39134- 2037	35	4/29/2014	11033	KERWEST NEWSPAPERS			
	35		53071	ADM-SIGNATURE STAMP-LUIS	30.84	36019	
	35		53072	STRT-PH-DEV IMPACT FEE	150.00	36137	
	35		53073	STRT-NOTICE 2014 CONCRETE PROJ	315.00	36138	
	35		53074	V/E-ACCEPT BID-SURPLUS PROP	120.00	36139	
	35		53075	STRC-PN-NEG DEC VINLAND WIDENI	97.50	36171	
	35		53084	WTR/PW-PT TEMP AD	120.00	36056	
39134- 2037	35	4/29/2014	Logged	*** Total ***	833.34		
39135- 2037	36	4/29/2014	13002	MUNISERVICES, LLC			
	36		53047	ADM-SUTA SERVICE/QT ENDING 12/13	3,429.93	3608	
39135- 2037	36	4/29/2014	Logged	*** Total ***	3,429.93		
39136- 2037	37	4/29/2014	15000	OFFICE DEPOT			
	37		53025	WTR/SWR-MEMO PADS MECH PENCILS	24.46	703712312001	
	37		53044	WTR/SWR-STENO PADS BINDERS	29.90	703711913001	
39136- 2037	37	4/29/2014	Logged	*** Total ***	54.36		
39137- 2037	38	4/29/2014	15010	OFFICE DEPOT CREDIT ACCOUNT			
	38		53053	SC-PRINTER INK	75.55	9550-041314	
39137- 2037	38	4/29/2014	Logged	*** Total ***	75.55		
39138- 2037	39	4/29/2014	18075	R. G. EQUIPMENT			
	39		53028	V/E-PULLEY/BELT FOR MOWER	63.85	93759	
39138- 2037	39	4/29/2014	Logged	*** Total ***	63.85		
39139- 2037	40	4/29/2014	19002	S & S WORLDWIDE			
	40		53048	YSB-PLAY EQUIP/AFT SCHL REC PR	73.87	8006678	
39139- 2037	40	4/29/2014	Logged	*** Total ***	73.87		
39140- 2037	41	4/29/2014	19014	SAFETY KLEEN CORP			
	41		53054	V/E-WASHER OIL FLTR FUEL	302.26	63236820	
39140- 2037	41	4/29/2014	Logged	*** Total ***	302.26		
39141- 2037	42	4/29/2014	11010	SEBASTIAN			
	42		53059	PD-REPAIR KEY PAD/SALLYPORT	140.00	56502	
	42		53082	CTC-TROUBLESHOOT PHONE	140.00	56481	
	42		53083	WTR-TROUBLESHOOT PHONE	140.00	56482	
	42		53098	CTC-REPAIR DOOR LATCH	240.00	53310	
39141- 2037	42	4/29/2014	Logged	*** Total ***	660.00		
39142- 2037	43	4/29/2014	18999	SILVA FORD MADERA			
	43		53030	V/E-AIR BAG/THERMOSTAT VEH #14	549.92	32329	
	43		53031	V/E-AIR BAG/THERMOSTAT VEH #14	152.95	32391	
39142- 2037	43	4/29/2014	Logged	*** Total ***	702.87		
39143- 2037	44	4/29/2014	19116	STATE WATER RESOURCES CNTL			
	44		53034	SWR-RENWL GR2 OPER CERT F CHAVEZ	230.00	10421-041514	
39143- 2037	44	4/29/2014	Logged	*** Total ***	230.00		

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description	Net amount	Invoice number	PO number
39144- 2037	45	4/29/2014	19163 TARGET SPECIALTY PRODUCTS			
	45		53094 STRT-BEST DIMENSIONS/WEED CNTL	270.56	1652601	
39144- 2037	45	4/29/2014	Logged *** Total ***	270.56		
39145- 2037	46	4/29/2014	99999 U.S. BANK CORPORATE PAYMENT SY			
	46		53097 VAR-CREDIT CARD CHARGES	2,349.09	022414	
39145- 2037	46	4/29/2014	Logged *** Total ***	2,349.09		
39146- 2037	47	4/29/2014	20091 USABLUBOOK			
	47		53092 WTR-WASH BOTTLES W/SPOUT-BAC T	72.35	319416	
	47		53093 WTR-SFTY SHWR/EYE WASH STATION	427.45	316826	
39146- 2037	47	4/29/2014	Logged *** Total ***	499.80		
39147- 2037	48	4/29/2014	22010 VALLEY SANITARY SUPPLY			
	48		53049 PBO-CLEANING SUPPLIES/CITY BLD	358.59	260949	
39147- 2037	48	4/29/2014	Logged *** Total ***	358.59		
39148- 2037	49	4/29/2014	22038 VISION SERVICE PLAN			
	49		53080 HR-MAY VISION PREMIUM	687.99	05012014	
39148- 2037	49	4/29/2014	Logged *** Total ***	687.99		
39149- 2037	50	4/29/2014	23022 WEST HILLS OIL, INC			
	50		53027 V/E-FUEL FOR CITY VEHICLES	4,092.36	43014	
	50		53061 SWR-10P GREASE FOR GRINDER	27.35	225306	
39149- 2037	50	4/29/2014	Logged *** Total ***	4,119.71		
				.00		
** Total check discount **				.00		
** Total check amount **				324,833.05		
				.00		

Electronic Bank Transfers-04/18/14

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
4/18/2014	ICMA	HR Employee Contributions 457	\$ 3,774.79
4/18/2014	KPOA	HR Association Dues Collected	\$ 618.12
4/18/2014	KMEA	HR Association Dues Collected	\$ 165.00
4/18/2014	IRS	HR Federal Payroll Taxes Collected	\$ 32,958.05
4/18/2014	State of California	HR State Payroll Taxes Collected	\$ 4,916.48
4/18/2014	CalPers	HR Retirement Contributions	<u>\$ 20,200.93</u>
		Total	\$ 62,633.37



CITY OF KERMAN

4/7/2014

VENDOR # 19064 (REQUIRED)

DEPT. Public Works SPECIAL INSTRUCTIONS: _____
 VENDOR Smith Auto Parts, Inc. _____
216 S. Bridge St _____
Visalia, Ca. 93291 _____

2013-2014

INVOICE #	INV DATE	ITEM DESCRIPTION / PART NO.	BUDGET CODE	INVOICE AMOUNT
		VAR-SWR-V/E		
MISC		V/E-parts	50.0-4011-521-03-00	19.39
429153	3/27/2014	V/E-#1471-battery	50.0-401-521-03-00	270.51
401423	3/11/2014	V/E- #1412 battery	50.0-4011-521-03-00	108.17
415780	3/19/2014	V/E-#1387 Battery	50.0-4011-521-03-00	270.51
401150	3/11/2014	Swr- impact bratchet /parts	42.0-4011-521-02-00	166.63
MISC		Swr-parts	42.0-4011-521-02-00	40.87
		All single items under \$50.00		
				876.08

CM/ [Signature] 4-8-14 4/7/2014
 Prepared: Department Representative Date

[Signature] 4/11/14
 Approved: Finance Director Date

[Signature] 4/8/14
 Approved: Department Head Date

Approved: City Manager
 (Over \$1,000.00) Date

ENTERED
 4/10/14



CITY OF KERMAN

PURCHASE ORDER DATE 4/2/2014
PAY ATTACHED INVOICE PREPARED BY
PETTY CASH (RECEIPTS ATTACHED)

DEPT. YAMABE & HORN ENGINEERING
VENDOR Yamabe & Horn Engineering
2985 N Burl Ave Ste 101
Fresno CA 93727

RETURN CHECK TO OTHER

Table with columns: INVOICE #, INV DATE, ITEM DESCRIPTION / PART NO., FUNDING SOURCE, BUDGET CODE, ENGINEER'S ESTIMATED PROJECT COST, ENGINEERING DESIGN & MGMT (3), INVOICE THIS MONTH, PRIOR BILLED, TOTAL INVOICED TO DATE, BALANCE REMAINING, % Complete

Table with columns: INVOICE #, INV DATE, ITEM DESCRIPTION / PART NO., FUNDING SOURCE, BUDGET CODE, ENGINEER'S ESTIMATED PROJECT COST, ENGINEERING DESIGN & MGMT (3), INVOICE THIS MONTH, PRIOR BILLED, TOTAL INVOICED TO DATE, BALANCE REMAINING, % Complete

ENTERED 4/16/14

\$31,717.63

Notes: 1 These expenses are for capital projects funded from local, state and federal transportation funds subject to competitive bid.
2 These expenses are for general engineering services for engineering plan check, staff requests, grants, etc., funded from the general fund, enterprise funds or street funds.
3 These costs include engineering design and construction management services (i.e., survey, plan preparation, special reports, right-of-way, bidding, contract documents, award, project management, etc.)

Department Representative (Funds Available) Date 4/16/14
Approved: Finance Director
Department Head Date 4/16/14
Approved: City Manager

Date	Item	Cardholder Acct	Internal Acct Code	Amount
Joseph Blohm				
03/03/14	Wal-Mart	PD-Phone for detective office	10.0.3011.521.02	\$ 31.10
03/04/14	Best Buy	PD-Credit for postage	10.0.3011.521.07	\$ (40.00)
03/21/14	The Cliffs Resort	PD-Room for Chief's conference	10.0.3044.554.01	\$ 413.16
				\$ 404.26

Terri Cubillos				
02/28/14	Vivo Tech	PD-2 Dual LCD monitor stands	10.0.3999.554.01.03	\$ 90.00
02/25/14	Vivo Tech	PD-1 Dual LCD monitor stand	10.0.3999.554.01.03	\$ 45.00
				\$ 135.00

Ken Moore				
03/04/14	Daydeal.com	WTR/SWR-Cell phone clips	41.0.4011.551.02	\$ 19.69
			42.0.4011.551.02	\$ 19.70
03/15/14	Residence Inns	SWR-Room for WWTP class	42.0.4011.554.01	\$ 349.44
				\$ 388.83

Phillip Gallegos				
03/05/14	E Food Handlers	CTC-Food Safety Certificate	10.0.2069.521.02	\$ 10.00
03/18/14	National Alliance for You	PR-Start Smart baseball equipment	10.0.2062.521.02	\$ 1,112.00
				\$ 1,122.00

Marci Reyes				
03/19/14	Logmein.com	Tech-Finance remote log in access	51.0.4011.600.04	\$ 299.00
				\$ 299.00

TOTAL \$ 2,349.09 \$ 2,349.09



City of Kerman

"Community Comes First"

MAYOR
Gary K. Yep

MAYOR PRO-TEM
Doug Wilcox

COUNCIL MEMBER
Raj Dhaliwal

COUNCIL MEMBER
Nathan Fox

COUNCIL MEMBER
Bill Nijjer

DEPARTMENT: PUBLIC WORKS
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: MAY 7, 2014

To: Mayor and City Council
From: Gary D. Horn, City Engineer
Subject: Final Acceptance: Wooten Park Lighting Project

RECOMMENDATION

Council adopt resolution accepting the Wooten Park Lighting Project and authorize the City Engineer to record the Notice of Completion.

EXECUTIVE SUMMARY

The Contractor, Lane Electric Inc. has completed the work required for the Wooten Park Lighting Project. The project installed five decorative streetlights around Wooten Park. The City Public Works Inspector has inspected the improvements required by the project and all of the improvements have been completed.

DISCUSSION

The Wooten Park Lighting Project is included in the City's Five-Year Capital Improvement Program to address inadequate lighting surrounding Wooten Park. The Project installed five decorative streetlights around the park to address the issue. The Project utilized streetlight poles and bases that the City had salvaged. The poles and fixtures are similar to those installed in Plaza Park and around City Hall.

FISCAL IMPACT

The total project cost was \$67,000, including engineering. The City has budgeted \$72,000 in Local Street Funds for the project.

PUBLIC HEARING

None Required

Attachments:

- A. Resolution

Attachment 'A'

RESOLUTION NO. 14-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
ACCEPTING IMPROVEMENTS AND AUTHORIZING FILING OF THE NOTICE OF COMPLETION
FOR THE WOOTEN PARK LIGHTING PROJECT**

WHEREAS, Lane Electric Inc. has completed the work for the Wooten Park Lighting Project and;

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

WHEREAS, the City Engineer recommends acceptance of the Wooten Park Lighting Project and requests Council to authorize the City Engineer to record the Notice of Completion for the project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN HEREBY ACCEPTS the Wooten Park Lighting Project and authorizes the City Engineer to record the Notice of Completion.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 7th day of May, 2014, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Gary Yep
Mayor

ATTEST:

Marci Reyes
City Clerk



City of Kerman

"Community Comes First"

MAYOR
Gary K. Yep

MAYOR PRO-TEM
Doug Wilcox

COUNCIL MEMBER
Raj Dhaliwal

COUNCIL MEMBER
Nathan Fox

COUNCIL MEMBER
Bill Nijjer

DEPARTMENT: PLANNING AND DEVELOPMENT
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: MAY 7, 2014

To: Mayor and City Council
From: Gary D. Horn, City Engineer
Subject: Public Hearing for Revisions to Development Impact Fees

RECOMMENDATION

Council review proposed fees, conduct Public Hearing and adopt resolutions:

1. Establishing outside Travel Lane Fee; and
2. Revising Development Impact Fees

EXECUTIVE SUMMARY

The last comprehensive review of Development Impact Fees was in 2009. Minor revisions were made in 2010 and 2011. The major proposed revisions are as follows:

1. All residential fees changed to a "per unit" value instead of some per unit and others per acre or building valuation.
2. New fee proposed for outside travel lanes on industrial arterials and expressways.
3. Elimination of fee reductions for RDA and Infill areas.
4. Residential fees increase about 4%, Commercial fees increase about 5%, No increase for Industrial fees.
5. When compared to neighboring cities, Kerman will remain in the middle for residential fees and in the low end for commercial and industrial fees.

DISCUSSION

Development Impact Fees are charged for all new developments in the City. The fees collected are used to pay for additional infrastructure expansion needed to serve growth. The fees also are used to reimburse developers who install master planned facilities that are larger than needed for their individual project, but which will serve other properties as well. The fees help to level the playing field for developers in that all projects have an obligation to pay fees to help pay for facilities to serve new growth and one developer who may be building adjacent to an oversized facility is not overburdened.

The proposed revisions are as follows:

1. Single and multiple family residential fees are now calculated per unit instead of a combination of per unit, area and building valuation. This will make the calculations for these uses uniform and easier for staff to calculate when issuing building permits.
2. Commercial and Industrial fees water major facilities are now based on consumption equivalent to single family residential. Previously these rates were less.
3. A new fee to pay for Outside Travel Lanes on industrial arterials and expressways where developers install these improvements along the frontage of properties not owned by them. It is beneficial to the City to require the expansion of four-lane streets to accommodate traffic volumes on arterials and expressways. The streets that have this designation are Jensen Avenue, Whitesbridge Road and Madera Avenue. The center lanes, and median islands, if any, are covered by the Major Street Center Lane Fee. This fee will pay for the second lane when installed on property not owned by the developer.
4. Interest will be paid to developers who wait for reimbursement for improvements that are owed for more than one year for improvements for which there have not been sufficient fees collected. Interest will be paid as other developers pay fees to the account, and interest will be paid at the average rate of interest which the City receives on certificates of deposits at the time of reimbursement.
5. Collection of fees for residential projects will occur at issuance of certificate of occupancy. Commercial and industrial projects will pay fees when the building permit is obtained. State law allows residential fees to be collected earlier under certain circumstances.
6. Fee reductions for residential infill and commercial projects along Madera Avenue where adopted within the redevelopment areas. With the dissolution of redevelopment, these reductions are no longer valid and should be eliminated.
7. The attached comparisons of the current fees with the proposed fees show that Single Family will increase about 4%, Commercial fees will increase about 5% and Industrial fees will not increase. It should be noted that fees for commercial and industrial uses can vary widely based on the sewer and water demands of the proposed project. The changes in the individual fees are listed below:
 - A. Parks Development and Quimby Fees increased due to the increase in development costs.
 - B. Traffic Signal and Railroad Crossing Fees decrease due to the improvements installed by the Wal-Mart project.
 - C. Public Building Fees decreased due to removal of \$3million in future construction.
 - D. The increases for Water Major Facilities for commercial and industrial uses are due to the fee increase to be equivalent to single family residential use.

The Council asked for a comparison of fees for Fresno and Clovis at the previous staff presentation of these fee revisions. The Development Impact Fees for Single Family Residential lots near Blythe Avenue and Dakota Avenue in Fresno are \$15,211 per lot. Fees for Single Family Residential lots in Clovis near DeWolf Avenue and Barstow Avenue total \$36,600 per lot. Clovis includes fees for more improvements that receive fee credits than other cities, such as undergrounding utilities, street frontage improvements and right of way costs for collector and arterial streets. Even with these opportunities for fee credits and reimbursements, Clovis fees are high compared to all other local cities.

FISCAL IMPACT

Attached are several tables and charts that compare the proposed fees with current Kerman fees, and graphs with comparisons with neighboring cities that are about the same size as Kerman.

Increases in residential fees for single family lots will apply 60 days after adoption for existing lots of record whose final maps have been recorded for more than 2 years. This would include the Jonathan Homes Tract No. 5636 and Pacific Mountain Partners Tract No. 5478. Tracts that have approved Tentative Maps will be subject to the fees in effect at the time the Tentative Map was filed, such as Tract No 5832, Union Community Partners. The proposed fees will apply to new tentative maps filed after the revised fees are in effect.

PUBLIC HEARING

A Public Hearing is required prior to the adoption of a new fee or increases in existing fees, and has been properly noticed.

REASON FOR RECOMMENDATION

It is important to keep impact fees current so that adequate funds are collected to pay for the needed infrastructure and large increases in fees at a later date are avoided.

Attachments:

- A. Residential Fee Comparison
- B. Commercial Fee Comparison
- D. Industrial Fee Comparison
- E. Graph Showing Summary of Fee Comparisons
- F. Resolution Establishing Outside Travel Lane Fee
- G. Resolution Revising Development Impact Fees

ATTACHMENT 'A'

COMPARISON OF FEES FOR A 10 AC RESIDENTIAL SUBDIVISION

AREA = 10 AC
 LOTS = 38 LTS

VALUATION = \$180,000 AVG VALUATION FOR EACH HOUSE

FEE	PROPOSED FEE PER UNIT	CURRENT - 2011				CHANGE	
		RATE	UNITS	EXTENSION	PER UNIT	DIFF	
Administrative Fee	\$500	\$500	38 LTS	\$19,000	\$500	\$0	0.0%
Public Building Facilities	\$1,324	\$6,105	10 AC	\$61,050	\$1,607	(\$283)	-17.6%
General Plan Fee	\$296	\$0.16	68,400	\$10,944	\$288	\$8	2.8%
Fire Station Fee	\$730	\$730	38 LTS	\$27,740	\$730	\$0	0.0%
S. D. Basin Acquisition	\$252	\$947	10 AC	\$9,470	\$249	\$3	1.1%
Storm Drain Facilities	\$1,043	\$4,021	10 AC	\$40,210	\$1,058	(\$15)	-1.4%
Water Oversize	\$304	\$1,137	10 AC	\$11,370	\$299	\$5	1.6%
Water Major Facilities	\$2,126	\$2,107	38 LTS	\$80,066	\$2,107	\$19	0.9%
Sewer Oversize	\$554	\$2,215	10 AC	\$22,150	\$583	(\$29)	-5.0%
Sewer Major Facilities	\$2,349	\$2,219	38 LTS	\$84,322	\$2,219	\$130	5.9%
Parks - Development	\$2,706	\$2,174	38 LTS	\$82,612	\$2,174	\$532	24.5%
Parks - Quimby	\$759	\$718	38 LTS	\$27,284	\$718	\$41	5.7%
Major Streets	\$1,545	\$5,886	10 AC	\$58,860	\$1,549	(\$4)	-0.3%
Street Signals	\$159	\$939	10 AC	\$9,390	\$247	(\$88)	-35.7%
Railroad Crossings	\$263	\$1,199	10 AC	\$11,990	\$316	(\$53)	-16.6%
Outside Travel Lanes	\$310				\$0	\$310	
FEE PER LOT	\$15,220				\$14,644	\$576	3.9%

ATTACHMENT 'C'

COMPARISON OF FEES FOR A 84,000 SF INDUSTRIAL BUILDING ON A 5.50 AC SITE

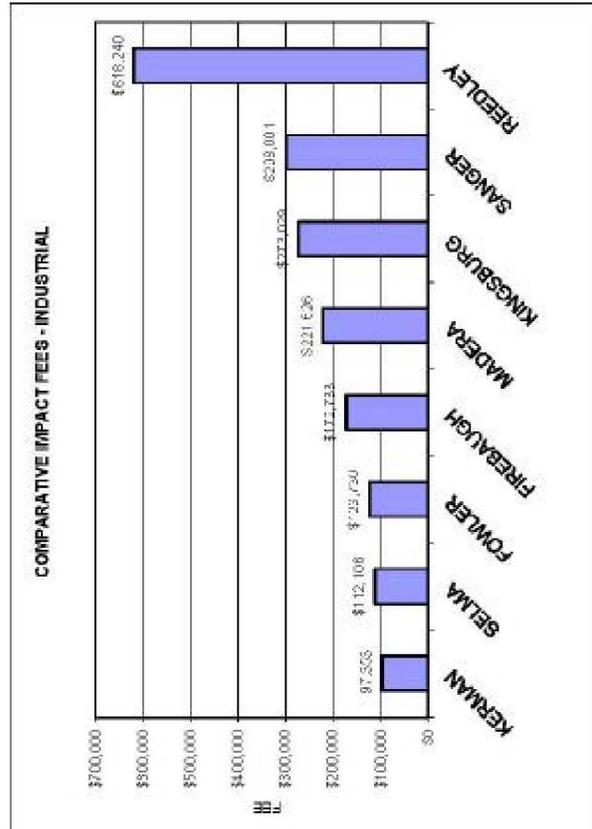
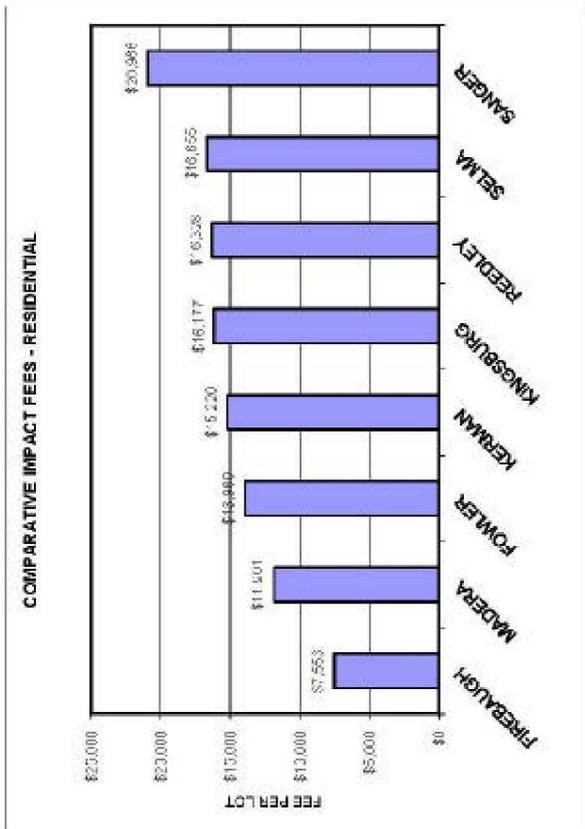
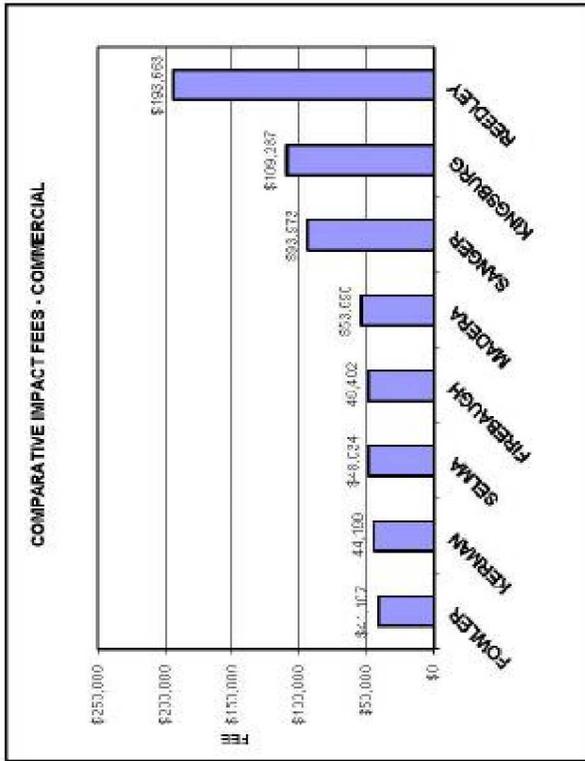
AREA = 5.50 AC

Bldg Area = 84,000 SF

SEWER & WATER = 2 UN

FEE	UNITS	PROPOSED		CURRENT		CHANGE	
		RATE	EXT	RATE	EXT	%	DIFF
Administrative Fee	84,000 SF	\$0.08	\$2,500	\$0.08	\$2,500	0.0%	\$0
Public Building Facilities	5.50 AC	\$2,012	\$11,066	2,442	\$13,431	-17.6%	(\$2,365)
General Plan Fee	5.50 AC	\$369	\$2,030	0.08	\$2,000	1.5%	\$30
Fire Station Fee	84,000 SF	\$0.08	\$6,972	0.083	\$6,972	0.0%	\$0
S.D. Basin Acquisition	5.50 AC	\$1,369	\$7,530	1,352	\$7,436	1.3%	\$94
Storm Drain Facilities	5.50 AC	\$5,663	\$31,147	5,744	\$31,592	-1.4%	(\$446)
Water Oversize	5.50 AC	\$288	\$1,584	284	\$1,562	1.4%	\$22
Water Major Facilities	2 UN	\$2,126	\$4,252	500	\$1,000	325.2%	\$3,252
Sewer Oversize	5.50 AC	\$526	\$2,893	554	\$3,047	-5.1%	(\$154)
Sewer Major Facilities	2 UN	\$2,349	\$4,698	2,219	\$4,438	5.9%	\$260
Major Streets	5.50 AC	\$2,097	\$11,534	2,102	\$11,561	-0.2%	(\$28)
Street Signals	5.50 AC	\$606	\$3,333	939	\$5,165	-35.5%	(\$1,832)
Railroad Crossings	5.50 AC	\$1,000	\$5,500	1,199	\$6,595	-16.6%	(\$1,095)
Outside Travel Lane	5.50 AC	\$421	\$2,316		\$0		\$2,316
TOTAL FEES			\$97,353		\$97,298	0.1%	\$55

ATTACHMENT 'D'



ATTACHMENT 'E'

RESOLUTION NO. 14-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
ESTABLISHING OUTSIDE TRAVEL LANE FEE**

WHEREAS, the City of Kerman (the "City") pursuant to the laws of the State of California and Kerman Municipal Ordinance, Section 16.28.200 and Chapter 16.44 is permitted to establish and revise fees for the purpose of financing public facilities necessitated by new development projects; and

WHEREAS, the City Council of the City of Kerman has directed City staff to investigate and recommend the types and amounts of fees which should be collected to construct public facilities required to serve new development.

Section 1. The Purpose of Fees. The City Council of the City of Kerman (hereafter, the "Council") determines that the purpose for the fee adopted by this Resolution is to provide financing for the construction of outside travel lanes on arterials and expressways which must be built to provide necessary services to new development projects in the City of Kerman. The fee to be adopted by this Resolution is as follows:

Single Family Residential:	\$310 per unit
Multi-family Residential:	\$211 per unit
Commercial:	\$842 per acre
Industrial:	\$421 per acre

Section 2. Basis of Findings: General Findings. The findings and determinations of the Council are based upon analysis and calculations prepared and presented to the City Council by the City Engineer. Said analysis and calculations are hereinafter referred to as the "Fee Studies". The findings and determinations of the Council are also based upon facts and testimony presented in public hearings held according to law.

Section 3. Outside Travel Lane Fee.

- A. The purpose of the Outside Travel Lane Fee is to finance the construction or reconstruction of the outside travel lane and shoulder paving on four-lane expressways and industrial arterials where developers install these improvements along properties not owned by them.
- B. The Council finds and determines that:
 - 1. Findings 1, 2, and 3A, above, are relevant here, and are incorporated herein for reference.
 - 2. There is a reasonable relationship as described in the Fee Studies for Outside Travel Lanes between the types of development and the need for additional street paving to serve the development.
 - 3. The use of the Outside Travel Lane Fee to finance the construction or reconstruction of outside travel lanes is reasonably related to the type of development on which such fees are imposed.
- C. The City Council determines that the Fee Studies demonstrates that a reasonable relationship exists between the Outside Travel Lane Fee imposed on the development and the estimated cost of the portion of the Outside Travel Lane attributable to the development on which the fee is imposed.

Section 4. Establishment of Fees. In consideration of the foregoing findings and determinations, the City Council finds it necessary to establish, and hereby does establish, the City of Kerman Outside Travel Lane Fee as set forth under Section 1 of this resolution.

Section 5. Time for Collection: Accounting. The fee established by this resolution shall be collected at the times specified in Section 66007 of the Government Code as it now exists or may hereafter be amended. City staff shall establish the accounts and annually prepare the reports required by Government Code Section 66006.

Section 6. Effective Date. The fee established herein shall be effective no earlier than 60 days following final passage of this resolution.

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Kerman held on the 7th day of May, 2014, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Gary Yep
Mayor

ATTEST:

Marci Reyes
City Clerk

ATTACHMENT 'F'

RESOLUTION 14-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
REVISING DEVELOPMENT IMPACT FEES**

WHEREAS, the City of Kerman (the "City"), pursuant to the laws of the State of California and Kerman Municipal Ordinance section 16.28.200 and Chapter 16.44, is permitted to establish and revise fees for the construction of financing public facilities necessitated by new development projects; and

WHEREAS, the City has adopted Resolution 93-21, Resolution 94-13, Resolution 95-07, Resolution 05-77 and Resolution 2014-__ establishing the purpose and amount of each fee; and

WHEREAS, the City Council of the City of Kerman (hereinafter the "Council") has directed City Staff to investigate and recommend the amounts of fees which should be collected to construct public facilities required to serve new development; and

WHEREAS, the Council desires to revise the amounts of fees previously adopted.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN DOES FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

Section 1. Basis of Findings: General Findings. The findings and determinations of the Council are based upon analysis and calculations prepared and presented to the Council by the City Engineer. Said analysis and calculations are hereinafter referred to as the "Fee Studies". The findings and determinations of the Council are based on facts and testimony presented in public hearings held according to law. The Council finds that, for purposes of these proceedings, future development can reasonably be classified into four types as set forth in Exhibit "A": Single Family, Multi-Family, Commercial and Industrial; each type of development produces differing impacts on public facilities' and these differential impacts have been reasonably considered in determining the fair share of public facility costs to be contributed by each type of development.

Section 2. Establishment of Fees. In consideration of the foregoing findings and determinations, the City Council finds it necessary to establish, and hereby does establish, the City of Kerman Development Fees 2014 as set forth in Exhibit "A" attached hereto and incorporated by reference.

Section 3. Time for Collection; Accounting. The fees established by this Resolution shall be collected at the times specified in section 66007 of the Government Code as it now exists or may hereafter be amended. City Staff shall establish the accounts and annually prepare the reports required by Government Code section 66006. For any fee which is not paid prior to the recording of final map or final parcel map, the subdivider and City shall enter into a deferment agreement which shall disclose the fees not paid.

Section 4. Purpose of Fees. The purpose of the fees enacted by this Resolution is to pay for the expansion, extension, design, and construction of certain public facilities to serve new developments in the City of Kerman.

Section 5. Use of Fees. The fees calculated will be used to fund new construction or reimburse developers who install facilities for which fees have been collected. The descriptions of public facilities which are to be funded by these fees are detailed in "City of Kerman Development Fee Calculations and Procedures, April 2, 2014," which is on file with the City Clerk.

Section 6. Reasonable Relationship Between Fees Use and Type of Development. The Council finds that there is a reasonable relationship between the expansion, extension, design, and construction of certain public facilities and new developments in the City of Kerman. New developments place demands upon City infrastructure which requires the expansion, extension, design, and construction of certain public facilities to serve new developments.

Section 7. Reasonable Relationship Between the Need for Public Facilities and the Type of Development Project on Which Fees are Imposed. The City finds that there is a reasonable relationship between the need for expansion, extension, design, and construction of public facilities and future Single-Family, Multi-Family, Commercial and Industrial developments.

Section 8. Quimby Act Dedications or Fees In accordance with the provisions of Section 66477 of the Subdivision Map Act the City has adopted by ordinance the requirement for the dedication of land, or payment of fees in lieu of dedication, for park or recreational purposes. The amount of the in lieu fee is hereby established as set forth in Exhibit "A".

Section 9. Effective Date. The fees established herein shall become effective July 7, 2014.

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Kerman held on the 7th day of May, 2014, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Gary Yep
Mayor

ATTEST:

Marci Reyes
City Clerk

Exhibit 'A'

**CITY OF KERMAN
 2014 DEVELOPMENT FEES**

FEE	SINGLE-FAMILY	MULTI-FAMILY	COMMERCIAL	INDUSTRIAL
Administrative Fee	\$500 /UN	\$475 /UN	\$0.10 /SF (3) \$400 Min. \$2,500 Max.	\$0.080 /SF (3) \$400 Min. \$2,500 Max.
Public Building Facilities	1,324 /UN	629 /UN	2,012 /AC	2,012 /AC
General Plan Fee	296 /UN	296 /UN	369 /AC	369 /AC
Fire Station & Equipment	730 /UN	442 /UN	0.157 /SF (3)	0.083 /SF (3)
Storm Drain Basin Acquisition	252 /UN	154 /UN	1,643 /AC	1,369 /AC
Storm Drain Facilities	1,043 /UN	637 /UN	6,795 /AC	5,663 /AC
Water Oversize	304 /UN	288 /UN	519 /AC	288 /AC
Water Major Facilities	2,126 /UN	2,020 /UN	2,126 /EDU (1)	2,126 /EDU (1)
Sewer Oversize	554 /UN	526 /UN	1,053 /AC	526 /AC
Sewer Major Facilities	2,349 /UN	2,349 /UN	2,349 /EDU (1)	2,349 /EDU (1)
Parks - Development	2,706 /UN	2,706 /UN	0	0
Parks - Quimby	759 /UN	759 /UN	0	0
Major Streets	1,545 /UN	1,049 /UN	4,194 /AC	2,097 /AC
Outside Travel Lane	310 /UN	211 /UN	842 /AC	421 /AC
Street Signals	159 /UN	76 /UN	606 /AC	606 /AC
Railroad Crossings	263 /UN	125 /UN	1,000 /AC	1,000 /AC
Del Norte Trunk Sewer (2)	228 /UN	0 /UN	2,656 /AC	0 /AC

(1) Adjusted for equivalent single family unit usage

(2) Applies to Del Norte Trunk Service Area Only

(3) Building Area

SEWER FRONT FOOTAGE \$16.00 per lineal foot (all land uses)

WATER FRONT FOOTAGE \$15.00 per lineal foot (all land uses)

AB 2686 (Perea, Gray, Salas)
Clean, Safe, and Reliable Water Supply Act of 2014
(as amended 3/26/14)

SUMMARY

The Clean, Safe, and Reliable Water Supply Act of 2014, AB 2686 (Perea, Gray, Salas) would reduce the amount of the Water Bond slated for the 2014 ballot from \$11.14 billion to \$9.25 billion.

BACKGROUND

More than 50 years ago, Californians approved construction of the State Water Project, which supplies water to two-thirds of the state. In the decades that followed, California's water leaders developed the most sophisticated system of state, federal, regional, and local water infrastructure anywhere in the world.

Since voters approved the State Water Project, California's population has grown from fewer than 16 million in 1960 to more than 38 million today. A growing population and a growing economy are putting greater stress on California's natural resources. Contamination of groundwater aquifers has threatened vital water supplies that California's agricultural and industrial economies depend on to provide food and goods throughout the state and the rest of the world. Our state's values demand we protect both the environment and natural resources that provide residents the right to safe drinking water.

Since 1960, California's water infrastructure and the water environment on which it depends have deteriorated while rainfall and snow levels have not increased. Climate change has impaired California's ability to ensure sufficient supply of clean, safe, and reliable drinking water as droughts have become more frequent and severe and ecosystems have become stressed. Higher temperatures mean less snow pack, which is the state's largest water reservoir. Scientists project a loss of at least 25 percent of the snow pack in the Sierra Nevada Mountains by 2050.

Safeguarding supplies of clean and safe drinking water for California's homes, businesses, and farms

is an essential responsibility of government and critical to protecting our state's quality of life and economy.

Polls have shown voters may reject the current \$11.14 billion Water Bond on the 2014 ballot. California needs a revised bond that a majority of Californians can support and that reflects all the water needs of the state.

THIS BILL

AB 2686 (Perea, Gray, Salas), The Clean, Safe, and Reliable Water Supply Act of 2014, proposes to ask voters to approve a \$9.25 billion water bond that provides funding over the next several years for five categories of urgent water infrastructure needs:

- Clean and Safe Drinking Water (\$1B)
- Protecting Rivers, Lakes, Streams, Coastal Waters, & Watersheds (\$1.5B)
- Regional Water Management for Climate Change (\$1.5B)
- Sacramento-San Joaquin Delta Sustainability (\$2.25B)
- Water Storage for Climate Change (\$3B continuously appropriated)
- Water Recycling (amount to be determined)
- Groundwater Cleanup (amount to be determined)

SUPPORT

None on file

OPPOSITION

None on file

FOR MORE INFORMATION

Jesse Cuevas
Assemblymember Henry T. Perea
Phone: (916) 319-2031
Fax: (916) 319-2131
Jesse.Cuevas@asm.ca.gov

RESOLUTION NO. 14-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN AFFIRMING SUPPORT FOR ASSEMBLY BILL (AB) 2686 (PEREA), THE CLEAN, SAFE, AND RELIABLE WATER SUPPLY ACT OF 2014 AND THE IMPORTANCE OF ABOVE-GROUND WATER STORAGE, DELTA RESTORATION AND SAFE DRINKING WATER

WHEREAS, the Legislature of the State of California is engaged in a re-examination of provisions within the \$11.14 billion Safe, Clean and Reliable Drinking Water Supply Act of 2010 (the Water Bond), signed into law in 2009 and currently scheduled to appear on the November 2014 General Election ballot; and

WHEREAS, data has shown voters may reject the current \$11.14 billion Water Bond on the 2014 ballot, and California needs a revised bond that a majority of Californian's can support and that reflects all the water needs of the state.

WHEREAS, the City of Kerman, supports the Water Bond as an effective and necessary means of resolving California's water crisis and helping meet current and future water supply needs, particularly those of supply reliability and availability; and

WHEREAS, said Resolution noted that the City of Kerman would specifically benefit from this bond through funding to enhance local water supply and reliability, including above ground storage projects such as the Temperance Flat Reservoir; and

WHEREAS, the City of Kerman believes now as it did in approving the earlier Resolution that California's water system is outdated and straining to meet the needs of its residents, farms, businesses and environment; and has resulted in severely limiting deliveries of water, creating the potential for catastrophic failures of levees; and falling short of meeting environmental and fishery needs, ensuring continuation of water shortages into the future if the new Water Bond Proposal, Assembly 2686, were not approved and implemented; and

WHEREAS, enactment of the principles included in the Clean, Safe and Reliable Water Supply Act of 2014 would provide funding for programs throughout the state to increase water supply and reliability, address ecological problems in the Delta, add operational flexibility to the state's water storage and delivery system, aid disadvantaged communities with water quality problems, and expand water recycling and conservation.

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

1. City of Kerman does hereby support Assembly Bill 2686, the Clean, Safe, and Reliable Water Supply Act of 2014.
2. City of Kerman, in recognition of the interest expressed by the California Legislature to re-examine and re-visit the Water Bond, does hereby inform the Governor and Members of the Legislature that the City of Kerman will not support any Water Bond that fails to contain all provisions in the current Water Bond's Chapter 8, including but not limited to \$3 billion in continuous appropriation funding to develop new above-ground water storage.
3. City of Kerman further will not support a modified Water Bond unless it retains the \$2.25 billion provided for by the current Water Bond in its Delta Sustainability section.
4. City of Kerman further will not support a Water Bond modification that lacks adequate funding for regional infrastructure improvements and development, including means of meeting the ever-growing challenges faced by disadvantaged communities throughout California in dealing with and resolving water quality problems.

5. City of Kerman asserts that such Water Bond provisions and funding levels are crucial for sustaining water supplies in the public interest and for economic and social good in the Fresno County region and all of the State of California.

THE FOREGOING RESOLUTION was passed and adopted by the City of Kerman this day of May 7, 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gary Yep
Mayor

ATTEST:

Marci Reyes
City Clerk

SAMPLE



City of Kerman

"Community Comes First"

MAYOR
Gary K. Yep

MAYOR PRO-TEM
Doug Wilcox

COUNCIL MEMBER
Raj Dhaliwal

COUNCIL MEMBER
Nathan Fox

COUNCIL MEMBER
Bill Nijjer

DEPARTMENT: PLANNING AND DEVELOPMENT
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: MAY 7, 2014

To: Mayor and City Council
From: Luis Patlan, City Manager/Director of Planning
Tim Logoluso, City Attorney
Subject: Resolution Approving Agreement with N.T. Hill, Inc. for the Construction of ten Homes in Kerman Estates, Tract 5478

RECOMMENDATION

Council adopt resolution approving the agreement with N.T. Hill, Inc. for the construction of ten homes in the Kerman Estates, Tract 5478 and authorizes the Mayor to execute the agreement.

EXECUTIVE SUMMARY

At Council's direction, the City Manager and the City Attorney have negotiated an agreement that would allow Randy Hill of N.T. Hill, Inc. ("Hill") to construct homes on the ten lots that Hill owns in Tract 5478. The proposed agreement follows the directions given by Council by allowing Hill to construct ten homes subject to the payment of the per lot fee of \$8,894 to be applied toward the cost to complete the in-tract repairs and off-site improvements as required by the Subdivision Agreement. Hill has agreed to the terms and has executed the agreement enclosed herein as Attachment 'A'.

OUTSTANDING ISSUES

The estimate for the in-tract repairs is \$285,722.50 and the estimate for widening of State Route 180 is \$737,131.40. These estimates are based on a bid received in September 2011. The City will secure an updated cost estimate to complete the infrastructure improvements to ensure that the sufficient funds are collected to complete the work. The fair share contribution per lot will be based on the new cost estimate that will be applied to the remaining 105 lots.

DISCUSSION

The agreement requires Hill to pay to the City of Kerman a per lot fee of \$8,894.00 as a fair share contribution for future completion of the in-tract repairs and the widening of State Route 180 required by the Subdivision Agreement for the Tract. The agreement only applies to the ten lots owned by N.T. Hill, Inc. No additional building permits and/or certificate of occupancies will be granted beyond the ten lots identified in the agreement and depicted in Attachment 'B'.

The fair share contribution per lot is based upon bids that City obtained in or about September 2011 for the construction of the interior repairs in the amount of \$285,722.50 and the widening of Whitesbridge Road in the amount of \$737,131.40, for a total of \$1,022,853.90. There are 115 undeveloped lots in Tract 5478, and

the fair share that each lot must contribute for the completion of the interior repairs and construction of the widening of Whitesbridge Road is \$8,894 ($\$1,022,853.90/115 = \$8,894.38$, rounded down to \$8,894.)

The City had hoped to have Hill complete a portion of the interior improvement that need to be reconstructed, but the estimates provided seemed too high, and it was instead decided to permit payment of the fair share contribution amount. The City will cause the infrastructure improvements to be installed and/or require that the owner of the tract complete the interior and off-site infrastructure improvements as a condition of any subsequent building permits and/or certificate of occupancies.

Upon completion of the construction of any home on the Hill Lots, including the construction of any improvements customarily installed for the safe and convenient occupancy of each home, and upon receiving satisfactory final inspections, Hill may apply for a certificate of occupancy. With the application for a certificate of occupancy, Hill shall provide:

- 1) Written evidence in a form acceptable to City that Kerman Unified School District development impact fees have been paid for each lot;
- 2) Payment of City of Kerman development impact fees in effect at the time of payment;
- 3) Payment of County of Fresno Facilities Impact Fees and the Regional Transportation Mitigation Fees in effect at the time of payment; and
- 4) As to each house on a Hill Lot for which Hill has satisfied the conditions and made the payments set forth in the previous paragraph, City will issue a certificate of occupancy.

Hill shall make written disclosure to purchasers of the Hill Lots that City has not accepted the streets, sidewalks, or other public infrastructure improvements within Tract 5478 as complete, and that further construction work will be required in the future before the improvements are complete. If Hill has paid the fair share contribution for a given lot, and has complied with the requirements of this Agreement, then as to any such lot, neither Hill, nor his successors in interest, will have any further obligation to make additional contributions for the construction of the improvements described in Paragraph C of the Recitals, even if the costs of constructing the improvements exceeds the estimates contained in Paragraph A of this Section 3.

The parties understand that the City will not be obligated to issue building permits or certificates of occupancy if there then exists an uncured default or breach under this agreement. This agreement applies only to the Lots identified in Exhibit B, and does not obligate City to issue additional building permits or certificates of occupancy as to other lots until the improvements required by the Subdivision Agreement have been completed.

REASON FOR RECOMMENDATION

To permit the construction of ten new single family homes in Tract 5478 by requiring the builder/developer to pay a fair share contribution on a per lot basis to fund the completion of the infrastructure improvement in the tract as required by the Subdivision Agreement.

PUBLIC HEARING

None required.

Attachments:

- A – Resolution w/Exhibits
- B – Map of Hill Lots, Tract 5478

ATTACHMENT 'A'

RESOLUTION NO. 14- __

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING AGREEMENT WITH N.T. HILL, INC. FOR THE CONSTRUCTION OF TEN HOMES IN KERMAN ESTATE, TRACT 5478

WHEREAS, the City has negotiated an agreement that would allow N.T. Hill, Inc. to construct homes on the ten lots that N.T. Hill, Inc. owns in Tract 5478; and

WHEREAS, the proposed agreement allows N.T. Hill, Inc. to construct ten homes subject to the payment of the per lot fee to be applied to the cost to complete the in-tract repairs and off-site improvements as required by the Subdivision Agreement; and

THEREFORE, BE IT RESOLVED that:

The City Council of the City of Kerman hereby approves entering into an agreement attached as Exhibit 'A' with N.T. Hill, Inc. to construct homes on the ten lots that N.T. Hill, Inc. owns in Tract 5478 and authorizes the Mayor to execute the agreement on behalf of the City.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 7th day of May, 2013 and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

ATTEST:

Gary Yep
Mayor

Marci Reyes
City Clerk

Exhibit 'A' to Resolution

CITY CLERK
CITY OF KERMAN
850 S. MADERA AVENUE
KERMAN, CA 93630

NO RECORDING FEE GOV. CODE 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**AGREEMENT CONCERNING THE CONSTRUCTION OF 10 HOMES
IN KERMAN ESTATES TRACT 5478**

The parties to this agreement ("Agreement"), made as of 21 APR:1, 2014, are the City of Kerman, a California general law city, hereinafter designated and called "City", and N.T. Hill, Inc. ("Hill"), a California corporation.

RECITALS

- A. The City of Kerman and Pacific Mountain Partners, L.L.C., a California Limited Liability Company ("Pacific"), entered into a Subdivision Agreement for Tract No. 5478 on or about August 24, 2006, in connection with the City's approval of a subdivision map for Tract No. 5478 in the City of Kerman. A Memorandum of Subdivision Agreement was recorded on November 9, 2006 as Document No. 2006-0238844 in the Official Records of the County of Fresno, State of California.
- B. The Subdivision Agreement required Pacific to construct infrastructure and public improvements in connection with Tract No. 5478.
- C. Pacific became insolvent before satisfactorily completing the infrastructure and public improvements required by the Subdivision Agreement. The incomplete infrastructure and public improvements are detailed in the plans on file with the City Clerk prepared by Yamabe & Horn Engineering, Inc. titled "City of Kerman, Kerman Estates Tract 5478, Reconstruct Interior Improvements," dated September 8, 2011 consisting of 2 sheets and listing 62 items of construction or repair, hereinafter referred to as "Interior Improvement Repairs", and in the Proposal to the City of Kerman, Whitesbridge Road Widening, Tract 5478, Kerman Estates, attached hereto as Exhibit "A".
- D. City has filed an action against Pacific's bonding company, Western Insurance Company, but that action has been stayed because Western Insurance has become insolvent, and is currently in liquidation proceedings conducted by the Insurance Commissioner for the State of Utah.
- E. City obtained bids in or about September, 2011 for the construction of the incomplete infrastructure and public improvements. The bid for construction of the Whitesbridge Road

1



Widening required by the Subdivision Agreement was \$737,131.40, and the bid for the Tract 5478 Interior Improvement Repairs was \$285,722.50, for a total of \$1,022,853.90.

F. City has been notified that the Insurance Commissioner has approved City's claim for \$1,022,853.90 to complete the infrastructure and public improvements. However, the Insurance Commissioner reports that as of May 31, 2013, Western Insurance had total assets of \$15,092,751.68, and total liabilities of \$135,138,869.18. If total liabilities all become approved claims, City may receive only about \$114,235.67 as its Claim Payment. At this point it is unknown when or what amount Kerman may receive as its Claim Payment.

G. United Security Bank foreclosed on several deeds of trust from Pacific, and by Trustee's Deeds recorded on January 12, 2009, in the Official Records of the County of Fresno as Documents 2009-0003586, -0003588 and -0003589, became the owner of 129 residential lots in Tract No. 5478. Homes have not yet been built on 115 of those lots.

H. The Bank has sold 10 of its residential lots to Hill (the "Hill Lots"). The Hill Lots to which this Agreement applies are Lots 58 through 62, and Lots 119 through 123 of Tract 5478. The Hill Lots are more specifically described in Exhibit "B".

I. Hill and City wish to enter into this Agreement to provide a mechanism for Hill to make its fair share contributions toward the construction and satisfactory completion of the Whitesbridge Road Widening and Tract 5478 Interior Improvement Repairs, so that Hill may begin construction of saleable homes on the Hill Lots, and the eventual purchasers of those lots will in the future have access to appropriate public infrastructure and improvements.

AGREEMENT

The parties hereto agree as follows:

1. Truth of Recitals. The recitals set forth above are true and correct.
2. Conditions for Issuance of Building Permits.

A. Upon execution of this Agreement and upon submission of properly completed applications for building permits, payment of the permit fees, including, but not limited to plan check fees as may be necessary to comply with current uniform building codes, and receipt of written instructions from Kerman Unified School District regarding the payment of school fees, City will issue building permits to Hill for the Hill Lots.

B. City agrees to defer the collection of City's development fees in connection with each of the Hill Lots until such time as a certificate of occupancy is requested for each Lot.

C. Hill will seek written permission from Kerman Unified School District to defer the payment of school impact fees for each lot until such time as Hill applies for a certificate of occupancy for any home built on the Hill Lots. If the School District is willing to defer the

payment of its impact fees, the City will provide its assurance to School District that it will not issue any certificate of occupancy as to the Hill Lots until such time as it has received written instruction from the School District that the school impact fee for each respective lot has been fully paid.

3. Conditions for Issuance of Certificates of Occupancy.

A. Upon completion of the construction of any home on the Hill Lots, including the construction of any improvements customarily installed for the safe and convenient occupancy of each home, and upon receiving satisfactory final inspections, Hill may apply for a certificate of occupancy. With the application for a certificate of occupancy, Hill shall provide:

1) Written evidence in a form acceptable to City that Kerman Unified School District development impact fees have been paid for that lot;

2) Payment of City of Kerman development impact fees in effect at the time of payment; and

3) Payment of County of Fresno Facilities Impact Fees and the Regional Transportation Mitigation Fees in effect at the time of payment; and

4) Payment to City of \$8,894.00 per lot as a fair share contribution for future completion of the infrastructure and public improvements required by the Subdivision Agreement.

The fair share contribution is based upon bids that City obtained in or about September, 2011 for the construction of the Whitesbridge Road Widening required by the Subdivision Agreement in the amount of \$737,131.40, and the bid for the Tract 5478 Interior Improvement Repairs in the amount of \$285,722.50, for a total of \$1,022,853.90. There are 115 undeveloped lots in Tract 5478, and the fair share that each lot must contribute for the construction of the Whitesbridge Road Widening and the Tract 5478 Interior Improvement Repairs is \$8,894 ($\$1,022,853.90/115 = \$8,894.38$, rounded down to \$8,894.)

B. As to each house on a Hill Lot for which Hill has satisfied the conditions and made the payments set forth in the previous paragraph, City will issue a certificate of occupancy.

C. Hill shall make written disclosure to purchasers of the Hill Lots that City has not accepted the streets, sidewalks, or other public infrastructure improvements within Tract 5478 as complete, and that further construction work will be required in the future before the improvements are complete. If Hill has paid the fair share contribution for a given lot, and has complied with the requirements of this Agreement, then as to any such lot, neither Hill, nor his successors in interest, will have any further obligation to make additional contributions for the construction of the improvements described in Paragraph C of the Recitals, even if the costs of constructing the improvements exceeds the estimates contained in Paragraph A of this Section 3.



The parties understand that the City will not be obligated to issue building permits or certificates of occupancy if there is then existing an uncured default or breach under this agreement. This agreement applies only to the Lots identified in Exhibit B, and does not obligate City to issue additional building permits or certificates of occupancy as to other lots until the improvements required by the Subdivision Agreement have been completed.

4. Funding and Construction of Improvements.

A. City will deposit fair share contributions in two funds to be established and held by City:

1) The "Whitesbridge Road Widening Improvements Fund" shall be used to construct those improvements described in the Proposal to the City of Kerman, Whitesbridge Road Widening, Tract 5478, Kerman Estates attached hereto as Exhibit "A". The parties acknowledge that completion of the Whitesbridge Road Widening Improvements is required pursuant to the Subdivision Agreement for Tract 5478.

For each lot, \$6,409 of the fair share contribution shall be deposited in the Whitesbridge Road Widening Improvements Fund.

2) The "Tract 5478 Interior Improvement Repairs Fund" shall be used to satisfactorily reconstruct or repair those improvements described in the plans on file with the City Clerk prepared by Yamabe & Horn Engineering, Inc. titled "City of Kerman, Kerman Estates Tract 5478, Reconstruct Interior Improvements," dated September 8, 2011 consisting of 2 sheets and listing 62 items of construction or repair.

For each lot, \$2,485 of the fair share contribution shall be deposited in the Tract 5478 Interior Improvement Repairs Fund

Whitesbridge Road is a State Highway, and any work on it will require payment of prevailing wages. Any work performed by the City or its contractors will also require the payment of prevailing wages. The current cost to complete the Whitesbridge Road Widening Improvements and the Interior Improvement Repairs is unknown.

B. When the City, in the exercise of its absolute discretion, determines that it has sufficient funds in the Whitesbridge Road Widening Improvements Fund, or in the Tract 5478 Interior Improvement Repairs Fund, it shall obtain competitive bids and award a contract for the construction and completion of said improvements. The parties acknowledge that City has not accepted the streets and sidewalks offered for dedication in Tract 5478, and improvements may not be constructed until such time as the City has determined to accept the streets and sidewalks and related public facilities, or obtained the permission of United Security Bank to construct the improvements.

4



C. City shall deposit to the Whitesbridge Road Widening Improvements Fund any amounts it receives from its Claim Payment from the Utah Insurance Commissioner in connection with City's claim against Western Insurance, after City has first reimbursed itself for its costs, attorney's fees and other expenses incurred in connection with its efforts to enforce the Subdivision Agreement, the security bonds, and the discussions and negotiations leading up to, and culminating in this Agreement, together with any subsequent expense incurred to enforce or administer this Agreement or other agreements for the completion of Tract 5478.

D. If the deposits and contributions detailed above exceed the total cost for completing the Whitesbridge Road Widening Improvements, City shall refund the excess funds to the persons who contributed them in proportion to their contribution. If construction of the Improvements is completed for a cost that is less than the estimated amount, for lots where contributions have not yet been paid, the contribution amount will be adjusted so that all lots will have contributed a proportionally fair share to the cost of constructing the Whitesbridge Road Widening Improvements. City shall only provide refunds when all entitled to the refunds have agreed in writing as to the correct proportional distribution. If the persons entitled to refunds have not agreed within 6 months of City's determination that refunds are appropriate, the City will deposit the funds with the Fresno County Superior Court and file an interpleader action to allow the Court to determine the appropriate distribution.

The City may allocate other City funds to the completion of the Whitesbridge Road Widening Improvements, or may apply for grants for that purpose. In the event that the City expends funds for the completion of the Whitesbridge Road Widening Improvements or the Tract 5478 Interior Improvement Repairs Fund in an amount that exceeds the sum of the deposits and contributions received, or expected to be received, from owners or developers of lots in Tract 5478, together with any amount of the Claim Payment deposited to the Whitesbridge Road Widening Improvements Fund, any remaining portion of the Fund shall be retained by City for use as it may determine.

5. Authority to Execute Agreement. The parties represent that they have the sole right and exclusive authority to execute this Agreement. Each of the parties further warrant, represent and agree that such party has not heretofore assigned or transferred or purported to assign or transfer, to any person, firm, partnership, corporation or entity whatsoever, any action or actions, cause of causes of action, at law or in equity, or rights, claims, demands, costs, expenses (including, without limitation, attorney's fees) damages or losses in connection with their rights in connection with the Subdivision Agreement or the lots described in Exhibit "B".

6. Final Settlement. The parties, including each subsequent signatory to this Agreement, understand and agree that upon compliance with their obligations under this Agreement, this Agreement shall act as a full and final release of all claims known or unknown, whether or not ascertained, arising from the matters detailed in the Recitals of this Agreement. Each party expressly waives any rights or benefits available under section 1542 of the Civil Code of the State of California, which provides as follows:

5



A general release does not extend to claims in which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.

7. No Inducement. Each party agrees that if the facts with respect to which this Agreement is executed are found hereafter to be different from the facts now believed by any party, each party expressly accepts and assumes the risk of such possible difference in facts, and agrees that this Agreement shall remain effective, notwithstanding such differences. Each party declares and represents that no promise or inducement of other agreement not expressly contained herein has been made to induce this Agreement.

8. Binding Successors. This Agreement shall inure to the benefit of each party hereto, its predecessors, successors, subsidiaries, affiliates, representatives, assigns, agents, officers, directors, employees and personal representatives, past, present, and future. Without limiting the generality of the foregoing sentence, it is agreed that the benefits and burdens of this Agreement shall be binding upon, and benefit the present and future owners of each and every lot or parcel described in Exhibits "B" attached hereto.

9. Legal Representation. The parties represent and acknowledge that each of them has been represented by legal counsel, and/or had the opportunity to be represented, with respect to this Agreement and all matters covered by or related to this Agreement.

10. Modification. This Agreement contains the entire agreement between the parties on the subject matter hereof and may not be altered, amended or modified in any respect, except in a writing duly executed by the party to be charged. The parties expressly acknowledge that the Subdivision Agreement for Tract No. 5478 remains in full force and effect, but that all other prior negotiations, agreements, understandings, oral agreements and writings on the subject matter hereof between the parties to this Agreement are expressly superseded hereby and are of no further force and effect.

11. Drafting of Agreement. Each party represents and warrants that it has cooperated and participated in the drafting and preparation of this Agreement. Each party to this Agreement acknowledges that this Agreement and its reduction to final written form is the result of arms-length, good faith negotiations. Accordingly, the parties hereby acknowledge and agree that this Agreement shall not be construed or interpreted in favor or against any of the parties by virtue of the identity of the actual preparer.

12. Effectuation. The parties agree to execute any and all documents, including but not limited to disclaimers, building permits, certificates of occupancy, and to do all other things as may be reasonably necessary to comply with and carry out the terms of this Agreement.

13. Governing Law. This Agreement shall be interpreted and governed by the laws of the State of California.

14. Construction. Headings are used herein for convenience only and shall have no force

6



and effect in the interpretation or construction of this Agreement. As used in this Agreement, the singular shall include the plural, the masculine, the feminine and neuter genders.

15. Waiver. Should any term, clause or provision of this Agreement be found to be waived, unenforceable or invalid, the validity of the remaining terms, clauses and provisions shall not be affected.

16. Attorney's Fees. In the event suit is brought to enforce or interpret any party of this Agreement, the prevailing party shall be entitled to recover as an element of his costs of suit reasonable attorney's fees. The "prevailing party" shall be the party who is entitled to recover his costs of suit, whether or not the suit proceeds to final judgment.

17. Execution; Enforcement of Unpaid Amounts as Lien. The parties hereto agree that this Agreement may be executed in counterparts with the same force and effect as though all signatures were set forth on a single instrument. This Agreement shall be executed in recordable form, and recorded by the City of Kerman. As owner of all of the parcels or lots described in Exhibit "B", Hill agrees that from and after December 1, 2020, the unpaid amounts of any deposits or contributions required in connection with each parcel or lot may be enforced as a lien to be collected and enforced as a special assessment for the amount unpaid as to each parcel in the same manner that unpaid taxes on the property are collected and enforced when the assessment has been levied and confirmed by a resolution of the city council. Notwithstanding the foregoing or any other provision of this Agreement, the City shall not have any lien rights in connection with this Agreement for any of the Tract 5478 Lots for which a certificate of occupancy has been issued.

This Agreement shall be effective on the date last written below.

Dated: 21 April 2014

N.T. Hill, Inc.

By: Randy Hill, Inc.

Dated: _____

City of Kerman

By: _____

Gary Yep, Mayor

Approved as to Form Only:

Mark A. Blum, City Attorney for City of Kerman

Exhibits:

Exhibit "A" - Proposal to the City of Kerman, Whitesbridge Road Widening, Tract 5478, Kerman Estates

Exhibit "B" - Legal Descriptions, Hill Lots

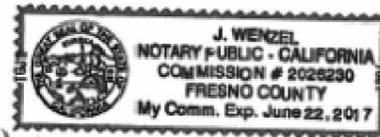
STATE OF CALIFORNIA)
COUNTY OF Fresno)

On 4/21/14 before me, J. Wenzel, Notary Public personally appeared, Randy G. Hill, who proved to me on the basis of satisfactory evidence to be the person whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Handwritten Signature]
NOTARY PUBLIC SIGNATURE



(SEAL)

STATE OF CALIFORNIA)
COUNTY OF _____)

On _____ before me, _____ personally appeared, _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NOTARY PUBLIC SIGNATURE

(SEAL)

Exhibit 'A' to Agreement

Attach:

Proposal to the City of Kerman, Whitesbridge Road Widening, Tract 5478, Kerman Estates

9



EXHIBIT B
LEGAL DESCRIPTION

LOT(S) LOTS 58 THROUGH 62, LOTS 119 THROUGH 123, INCLUSIVE OF TRACT NO. 5478, KERMEN ESTATES ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 78, PAGE(S) 9, 10, AND 11 OF PLATS, FRESNO COUNTY RECORDS.

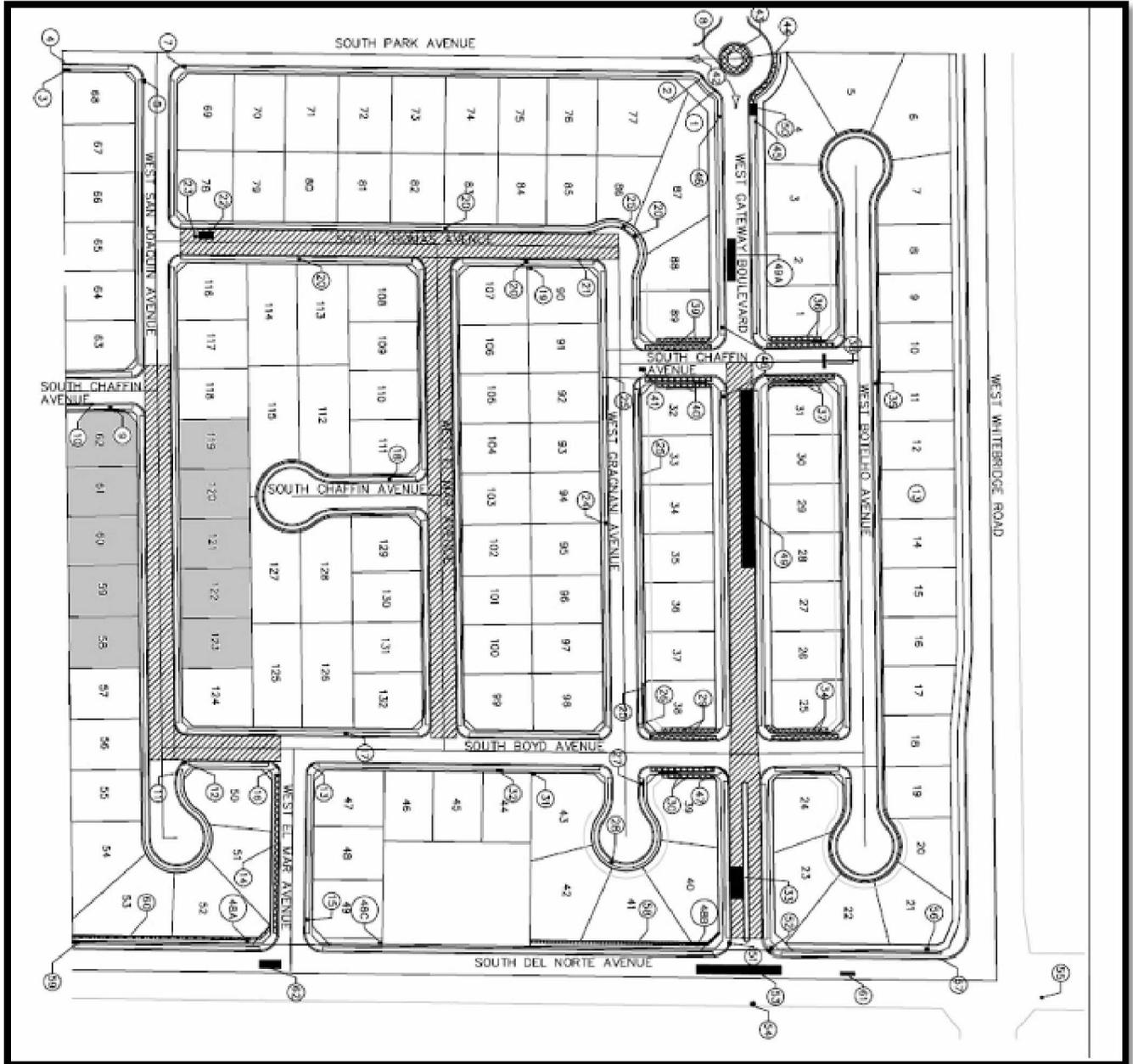
EXCEPT ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID PREMISES, TOGETHER WITH THE RIGHT AND PRIVILEGE TO DEVELOP AND REMOVE THE SAME, AS RESERVED IN THE DEED FROM WM. G. KERCKHOFF COMPANY, A CORPORATION RECORDED DECEMBER 15, 1945 IN BOOK 2323, PAGE 260, OFFICIAL RECORDS, AS DOCUMENT NO. 59070.

10



Attachment 'B'

Hill Lots
Tract 5478



 Hill Lots



MAYOR
Gary Yep

MAYOR PRO-TEM
Doug Wilcox

COUNCIL MEMBER
Raj Dhaliwal

COUNCIL MEMBER
Nathan Fox

COUNCIL MEMBER
Bill Nijjer

DEPARTMENT: PLANNING AND DEVELOPMENT
STAFF REPORT
CITY COUNCIL MEETING
COUNCIL MEETING DATE: MAY 7, 2014

To: Mayor and City Council
From: Luis Patlan, City Manager/Director of Planning
Tim Logoluso, City Attorney
Subject: Resolution Approving Agreement with California Real Estate Solutions, LLC for the Construction of ten Homes in Kerman Estates, Tract 5478

RECOMMENDATION

Council adopt resolution approving the agreement with California Real Estate Solutions, LLC for the construction of 10 homes in the Kerman Estates, Tract 5478 and authorize the Mayor to execute the agreement.

EXECUTIVE SUMMARY

At Council's direction, the City Manager and the City Attorney have negotiated an agreement that would allow California Real Estate Solutions, LLC ("CRES") to construct homes on the 10 lots that CRES owns in Tract 5478. The proposed agreement follows the directions given by Council by allowing CRES to construct 10 homes subject to the payment of the per lot fee of \$8,894 to be applied toward the cost to complete the in-tract repairs and off-site improvements as required by the Subdivision Agreement. CRES has agreed to the terms and has executed the agreement enclosed herein as Attachment 'A'.

OUTSTANDING ISSUES

The estimate for the in-tract repairs is \$285,722.50 and the estimate for widening of State Route 180 is \$737,131.40. These estimates are based on a bid received in September 2011. The City will secure an updated cost estimate to complete the infrastructure improvements to ensure that the sufficient funds are collected to complete the work. The fair share contribution per lot will be based on the new cost estimate that will be applied to the remaining 105 lots.

DISCUSSION

The agreement requires CRES to pay to the City of Kerman a per lot fee of \$8,894 as a fair share contribution for future completion of the in-tract repairs and the widening of State Route 180 required by the Subdivision Agreement for the Tract. The agreement only applies to the ten lots owned by CRES. No additional building permits and/or certificate of occupancies will be granted beyond the 10 lots identified in the agreement and depicted in Attachment 'B'.

The fair share contribution per lot is based upon bids that City obtained in or about September 2011 for the construction of the interior repairs in the amount of \$285,722.50 and the widening of Whitesbridge Road in

the amount of \$737,131.40, for a total of \$1,022,853.90. There are 115 undeveloped lots in Tract 5478, and the fair share that each lot must contribute for the completion of the interior repairs and construction of the widening of Whitesbridge Road is \$8,894 ($\$1,022,853.90/115 = \$8,894.38$, rounded down to \$8,894.)

The City had hoped to have CRES complete a portion of the interior improvement that need to be reconstructed, but the estimates provided seemed too high, and it was instead decided to permit payment of the fair share contribution amount. The City will cause the infrastructure improvements to be installed and/or require that the owner of the tract complete the interior and off-site infrastructure improvements as a condition of any subsequent building permits and/or certificate of occupancies.

Upon completion of the construction of any home on the CRES Lots, including the construction of any improvements customarily installed for the safe and convenient occupancy of each home, and upon receiving satisfactory final inspections, CRES may apply for a certificate of occupancy. With the application for a certificate of occupancy, CRES shall provide:

- 1) Written evidence in a form acceptable to City that Kerman Unified School District development impact fees have been paid for each lot;
- 2) Payment of City of Kerman development impact fees in effect at the time of payment;
- 3) Payment of County of Fresno Facilities Impact Fees and the Regional Transportation Mitigation Fees in effect at the time of payment; and
- 4) As to each house on a CRES Lot for which CRES has satisfied the conditions and made the payments set forth in the previous paragraph, City will issue a certificate of occupancy.

CRES shall make written disclosure to purchasers of the CRES Lots that City has not accepted the streets, sidewalks, or other public infrastructure improvements within Tract 5478 as complete, and that further construction work will be required in the future before the improvements are complete. If CRES has paid the fair share contribution for a given lot, and has complied with the requirements of this Agreement, then as to any such lot, neither CRES, nor his successors in interest, will have any further obligation to make additional contributions for the construction of the improvements described in Paragraph C of the Recitals, even if the costs of constructing the improvements exceeds the estimates contained in Paragraph A of this Section 3.

The parties understand that the City will not be obligated to issue building permits or certificates of occupancy if there then exists an uncured default or breach under this agreement. This agreement applies only to the Lots identified in Attachment 'B', and does not obligate City to issue additional building permits or certificates of occupancy as to other lots until the improvements required by the Subdivision Agreement have been completed.

REASON FOR RECOMMENDATION

To allow the construction of ten new single family homes in Tract 5478 by requiring the builder/developer to pay a fair share contribution on a per lot basis to fund the completion of the infrastructure improvement in the tract.

PUBLIC HEARING

None required.

Attachments:

- A. Resolution w/Exhibits
- B. Map of CRES Lots, Tract 5478

ATTACHMENT 'A'

RESOLUTION NO. 14- __

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING
AGREEMENT WITH CALIFORNIA REAL ESTATE SOLUTIONS, LLC FOR THE
CONSTRUCTION OF TEN HOMES IN KERMAN ESTATES, TRACT 5478**

WHEREAS, the City has negotiated an agreement that would allow California Real Estate Solutions, LLC ("CRES") to construct homes on the 10 lots that CRES owns in Tract 5478; and

WHEREAS, the proposed agreement allows CRES to construct 10 homes subject to the payment of the per lot fee to be applied to the cost to complete the in-tract repairs and off-site improvements as required by the Subdivision Agreement; and

THEREFORE, BE IT RESOLVED that:

The City Council of the City of Kerman hereby approves entering into an agreement attached as Exhibit 'A' with California Real Estate Solutions, LLC to construct homes on the 10 lots that CRES owns in Tract 5478 and authorizes the Mayor to execute the agreement on behalf of the City.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 7th day of May, 2013 and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

ATTEST:

Gary Yep
Mayor

Marci Reyes
City Clerk

EXHIBIT 'A' to Resolution

RECORDED AT THE REQUEST OF, AND
WHEN RECORDED, RETURN TO:

CITY CLERK
CITY OF KERMAN
850 S. MADERA AVENUE
KERMAN, CA 93630

NO RECORDING FEE GOV. CODE 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**AGREEMENT CONCERNING THE CONSTRUCTION OF 10 HOMES
IN KERMAN ESTATES TRACT 5478**

The parties to this agreement ("Agreement"), made as of _____, 2014, are the City of Kerman, a California general law city, hereinafter designated and called "City", and Capital Real Estate Solutions LLC, a California limited liability company ("CRES").

RECITALS

- A. The City of Kerman and Pacific Mountain Partners, L.L.C., a California Limited Liability Company ("Pacific"), entered into a Subdivision Agreement for Tract No. 5478 on or about August 24, 2006, in connection with the City's approval of a subdivision map for Tract No. 5478 in the City of Kerman. The Subdivision Agreement was recorded on _____ as Document No. _____ in the Official Records of the County of Fresno, State of California.
- B. The Subdivision Agreement required Pacific to construct infrastructure and public improvements in connection with Tract No. 5478.
- C. Pacific became insolvent before satisfactorily completing the infrastructure and public improvements required by the Subdivision Agreement. The incomplete infrastructure and public improvements are detailed in the plans on file with the City Clerk prepared by Yamabe & Horn Engineering, Inc. titled "City of Kerman, Kerman Estates Tract 5478, Reconstruct Interior Improvements," dated September 8, 2011 consisting of 2 sheets and listing 62 items of construction or repair, hereinafter referred to as "Interior Improvement Repairs", and in the Proposal to the City of Kerman, Whitesbridge Road Widening, Tract 5478, Kerman Estates, attached hereto as Exhibit "A".
- D. City has filed an action against Pacific's bonding company, Western Insurance Company, but that action has been stayed because Western Insurance has become insolvent, and is currently in liquidation proceedings conducted by the Insurance Commissioner for the State of Utah.
- E. City obtained bids in or about September, 2011 for the construction of the incomplete infrastructure and public improvements. The bid for construction of the Whitesbridge

Road Widening required by the Subdivision Agreement was \$737,131.40, and the bid for the Tract 5478 Interior Improvement Repairs was \$285,722.50, for a total of \$1,022,853.90.

- F. City has been notified that the Insurance Commissioner has approved City's claim for \$1,022,853.90 to complete the infrastructure and public improvements. However, the Insurance Commissioner reports that as of May 31, 2013, Western Insurance had total assets of \$15,092,751.68, and total liabilities of \$135,138,869.18. If total liabilities all become approved claims, City may receive only about \$114,235.67 as its Claim Payment. At this point it is unknown when or what amount Kerman may receive as its Claim Payment.
- G. United Security Bank foreclosed on several deeds of trust from Pacific, and by Trustee's Deeds recorded on January 12, 2009, in the Official Records of the County of Fresno as Documents 2009-0003586, -0003588 and -0003589, became the owner of 129 residential lots in Tract No. 5478. Homes have not yet been built on 115 of those lots.
- H. The Bank has sold 10 of its residential lots to CRES (the "CRES Lots"). The CRES Lots to which this Agreement applies are Lots 58 through 62, and Lots 119 through 123 of Tract 5478. The CRES Lots are more specifically described in Exhibit "B".
- I. CRES and City wish to enter into this Agreement to provide a mechanism for CRES to make its fair share contributions toward the construction and satisfactory completion of the Whitesbridge Road Widening and Tract 5478 Interior Improvement Repairs, so that CRES may begin construction of saleable homes on the CRES Lots, and the eventual purchasers of those lots will in the future have access to appropriate public infrastructure and improvements.

AGREEMENT

The parties hereto agree as follows:

- 1. Truth of Recitals. The recitals set forth above are true and correct.
- 2. Conditions for Issuance of Building Permits.
 - A. Upon execution of this Agreement and upon submission of a properly completed applications for building permits, payment of the permit fees, including, but not limited to plan check fees as may be necessary to comply with current uniform building codes, and receipt of written instructions from Kerman Unified School District regarding the payment of school fees, City will issue building permits to CRES for the CRES Lots.
 - B. City agrees to defer the collection of City's development fees in connection with each of the CRES Lots until such time as a certificate of occupancy is

requested for each Lot.

- C. CRES will seek written permission from Kerman Unified School District to defer the payment of school impact fees for each lot until such time as CRES applies for a certificate of occupancy for any home built on the CRES Lots. If the School District is willing to defer the payment of its impact fees, the City will provide its assurance to School District that it will not issue any certificate of occupancy as to the CRES Lots until such time as it has received written instruction from the School District that the school impact fee for each respective lot has been fully paid.

3. Conditions for Issuance of Certificates of Occupancy.

- A. Upon completion of the construction of any home on the CRES Lots, including the construction of any improvements customarily installed for the safe and convenient occupancy of each home, and upon receiving satisfactory final inspections, CRES may apply for a certificate of occupancy. With the application for a certificate of occupancy, CRES shall provide:

- 1) Written evidence in a form acceptable to City that Kerman Unified School District development impact fees have been paid for that lot;
- 2) Payment of City of Kerman development impact fees in effect at the time of payment; and
- 3) Payment of County of Fresno Facilities Impact Fees and the Regional Transportation Mitigation Fees in effect at the time of payment; and
- 4) Payment of \$8,894.00 per lot as a fair share contribution for future completion of the infrastructure and public improvements required by the Subdivision Agreement.

The fair share contribution is based upon bids that City obtained in or about September, 2011 for the construction of the Whitesbridge Road Widening required by the Subdivision Agreement in the amount of \$737,131.40, and the bid for the Tract 5478 Interior Improvement Repairs in the amount of \$285,722.50, for a total of \$1,022,853.90. There are 115 undeveloped lots in Tract 5478, and the fair share that each lot must contribute for the construction of the Whitesbridge Road Widening and the Tract 5478 Interior Improvement Repairs is \$8,894 (\$1,022,853.90/115 = \$8,894.38, rounded down to \$8,894.)

- B. As to each house on a CRES Lot for which CRES has satisfied the conditions and made the payments set forth in the previous paragraph, City will issue a certificate of occupancy.

- C. CRES shall disclose to purchasers of the CRES Lots that City has not accepted the streets, sidewalks, or other public infrastructure improvements within Tract 5478 as complete, and that further construction work will be required in the future before the improvements are complete.

The parties understand that the City will not be obligated to issue building permits or certificates of occupancy if there is then existing an uncured default or breach under this agreement.

4. Funding and Construction of Improvements.

- A. City will deposit fair share contributions in two funds to be established and held by City:

- 1) The "Whitesbridge Road Widening Improvements Fund" shall be used to construct those improvements described in the Proposal to the City of Kerman, Whitesbridge Road Widening, Tract 5478, Kerman Estates attached hereto as Exhibit "A". The parties acknowledge that completion of the Whitesbridge Road Widening Improvements is required pursuant to the Subdivision Agreement for Tract 5478.

\$6,409 of the fair share contribution shall be deposited in the Whitesbridge Road Widening Improvements Fund.

- 2) The "Tract 5478 Interior Improvement Repairs Fund" shall be used to satisfactorily reconstruct or repair those improvements described in the plans on file with the City Clerk prepared by Yamabe & Horn Engineering, Inc. titled "City of Kerman, Kerman Estates Tract 5478, Reconstruct Interior Improvements," dated September 8, 2011 consisting of 2 sheets and listing 62 items of construction or repair.

\$2,485 of the fair share contribution shall be deposited in the Tract 5478 Interior Improvement Repairs Fund

Whitesbridge Road is a State Highway, and any work on it will require payment of prevailing wages. Any work performed by the City or its contractors will also require the payment of prevailing wages. The current cost to complete the Whitesbridge Road Widening Improvements and the Interior Improvement Repairs is unknown.

- B. When the City, in the exercise of its absolute discretion, determines that it has sufficient funds in the Whitesbridge Road Widening Improvements Fund, or in the Tract 5478 Interior Improvement Repairs Fund, it shall obtain competitive bids and award a contract for the construction and completion of said improvements. The parties acknowledge that City has not accepted the streets and sidewalks offered

for dedication in Tract 5478, and improvements may not be constructed until such time as the City has determined to accept the streets and sidewalks and related public facilities, or obtained the permission of United Security Bank to construct the improvements.

- C. City shall deposit to the Whitesbridge Road Widening Improvements Fund any amounts it receives from its Claim Payment from the Utah Insurance Commissioner in connection with City's claim against Western Insurance, after City has first reimbursed itself for its costs, attorney's fees and other expenses incurred in connection with its efforts to enforce the Subdivision Agreement, the security bonds, and the discussions and negotiations leading up to, and culminating in this Agreement, together with any subsequent expense incurred to enforce or administer this Agreement or other agreements for the completion of Tract 5478.
- D. If the deposits and contributions detailed above exceed the total cost for completing the Whitesbridge Road Widening Improvements, City shall refund the excess funds to the persons who contributed them in proportion to their contribution. If construction of the Improvements is completed for a cost that is less than the estimated amount, for lots where contributions have not yet been paid, the contribution amount will be adjusted so that all lots will have contributed a proportionally fair share to the cost of constructing the Whitesbridge Road Widening Improvements. City shall only provide refunds when all entitled to the refunds have agreed in writing as to the correct proportional distribution. If the persons entitled to refunds have not agreed within 6 months of City's determination that refunds are appropriate, the City will deposit the funds with the Fresno County Superior Court and file an interpleader action to allow the Court to determine the appropriate distribution.

The City may allocate other City funds to the completion of the Whitesbridge Road Widening Improvements, or may apply for grants for that purpose. In the event that the City expends funds for the completion of the Whitesbridge Road Widening Improvements or the Tract 5478 Interior Improvement Repairs Fund in an amount that exceeds the sum of the deposits and contributions received from owners or developers of lots in Tract 5478, together with any amount of the Claim Payment deposited to the Whitesbridge Road Widening Improvements Fund, any remaining portion of the Fund shall be retained by City for use as it may determine.

- 5. Authority to Execute Agreement. The parties represent that they have the sole right and exclusive authority to execute this Agreement. Each of the parties further warrant, represent and agree that such party has not heretofore assigned or transferred or purported to assign or transfer, to any person, firm, partnership, corporation or entity whatsoever, any action or actions, cause of causes of action, at law or in equity, or rights, claims, demands, costs, expenses (including, without limitation, attorney's fees) damages or losses in connection with their rights in connection with the Subdivision Agreement or the lots described in Exhibit "B".

6. Final Settlement. The parties, including each subsequent signatory to this Agreement, understand and agree that upon compliance with their obligations under this Agreement, this Agreement shall act as a full and final release of all claims known or unknown, whether or not ascertained, arising from the matters detailed in the Recitals of this Agreement. Each party expressly waives any rights or benefits available under section 1542 of the Civil Code of the State of California, which provides as follows:

A general release does not extend to claims in which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.

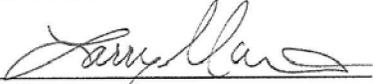
7. No Inducement. Each party agrees that if the facts with respect to which this Agreement is executed are found hereafter to be different from the facts now believed by any party, each party expressly accepts and assumes the risk of such possible difference in facts, and agrees that this Agreement shall remain effective, notwithstanding such differences. Each party declares and represents that no promise or inducement of other agreement not expressly contained herein has been made to induce this Agreement.
8. Binding Successors. This Agreement shall inure to the benefit of each party hereto, its predecessors, successors, subsidiaries, affiliates, representatives, assigns, agents, officers, directors, employees and personal representatives, past, present, and future. Without limiting the generality of the foregoing sentence, it is agreed that the benefits and burdens of this Agreement shall be binding upon, and benefit the present and future owners of each and every lot or parcel described in Exhibits "B" attached hereto.
9. Legal Representation. The parties represent and acknowledge that each of them has been represented by legal counsel, and/or had the opportunity to be represented, with respect to this Agreement and all matters covered by or related to this Agreement.
10. Modification. This Agreement contains the entire agreement between the parties on the subject matter hereof and may not be altered, amended or modified in any respect, except in a writing duly executed by the party to be charged. The parties expressly acknowledge that the Subdivision Agreement for Tract No. 5478 remains in full force and effect, but that all other prior negotiations, agreements, understandings, oral agreements and writings on the subject matter hereof between the parties to this Agreement are expressly superseded hereby and are of no further force and effect.
11. Drafting of Agreement. Each party represents and warrants that it has cooperated and participated in the drafting and preparation of this Agreement. Each party to this Agreement acknowledges that this Agreement and its reduction to final written form is the result of arms-length, good faith negotiations. Accordingly, the parties hereby acknowledge and agree that this Agreement shall not be construed or interpreted in favor or against any of the parties by virtue of the identity of the actual preparer.

12. Effectuation. The parties agree to execute any and all documents, including but not limited to disclaimers, building permits, certificates of occupancy, and to do all other things as may be reasonably necessary to comply with and carry out the terms of this Agreement.
13. Governing Law. This Agreement shall be interpreted and governed by the laws of the State of California.
14. Construction. Headings are used herein for convenience only and shall have no force and effect in the interpretation or construction of this Agreement. As used in this Agreement, the singular shall include the plural, the masculine, the feminine and neuter genders.
15. Waiver. Should any term, clause or provision of this Agreement be found to be waived, unenforceable or invalid, the validity of the remaining terms, clauses and provisions shall not be affected.
16. Attorney's Fees. In the event suit is brought to enforce or interpret any party of this Agreement, the prevailing party shall be entitled to recover as an element of his costs of suit reasonable attorney's fees. The "prevailing party" shall be the party who is entitled to recover his costs of suit, whether or not the suit proceeds to final judgment.
17. Execution; Enforcement of Unpaid Amounts as Lien. The parties hereto agree that this Agreement may be executed in counterparts with the same force and effect as though all signatures were set forth on a single instrument. This Agreement shall be executed in recordable form, and recorded by the City of Kerman. As owner of all of the parcels or lots described in Exhibit "B", CRES agrees that from and after December 1, 2020, the unpaid amounts of any deposits or contributions required in connection with each parcel or lot may be enforced as a lien to be collected and enforced as a special assessment for the amount unpaid as to each parcel in the same manner that unpaid taxes on the property are collected and enforced when the assessment has been levied and confirmed by a resolution of the city council. Notwithstanding the foregoing or any other provision of this Agreement, the City shall not have any lien rights in connection with this Agreement for any of the Tract 5478 Lots for which a certificate of occupancy has been issued.

This Agreement shall be effective on the date last written below.

Dated: 4-30-14

Capital Real Estate Solutions LLC

By: 
Larry Murnane, Manager

Dated: _____

City of Kerman

By: _____
Gary Yep, Mayor

Approved as to Form Only:

Mark A. Blum City Attorney for City of Kerman

Exhibits:
Exhibit "A" - Legal Descriptions, CRES Lots

STATE OF CALIFORNIA)
COUNTY OF ~~FRESNO~~)

On April, 30, 2014 before me, Corrine Elizabeth Lott, ^{notary public} personally
~~appeared,~~ Lawry Murnane, who proved to me on the basis of
satisfactory evidence to be the person(s) whose name (s) is/are subscribed to the within instrument and
acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity (ies), and that by his/~~her~~/
their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the
instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is
true and correct.

WITNESS my hand and official seal.

Corrine Elizabeth Lott
NOTARY PUBLIC SIGNATURE

(SEAL)



Exhibit 'A' to Agreement

Attach:

Proposal to the City of Kerman, Whitesbridge Road Widening, Tract 5478, Kerman Estates

EXHIBIT B

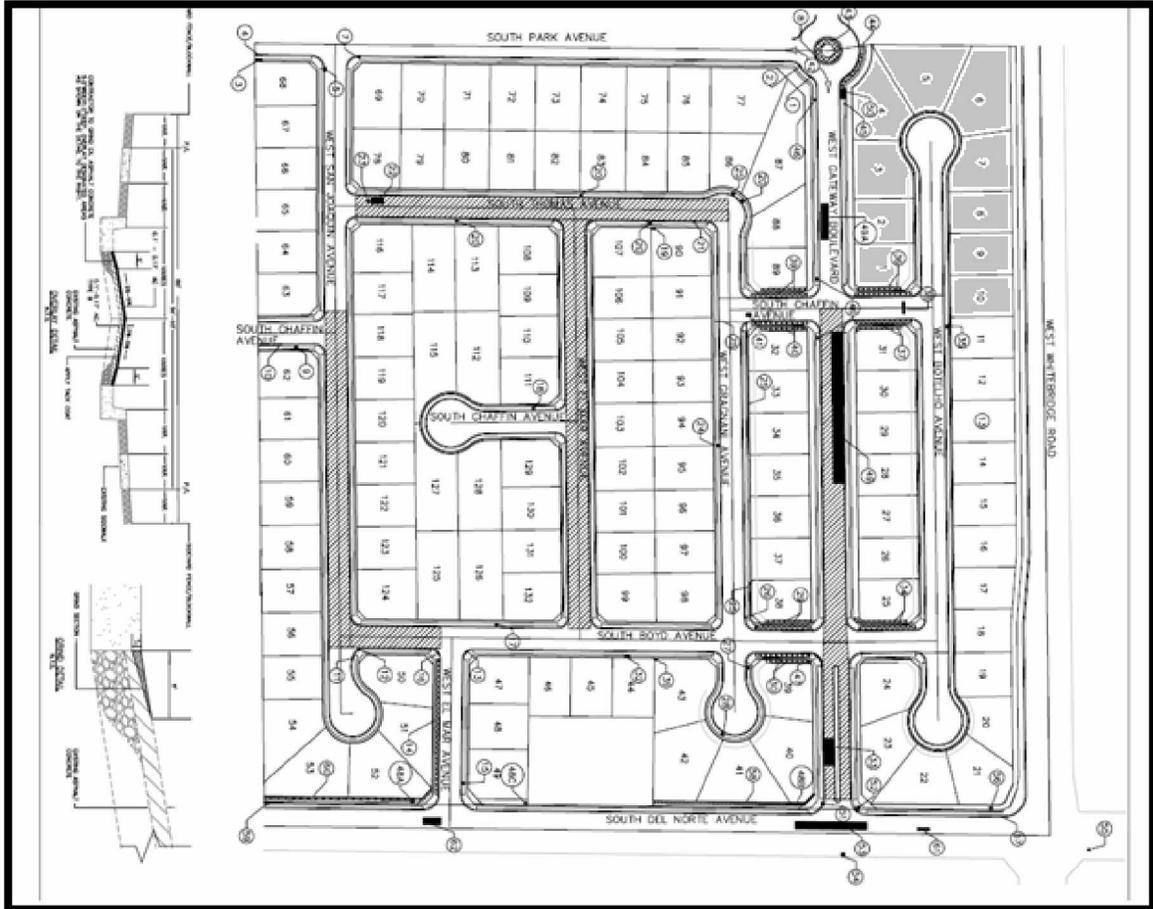
LEGAL DESCRIPTION

LOTS 1 THROUGH 10, INCLUSIVE OF TRACT NO. 5478, KERMAN ESTATES ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 78, PAGE(S) 9, 10, AND 11 OF PLATS, FRESNO COUNTY RECORDS.

EXCEPT ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID PREMISES, TOGETHER WITH THE RIGHT AND PRIVILEGE TO DEVELOP AND REMOVE THE SAME, AS RESERVED IN THE DEED FROM WM. G. KERCKHOFF COMPANY, A CORPORATION RECORDED DECEMBER 15, 1945 IN BOOK 2323, PAGE 260, OFFICIAL RECORDS, AS DOCUMENT NO. 59070.

Attachment 'B'

**CRES Lots
Tract 5478**



■ CRES Lots