

**KERMAN CITY COUNCIL  
COUNCIL MEETING**

**October 07, 2009– Regular Meeting  
6:30 PM**

**AGENDA**

**Kerman City Hall  
850 S. Madera Avenue  
Kerman, CA 93630**

**City Council: Mayor Trinidad M. Rodriguez, Council Members: Richard Stockwell, Raj Dhaliwal, Jack Sidhu, Charlie Jones**

City meetings are intended to be accessible to all persons. Please let us know if you require any accommodation to allow you to access and participate in this meeting. For assistance, please call (559) 846-9380 two days prior to the meeting.

Materials related to an item on this agenda that are public documents and are submitted after distribution and posting of the agenda are available for public inspection in the City Clerk's office at 942 South Madera Avenue, Kerman, during normal business hours. Documents that are public documents provided by others during a meeting will be available at the same location during business hours after the meeting.

**Present:**

**Absent:**

**Also Present:**

**WELCOME - Mayor Trinidad M. Rodriguez**

**CALL TO ORDER**

**ROLL CALL - City Clerk Renee Holdcroft**

**INVOCATION - As Offered**

At this time the Council wishes to provide anyone an opportunity to provide a brief invocation or inspirational thought. In accordance with law, we would request only that this opportunity not be used to recruit converts, or to advance any one, 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**

**1. AGENDA APPROVAL**

**2. PRESENTATIONS/COMMENDATIONS**

**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.

**3. PUBLIC HEARINGS / PUBLIC MEETING – 6:30 p.m.**

**3.A Public Hearing: Resolution Authorizing the Kerman Redevelopment Agency (RDA) of the City of Kerman to Sell a Single Family Dwelling as a Small Housing Project to Persons and Families of Low-and Moderate-Income. [LP]**

*The Redevelopment Agency of the City of Kerman is prepared to sell a single family dwelling located at 1514 W. California Avenue. The Kerman RDA acquired the property using Low? Moderate (LMI) tax increment revenue. As such, the City Council, acting as the legislative body, is required to conduct a public hearing and adopt a resolution authorizing the Kerman RDA to sell the dwelling as a small housing project to persons and families of low- and moderate-income, as defined in Section 33413, and consistent with Section 33433 sub paragraph c of the Health and Safety Code.*

*Fiscal Impact*

*There is no fiscal impact to the City's General Fund associated with this action. The Redevelopment Agency of the City of Kerman acquired the subject property from the City of Kerman for \$35,000. The Kerman RDA acquired the property using tax increment revenue from the Low and Moderate Income Housing Set-Aside Fund.*

**Recommendation:** That the City Council conduct a public hearing and adopt the attached resolution authorizing the Redevelopment Agency of the City of Kerman to sell the single family dwelling as a small housing project to persons and families of low- and moderate-income.

**4. CONSENT CALENDAR (Items that are not pulled from the Consent Calendar are approved by a single motion.)**

**4.A Approval of Minutes:**

9/16/2009

**4.B Payroll Report:**

Report: September 06, 2009 - September 19, 2009: \$117,307.32; Overtime: \$12,534.42; Standby & FTO: \$846.87; Retro Pay: \$103.02; Comp Time Earned: 7.50

**4.C Warrants:**

Nos. 29208 - 29304 \$411,594.22

**4.D Resolution: Final Acceptance of Whitesbridge Widening Project, Phase II. [GH]**

*Don Berry Construction, Inc. has completed the work for the Whitesbridge Road Widening Project, Phase II in conformance with the plans and specifications. The work was inspected by Public Works Department personnel. The total cost of the construction was \$424,314 and was funded by a Federal Transportation grant and matching City funds. This action will authorize the filing of the Notice of Acceptance, release the Performance Bond and release the Labor & Materials Bond in 35 days if no liens are filed.*

**Recommendation:** We recommend that Council approve the attached resolution accepting the work by Don Berry Construction, Inc. and authorize the filing of the Notice of Acceptance.

**4.E Resolution: Approval of Basin Covenant for Neighborhood Shopping Center [GH]**

*The developers of the Neighborhood Shopping Center are phasing the project to allow the construction of the pharmacy and two pad buildings on the westerly portion of the site between Madera Avenue and Kline Street. Their storm drainage will be stored in a temporary basin on the easterly half of the site. If the owners do not properly maintain the basin, this covenant provides that the City has ability to enforce the maintenance of the basin.*

*This is, of course, a positive sign that the development is moving forward. It is anticipated that building permits will be issues shortly.*

**Recommendation:** Staff recommends that the Council adopt the attached Resolution approving the Covenant and authorizing the City Manager to sign the Covenant on behalf of the City.

**5. PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AGREEMENTS, ETC**

**5.A Resolution: Approving Salary Schedule "C" Public Safety Employees [RM]**

*At the Sept. 16, 2009 meeting the Council Approved a Resolution establishing an update Memorandum of Understanding (MOU) between the City and the Kerman Public Safety Employees Association (KPSEA). Included in the MOU was a provision to increase the Salary Range of Police Sergeant by 5% through-out the Salary Steps. However, the actual 5% increase would only come as the employee reached the top salary step. Therefore, in FY 09/10, at the employee's merit anniversary date a Sergeant would move back one Step on the new Salary Range and per satisfactory evaluation and recommendation move on the next higher step thus realizing the normal 5% merit when applicable.*

*This change also allows the City to advertise the Sergeant's salary at the higher Salary Range.*

**Recommendation:** Council Approve Resolution for Salary Schedule "C" Public Safety Employees

**5.B Public Hearing: Urgency Ordinance Adopting a Policy for Selection and Compensation of Architectural/Engineering Consultants (OPEN Public Hearing and Conduct Second Reading) [RM]**

*This Ordinance was introduced at the September 16th meeting and was discussed by Council with a public hearing scheduled for October 7, 2009.*

*The City of Kerman has been approved for a CDBG/American Recovery & Reinvestment Act (ARRA) grant administered through Fresno County Community Development Dept. Our project, previous approved by Council, consists of construction of a parallel 30"*

*storm drain pipeline in California Avenue from Fourth Street to First Street (\$175,000). Because of Federal guidelines for the use of ARRA funds it is necessary for the funded agency to have an adopted procedure for the "Selection and Compensation of Architectural/Engineering Consultants". The City does not have such a policy. Therefore, the City Attorney felt it appropriate to adopt a generic "Selection Process Guideline" which would be applicable for all such selection processes. This Selection Process Guideline is presented in the form of an Ordinance which makes it "Official Policy" of the City of Kerman.*

*As previously presented City staff had put this more formal practice into place with the preparation and release of an Request for Qualifications (RFQ) for Engineering firms to do Community Development Block Grant (CDBG) Projects for three years. A Resolution for this contract award appears later on this agenda.*

*The proposed Urgency Ordinance as prepared by the City Attorney is attached. When the CDBG timetable came out, it became evident that the ordinance adopting the consultant selection procedure needed to be effective immediately, not in the usual 30 days. Therefore the City Attorney has revised the ordinance as an urgency ordinance to be effective immediately upon adoption by a vote of 4/5 of the Council. The actual text of KMO on Exhibit A from the last agenda remains unchanged.*

*The urgency to the ordinance comes from the Public Works Directors concerns for Madera Avenue flooding and the potential for a wet El Nino winter and the timing for submission of all materials as determined by Fresno County.*

**Recommendation:** Mayor OPEN Public Hearing and

Council Approve Urgency Ordinance: Adopting a Policy for Selection and Compensation of Architectural/Engineering Consultants

**5.C Resolution: Awarding Engineering Contract Services for Community Development Block Grant (CDBG) Projects [RH/MB]**

*City Attorney, with review from Public Works Director, developed a Request for Qualifications (RFQ) for Engineering Services for Community Development Block Grant (CDBG) Project (3-Year Period). On September 18th the RFQ was sent to 4 Firms. On September 29th, the review Committee which consisted of Public Works Director Ken Moore and Planning and Development Director, Luis Patlan, reviewed the two submitted responses from Blair, Church & Flynn and Yamabe & Horn Engineering.*

*Based on the factors of price, experience (especially with CDBG Project specifications and bids) and availability, the finding of staff is to recommend the firm of Yamabe & Horn as the successful applicant to provide engineering services for the CDBG Project.*

*The Resolution approving the selection of Yamabe & Horn for City of Kerman CDBG Project with contract and rate schedule attached. The Rate Schedule is the same as Council approved in 2007 for Engineering Services provided by Yamabe & Horn.*

**Recommendation:** Council Approve Resolution Awarding Engineering Contract Services for Community Development Block Grant (CDBG) Projects to Yamabe & Horn.

6. WRITTEN COMMUNICATIONS

7. ADMINISTRATIVE REPORTS

7.A Laserfiche Records Retention Update [RH]

*In December 2006, Council approved funding for the implementation of a Document Management Program. In mid-2007 the city contracted with ECS Imaging to implement its new Laserfiche Records Management System.*

*In August of 2008 the City Clerk reported to Council that scanning had begun in late 2007 and since that time 11 years of Agreements (223) had been scanned; 12 years of Resolution (1,065); along with 21 years of Ordinances (229). Not too long after we reported this accomplishment to Council, Cassie Ramirez, the half-time staff person allocated for records scanning, moved away. Between Cassie's last day in October and this last July, Clerk's Department staff were keeping up with current Council Actions in Laserfiche but were not able to expend much time to address scanning in old "boxed" records. In May we were very lucky to bring on board a very capable Summer Youth participant, Brittny Gamez (who happened to be a daughter of one of our City Employees). This position was totally paid for by the Summer Youth Program in Kerman.*

*Brittny's skills were unbelievable and she was very interested in helping with the task of archiving our city documents and she also took very seriously the importance of re-checking scanned documents for search-ability in Laserfiche. Brittny, with Marci Reyes from the Clerk's staff close at hand and experience training and supervision, was able to scan all the remaining older "boxed" City resolutions back to Resolution No. 1 in 1946, along with all the City ordinances back to that time.*

*So -- we are ecstatic to report that with City of Kerman Resolutions and Ordinances are up-to-date in Laserfiche and we are able to start from now and scan forward as they are approved.*

*The Clerk's Department is not sure what the future will bring. With the recent growth in the city, the Clerk's Department is finding time that may have been available in the past to scan in one or two archived "boxed" documents is now being taken up with more citizen phone calls, requests requiring action, or questions. Somehow, however, we are hoping to somehow fit in scanning a few old agreements at a time into Laserfiche so that sometime in the future we will have them all caught up.*

*Records retention and destruction activities are ongoing. This year Departments effectively went through their retention list at the beginning of the year and earmarked records that had passed their shelf life.*

*Agenda Manager - the program that assists with the preparation of your Council Packets (FACT SHEET and attachments) is working very well. We just received a new Upgrade and are planning and initiating mini-trainings at each future Department Head Agenda Staff Meeting to bring each Department Head up on the last with Agenda Manager.*

**Recommendation:** Informational only

**7.B Consider amending Chapter 2.28 of the Kerman Municipal Code to revise the terms of office for the Planning Commission [LP]**

*As detailed in the staff report attached with this agenda, the Kerman Planning Commission is an important advisory body to the City Council on all land use decisions. As such, stability and continuity of the Planning Commission members is critical to maintaining knowledge and understanding of planning related matters. Staff is asking that the City Council consider amending Chapter 2.28 of the Kerman Municipal Code to revise the terms of office for the Planning Commission by extending the terms from two (2) years to three (3) years, and by staggering the terms so that no more than three (3) members shall have terms expiring in any given year.*

*On August 24 and September 28, 2009 the Planning Commission considered several alternatives and agreed that the terms of office for the Planning Commission should be changed from two (2) years to three (3) and that the terms should be staggered. This proposed schedule will promote stability and continuity on the Planning Commission. In order for the three (3) year staggered terms to work, four (4) of the seven (7) seats will need to be extended one year and three (3) seats will expire in December of this year, as follows:*

*Commissioners Robert Bandy and Robert Felker - extend terms from 12/31/2008-12/31/2010 to 12/31/2011*

*Commissioners Kevin Nehring and Mike Arabian - extend terms from 12/31/2008-12/31/2009 to 12/31/2010*

*Commissioners Epperson, Lopez & Garcia - terms to expire on 12/31/09 (new terms from 12/31/09 to 12/31/12)*

*Should the City Council instruct staff to proceed with amending Chapter 2.28, staff will present the Ordinance for first reading and introduction on October 21, 2009 and schedule a public hearing for second reading and adoption on November 4, 2009.*

**Recommendation:** That the City Council review and consider amending Section 2.28.20 of the Kerman Municipal Code to revise the terms of office for the Planning Commission from two years to three and staggering the terms so that no more than three members shall have terms expiring in any given year.

**8. COUNCIL REPORTS**

**8.A Mayor's Report**

**8.B Council Members' Reports**

**THE MEETING WAS RECESSED FOR COUNCIL TO CONVENE AS THE REDEVELOPMENT AGENCY**

**THE MEETING WAS RECONVENED TO THE CITY COUNCIL**

**COUNCIL ADJOURN INTO CLOSED SESSION**

**9. CLOSED SESSION**

**9.A Government Code 54956.95 - Claim for Damages: LIABILITY CLAIM: Claimant:  
Kristofer Shwetter. Agency claimed against: City of Kerman**

**COUNCIL RECONVENE FROM CLOSED SESSION**

**10. ADJOURNMENT**

RESOLUTION NO. 09-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN AUTHORIZING THE SALE OF A SINGLE-FAMILY DWELLING BY THE REDEVELOPMENT AGENCY OF THE CITY OF KERMAN

WHEREAS, the City Council of the City of Kerman (the "City"), pursuant to Section 33433 subparagraph c of the Health and Safety Code, is required to approve the sale or lease of real property by the Redevelopment Agency of the City of Kerman (the "Agency").

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

1. Notice of public hearing concerning the sale by the Agency of a single-family residence located at 15412 W. California Avenue in the City of Kerman has been duly given once a week for not less than two successive weeks pursuant to Health and Safety Code Section 33431, and the public hearing before the Agency afforded a full and fair opportunity for members of the public to be heard; and

2. The Agency has provided information regarding the terms of the proposed sale in conformity with the requirements set forth in Health and Safety Code Section 33433 (c) as to a small housing project to be sold or leased to a person or family of low- and moderate-income; and shall provide to the City Council a report on the terms of the sale required by said subdivision within thirty (30) days after the end of the Agency's fiscal year; and

3. The sale of the property will assist in the elimination of blight in the project area, provide local affordable housing for low to moderate income persons or families, and the provisions of such housing has been found to be a fundamental purpose of redevelopment pursuant to Section 333334.6 of the Health and Safety Code; and

4. The sale of the property is consistent with the implement plan adopted by the Agency pursuant to Section 33490 of the Health and Safety Code; and

5. The consideration is not less than the fair market value at its highest and best use in accordance with the Redevelopment Plan.

Now, therefore, the City Council resolves and orders that the sale of the single-family dwelling at 15412 W. California Avenue, Kerman, California, pursuant to the procedures authorized by Health and Safety Code Section 33433(c) is approved.

The foregoing resolution was adopted following a regular meeting of the City Council on 7<sup>th</sup> of October 2009, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINING:

APPROVED:

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Trinidad M. Rodriguez  
Mayor

ATTEST:

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L. Renee Holdcroft  
City Clerk

# KERMAN CITY COUNCIL

# MINUTES

## COUNCIL MEETING

Kerman City Hall

September 16, 2009– Regular Meeting

850 S. Madera Avenue

6:30 PM

Kerman, CA 93630

City Council: Mayor Trinidad M. Rodriguez, Council Members: Richard Stockwell, Raj Dhaliwal, Jack Sidhu, Charlie Jones

**Present:** Mayor Rodriguez, Council Members Dhaliwal, Jones, Sidhu, and Stockwell.

**Absent:** None

**Also Present:** City Manager, City Attorney, City Clerk, City Engineer, Chief of Police, Finance Director, Planning Director, Public Works Director

**Voting Key:**  
Yes-No-Absent-(Abstain - if necessary)

**WELCOME** - Mayor Trinidad M. Rodriguez

**CALL TO ORDER**

6:30 p.m.

**ROLL CALL** - City Clerk Renee Holdcroft

All Present

**INVOCATION** - As Offered

**PLEDGE OF ALLEGIANCE** – City Clerk

Performed

**1. AGENDA APPROVAL**

Approved: CJ/RS (5-0)

**2. PRESENTATIONS/COMMENDATIONS**

**REQUEST TO ADDRESS COUNCIL**

Katherine Gonzales addressed the Council on a recent incident involving her family and the Kerman Police Department.

**COUNCIL RECONVENED FROM THE REDEVELOPMENT AGENCY**

**ITEM 7.A WAS MOVED UP FOR THE CONVENIENCE OF PRESENTER.**

**7.A Introduction to Council Chambers New Audio Visual Sound System [RH]**

Presented.  
Informational Only.

**AGENDA RETURNED TO REGULAR ORDER**

**3. PUBLIC HEARINGS / PUBLIC MEETING – 6:30 p.m.**

None

4. **CONSENT CALENDAR (Items that are not pulled from the Consent Calendar are approved by a single motion.)**

Approved: CJ/RS (5-0)

5. **PETITIONS, BIDS, RESOLUTIONS, ORDINANCE, AGREEMENTS, ETC.**

**5.A Approval of Minutes:**

Minutes: 9-2-09

**5.B Payroll Report:**

Report: August 23, 2009 - September 05, 2009: \$115,692.92;  
Overtime: \$3,922.28; Standby & FTO: \$944.39; Retro Pay:  
\$152.49; Uniform Pay: \$5,500.00; Comp Time Earned: 38.25

**5.C Warrants:**

Nos. 29130-29207 \$160,569.54

**5.D Proclamation: Proclaiming the 4th Monday in September of 2009 and Each Subsequent Year as "Family Day". [RH]**

**Recommendation:** Approve Proclamation

**5.E Proclamation: The Fresno Coalition for Arts, Science & History [RM]**

**Recommendation:** Staff recommends the City Council proclaim October as Kerman Cultural Arts Month.

**5.F Resolution: Final Acceptance for 2008 Street Overlay Project [GH]**

**Recommendation:** Staff recommends that the Council adopt the attached Resolution accepting the work by Tri-County Grading and Paving, Inc. and authorize the filing of the Notice of Acceptance.

6. **PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AGREEMENTS, ETC**

**6.A Resolution: Amending Memorandum of Understanding (MOU) Between City of Kerman and City of Kerman Public Safety Employees Association (KPSEA) Bargaining Unit (July 2005 to June 30, 2009) to September 16, 2009 through June 30, 2011 [RM]**

Approved: CJ/RS (5-0)

The City Manager noted for the public record that this applies to not only to Miscellaneous Employees but to all Management Employees as well. Council requested and City Manager concurred that, without incurring any additional City Attorney fees, steps will be taken, to assure that Department Heads will be held to the same benefit changes as all other employees

**Recommendation:** Council approve resolution amending Memorandum of Understanding (MOU) between the City of Kerman and City of Kerman Public Safety Employees Association Bargaining Unit applicable September 16, 2009 through June 30, 2011.

**6.B Resolution: Amending Memorandum of Understanding (MOU) Between City of Kerman and City of Kerman Miscellaneous Employees Group [RM]**

Approved: RS/JS (CJ Abstained) two corrections, KPSEA needs to be replaced with Miscellaneous Employee Group.

**Recommendation:** Council Approve Resolution Amending Memorandum of Understanding (MOU) Between the City of Kerman and the City of Kerman Miscellaneous Employees Group.

**6.C Ordinance: Adopting a Policy for Selection and Compensation of Architectural/Engineering Consultants. (Introduction, Waiving of First Reading and Setting a Public Hearing for October 7, 2009) [RM]**

Approved: JS/CJ (5-0)

**Recommendation:** Council introduce and provide the first reading of an Ordinance adopting a Policy for Selection and Compensation of Architectural/Engineering Consultants and set the Public Hearing and for October 7, 2009

**6.D Resolution: Support and Join San Joaquin Valley Clean Energy Partnership [RM]**

Approved: CJ/JS (5-0)

**Recommendation:** Council Approve Resolution to Support and Join San Joaquin Valley Clean Energy Partnership

7. WRITTEN COMMUNICATIONS	
8. ADMINISTRATIVE REPORTS	
8.A Introduction to Council Chambers New Audio Visual Sound System [RH]	Presented earlier on the Agenda.
<u>Recommendation:</u> Informational Only	
8.B City Hall Open House/Dedication Ceremony Program Outline - Thursday, October 1, 2009 5:15 [RM]	Presented
<u>Recommendation:</u> Council Review and Comment Regarding Program	
9. COUNCIL REPORTS	
9.A Mayor's Report	
1. City of Kerman Recognition/Welcome Aboard Luncheon - October 6, 2009 - 12:00-1:30 pm	
9.B Council Members' Reports	
COUNCIL RECESSED TO THE REDEVELOPMENT AGENCY	6:40 p.m.
COUNCIL ADJOURN INTO CLOSED SESSION	7:55
10. CLOSED SESSION (to discuss 9.A only)	
Reportable action on 9.A was that staff was instructed to reject the claim with a Notice of Insufficiency and invite the claimant to amend their claim.	
10.A Government Code 54956.95 - Claim for Damages: LIABILITY CLAIM: Claimant: Kristofer Shwetzter. Agency claimed against: City of Kerman	
10.B Government Code 54957.6 - Meet and Confer with: City of Kerman Public Safety Employees Association (Police Department)	
10.C Government Code 54957.6 - Meet and Confer with: City of Kerman Miscellaneous Employees Group	
COUNCIL RECONVENE FROM CLOSED SESSION	
10. ADJOURNMENT	CJ/RS 8:04

**MINUTES CERTIFICATION**

I, L. RENEE HOLDCROFT, 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

\_\_\_\_\_  
L. Renee Holdcroft  
City Clerk

# CITY OF KERMAN PAYROLL REPORT

AGENDA ITEM 4.B.1

PAY PERIOD: September 06, 2009 - September 19, 2009

EMPLOYEE	SALARY	RETRO PAY	OVER TIME		STANDBY & FTO		GROSS SALARY	COMP TIME EARNED
			HOURS	AMOUNT	HOURS	AMOUNT		
<b><u>ADMINISTRATION</u></b>								
2 Manfredi, Ron	\$ 5,192.31	\$ -	-	\$ -	-	\$ -	\$ 5,192.31	
15 Gonzalez, Diana	\$ 1,747.85	\$ -	-	\$ -	-	\$ -	\$ 1,747.85	
87 Madruga, Lydia	\$ 1,966.15	\$ -	-	\$ -	-	\$ -	\$ 1,966.15	
299 Przybyla, Tim	\$ 3,354.00	\$ -	-	\$ -	-	\$ -	\$ 3,354.00	
332 Alvarez, Josefina	\$ 1,249.85	\$ -	-	\$ -	-	\$ -	\$ 1,249.85	
350 Jones, Toni	\$ 1,205.77	\$ -	-	\$ -	-	\$ -	\$ 1,205.77	
359 Holdcroft, Renee	\$ 2,832.46	\$ -	-	\$ -	-	\$ -	\$ 2,832.46	
375 Reyes, Marcia	\$ 562.02	\$ -	-	\$ -	-	\$ -	\$ 562.02	
435 Nazaraff, Hellen	\$ 503.13	\$ -	-	\$ -	-	\$ -	\$ 503.13	
61 Gonzales, Matilda	\$ 576.00	\$ -	-	\$ -	-	\$ -	\$ 576.00	
<b>TOTAL</b>	<b>\$ 19,189.53</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 19,189.53</b>	
<b><u>REC/SOCIAL</u></b>								
11 Gallegos, Philip	\$ 3,293.08	\$ -	-	\$ -	-	\$ -	\$ 3,293.08	
35 Arredondo, Barbara	\$ 1,399.38	\$ -	-	\$ -	-	\$ -	\$ 1,399.38	
76 Wright, Judy	\$ 1,365.23	\$ -	-	\$ -	-	\$ -	\$ 1,365.23	
97 Gonzalez, Jose Felix	\$ 1,475.54	\$ -	-	\$ -	-	\$ -	\$ 1,475.54	
233 Moore, Nancy	\$ 1,858.15	\$ -	-	\$ -	-	\$ -	\$ 1,858.15	
237 Salvador, Mark	\$ 1,766.31	\$ -	-	\$ -	-	\$ -	\$ 1,766.31	
431 Laurissa, Gallardo	\$ 1,383.69	\$ -	-	\$ -	-	\$ -	\$ 1,383.69	
361 Lujan, Vanessa	\$ 210.00	\$ -	-	\$ -	-	\$ -	\$ 210.00	
270 Zepeda, Adriana	\$ 96.25	\$ -	-	\$ -	-	\$ -	\$ 96.25	
292 Silva, Jessica	\$ 518.00	\$ -	-	\$ -	-	\$ -	\$ 518.00	
388 Arredondo, Michelle	\$ 128.00	\$ -	-	\$ -	-	\$ -	\$ 128.00	
<b>TOTAL</b>	<b>\$ 13,493.63</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 13,493.63</b>	<b>0.00</b>
<b><u>POLICE</u></b>								
29 Rodrigues, Mary	\$ 1,691.08	\$ -	3.00	\$ 95.12	-	\$ -	\$ 1,786.20	
59 Madruga, Ron	\$ 2,850.92	\$ 40.71	5.50	\$ 294.00	-	\$ -	\$ 3,185.63	
69 Chapman, Tom	\$ 2,167.85	\$ -	20.00	\$ 812.94	-	\$ -	\$ 2,980.79	
73 Collins, Kirk	\$ 2,796.46	\$ -	-	\$ -	-	\$ -	\$ 2,796.46	
74 Newton, William	\$ 4,148.31	\$ -	-	\$ -	-	\$ -	\$ 4,148.31	
101 Cubillos, Teresa	\$ 2,390.31	\$ -	17.50	\$ 784.32	-	\$ -	\$ 3,174.63	
245 Barbosa, Isaias	\$ 2,167.85	\$ -	19.00	\$ 772.30	-	\$ -	\$ 2,940.14	
278 Deo, Gurdeep	\$ 2,690.39	\$ -	5.00	\$ 214.66	-	\$ -	\$ 2,905.05	
291 Ramirez, Donald	\$ 1,691.08	\$ -	-	\$ -	-	\$ -	\$ 1,691.08	
296 Mendoza, Sandra	\$ 1,740.92	\$ -	9.50	\$ 310.10	-	\$ -	\$ 2,051.03	
307 Gaxiola, Ronald	\$ 1,966.15	\$ -	36.50	\$ 1,431.61	-	\$ -	\$ 3,397.76	
334 Shwetzter, Kristofer	\$ 1,872.46	\$ -	-	\$ -	-	\$ -	\$ 1,872.46	
343 Davis, Jeff	\$ 2,344.62	\$ -	-	\$ -	-	\$ -	\$ 2,344.62	7.5
344 Ocegueda, Frank	\$ 115.00	\$ -	-	\$ -	-	\$ -	\$ 115.00	
439 Singh, Amrit	\$ 315.00	\$ -	-	\$ -	-	\$ -	\$ 315.00	
440 Hawkins, Bo	\$ 260.00	\$ -	-	\$ -	-	\$ -	\$ 260.00	
354 Lee Ness	\$ 1,909.85	\$ -	13.50	\$ 483.43	-	\$ -	\$ 2,393.28	
363 Wilbert Barcoma	\$ 1,929.23	\$ -	30.00	\$ 1,085.19	-	\$ -	\$ 3,014.42	
369 Joseph Ramer	\$ 1,071.23	\$ -	3.00	\$ 60.26	-	\$ -	\$ 1,131.49	
380 Scott Armstrong	\$ 1,698.46	\$ -	36.50	\$ 1,162.38	-	\$ -	\$ 2,860.85	
402 James W Nevis	\$ 2,005.38	\$ -	34.00	\$ 1,278.43	-	\$ -	\$ 3,283.82	
413 Peter Magallon	\$ 1,740.92	\$ -	24.00	\$ 783.42	-	\$ -	\$ 2,524.34	
425 Jeff Belding	\$ 1,698.46	\$ -	11.00	\$ 350.31	-	\$ -	\$ 2,048.77	
<b>TOTAL:</b>	<b>\$ 43,261.93</b>	<b>\$ 40.71</b>	<b>268.00</b>	<b>\$ 9,918.47</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 53,221.11</b>	<b>7.50</b>

# CITY OF KERMAN PAYROLL REPORT

AGENDA ITEM 4.B.1

PAY PERIOD: September 06, 2009 - September 19, 2009

EMPLOYEE	SALARY	RETRO PAY	OVER TIME		STANDBY & FTO		GROSS SALARY	COMP TIME EARNED
			HOURS	AMOUNT	HOURS	AMOUNT		
<b><u>PUBLIC WORKS</u></b>								
8 Gonzales, Ruben	\$ 1,842.92	\$ -	-	\$ -	-	\$ -	\$ 1,842.92	
20 Rodriguez, Joe	\$ 1,798.15	\$ -	-	\$ -	-	\$ -	\$ 1,798.15	
25 Prieto, Ruben	\$ 1,615.38	\$ -	6.00	\$ 201.92	-	\$ -	\$ 1,817.31	
26 Gruce, Robert	\$ 2,382.00	\$ -	-	\$ -	-	\$ -	\$ 2,382.00	
27 Hearld, Douglas	\$ 2,570.77	\$ -	-	\$ -	-	\$ -	\$ 2,570.77	
134 Ramirez, Manuel	\$ 1,613.08	\$ -	7.50	\$ 236.92	18.75	\$ 378.06	\$ 2,228.06	
172 Chavez, Fernando M.	\$ 1,793.54	\$ -	-	\$ -	-	\$ -	\$ 1,793.54	
290 Gastelum, Humberto	\$ 1,676.31	\$ -	9.00	\$ 303.83	-	\$ -	\$ 1,980.14	
298 Barajas, Michael	\$ 1,515.23	\$ -	11.00	\$ 331.46	-	\$ -	\$ 1,846.69	
322 Castro, Joseph	\$ 1,511.08	\$ -	8.50	\$ 259.72	-	\$ -	\$ 1,770.79	
330 Gamez, Jesus	\$ 1,573.85	\$ -	7.50	\$ 231.16	4.50	\$ 88.53	\$ 1,893.53	
349 Sidhu, Nirmal	\$ 1,308.46	\$ 62.31	21.00	\$ 572.45	23.25	\$ 380.27	\$ 2,323.50	
405 Hodges, Thomas	\$ 1,186.62	\$ -	8.50	\$ 203.95	-	\$ -	\$ 1,390.56	
378 Sanchez, Daniel	\$ 1,246.15	\$ -	6.50	\$ 151.88	-	\$ -	\$ 1,398.03	
389 Moore, Ken	\$ 3,495.69	\$ -	-	\$ -	-	\$ -	\$ 3,495.69	
329 Arechiga, Pastor	\$ 1,308.46	\$ -	5.00	\$ 122.67	-	\$ -	\$ 1,431.13	
418 Medeiros, Cheryl	\$ 1,554.00	\$ -	-	\$ -	-	\$ -	\$ 1,554.00	
<b>TOTAL</b>	<b>\$ 29,991.69</b>	<b>\$ 62.31</b>	<b>90.50</b>	<b>\$ 2,615.95</b>	<b>46.50</b>	<b>\$ 846.87</b>	<b>\$ 33,516.82</b>	
<b><u>PLANNING</u></b>								
37 Pimentel, Olivia	\$ 2,063.54	\$ -	-	\$ -	-	\$ -	\$ 2,063.54	
234 Kufis, Chris	\$ 2,035.38	\$ -	-	\$ -	-	\$ -	\$ 2,035.38	
326 Fonseca, Monica	\$ 1,246.15	\$ -	-	\$ -	-	\$ -	\$ 1,246.15	
379 Zapata, Domingo	\$ 1,482.46	\$ -	-	\$ -	-	\$ -	\$ 1,482.46	
414 Patlan, Luis	\$ 3,768.00	\$ -	-	\$ -	-	\$ -	\$ 3,768.00	
<b>TOTAL</b>	<b>\$ 10,595.54</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 10,595.54</b>	<b>0.00</b>
<b><u>PLANNING</u></b>			<b><u>COUNCIL</u></b>					
Arabian, M	\$ -			Rodriguez		\$ 155.00		
Epperson, R	\$ -			Stockwell		\$ 155.00		
Felker, R	\$ -			Dhaliwal		\$ 155.00		
Nehring, K	\$ -			Sidhu		\$ 155.00		
Garcia, L	\$ -			Jones		\$ 155.00		
Lopez, Michael	\$ -							
Bandy, Robert	\$ -							
<b>Total</b>	<b>\$ -</b>			<b>Total</b>		<b>\$ 775.00</b>		
<b>GRAND TOTAL:</b>	<b>\$117,307.32</b>	<b>\$103.02</b>	<b>358.50</b>	<b>\$12,534.42</b>	<b>46.50</b>	<b>\$846.87</b>	<b>\$130,791.63</b>	<b>7.50</b>

Run date: 09/29/2009 @ 16:15  
 Bus date: 09/29/2009

City of Kerman  
 Check - Complete Detail

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Name / Obligat'n	Description	Net amount	Invoice number	PO number
29208- 1526	1	9/15/2009	1020 AFLAC				
	1		39206	*C VOLUNTARY INSURANCE OCT 09	123.84	723657	
29208- 1526	1	9/15/2009	Logged	*** Total ***	123.84		
29209- 1526	2	9/15/2009	3219 CALIFORNIA CONSULTING, LLC				
	2		39210	MONTHLY RETIANER SEPT 09	1,200.00	8/31/09	
29209- 1526	2	9/15/2009	Logged	*** Total ***	1,200.00		
29210- 1526	3	9/15/2009	4999 EAST KERMAN DEVELOPMENT, INC				
	3		39223	OFFSITE CONSTRUCTION MANAGEMEN	16,300.00	GOLDENROD/5928	
	3		39224	CON DEV SVC/WATER/SEWER MAIN	43,891.96	GOLDENROD/5928	
29210- 1526	3	9/15/2009	Logged	*** Total ***	60,191.96		
29211- 1526	4	9/15/2009	5061 FACILITY DESIGNS				
	4		39204	CUT SQUARE IN TABLE FOR DATA P	47.00	22133	
29211- 1526	4	9/15/2009	Logged	*** Total ***	47.00		
29212- 1526	5	9/15/2009	8041 HD SUPPLY WATERWORKS, LTD				
	5		39212	VALVE BOX/CHRISTY BOX/COVER	465.17	9488926	
29212- 1526	5	9/15/2009	Logged	*** Total ***	465.17		
29213- 1526	6	9/15/2009	10028 HENRY, LOGOLUSO, & BLUM				
	6		39225	LEGAL SERVICES AUG 09	3,623.86	16057-16067	
29213- 1526	6	9/15/2009	Logged	*** Total ***	3,623.86		
29214- 1526	7	9/15/2009	8042 HEWLETT-PACKARD EXPRESS SERVIC				
	7		39209	POST WARRANTY SVC / SERVER/TER	1,311.00	3548448	
29214- 1526	7	9/15/2009	Logged	*** Total ***	1,311.00		
29215- 1526	8	9/15/2009	13081 MID VALLEY DISPOSAL, INC				
	8		39228	SOLID WASTE CONTRACT AUG 09	58,454.24	8/31/09	
29215- 1526	8	9/15/2009	Logged	*** Total ***	58,454.24		
29216- 1526	9	9/15/2009	15000 OFFICE DEPOT				
	9		39201	DESKTOP PADS	38.47	486972876001	
	9		39202	DESKTOP PADS/NAME BADGES	81.98	485412194001	
	9		39203	CREDIT MEMO/DESKTOP PADS	-38.47	486972875001	
29216- 1526	9	9/15/2009	Logged	*** Total ***	81.98		
29217- 1526	10	9/15/2009	16025 P.G.& E.				
	10		39200	MO SVC 8/8/09-9/8/09 WELL 17	6,952.00	0984020411 9/8	
	10		39208	MO SVC 8/4/09-9/1/09/CITY HALL	816.45	6825025396 9/2	
29217- 1526	10	9/15/2009	Logged	*** Total ***	7,768.45		
29218- 1526	11	9/15/2009	18011 REAL-TIME INFORMATION SERVICES				
	11		39207	CAT 5 PATCH CABLES	86.70	21192	
	11		39226	MONTHLY SPAM FILTER AUG 09	185.00	21056	
29218- 1526	11	9/15/2009	Logged	*** Total ***	271.70		
29219- 1526	12	9/15/2009	17976 ROADLINE PRODUCTS INC USA				
	12		39215	BEAD DISPENSER/REPAIR KIT	691.03	6614	
	12		39216	RAC 5 SPRAY TIP	82.82	6620	

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description	Net amount	Invoice number	PO number
29219- 1526	12	9/15/2009	Logged	*** Total ***	773.85	
29220- 1526	13	9/15/2009	19014 SAFETY KLEEN CORP			
	13		39217 MO LEASE/PARTS WASHER	137.31	MB02654133	
29220- 1526	13	9/15/2009	Logged	*** Total ***	137.31	
29221- 1526	14	9/15/2009	11010 SEBASTIAN			
	14		39211 POWER POLE/OUTLETS/FINANCE	2,271.83	41670	
29221- 1526	14	9/15/2009	Logged	*** Total ***	2,271.83	
29222- 1526	15	9/15/2009	11053 SEBASTIAN			
	15		39227 PHONE SERVICE - 8/21-9/20/09	2,068.77	846-9384	9/1/09
29222- 1526	15	9/15/2009	Logged	*** Total ***	2,068.77	
29223- 1526	16	9/15/2009	19064 SMITH AUTO			
	16		39218 MISC PARTS/SUPPLIES	1,967.39	C39900	8/31
	16		39219 BIT SET FOR WATER METERS	14.70	674143	
	16		39220 SMALL WATER PUMP	434.81	668836	
	16		39221 2 CYCLE MIX	58.72	682061	
	16		39222 GENERATOR	3,354.07	679773	
29223- 1526	16	9/15/2009	Logged	*** Total ***	5,829.69	
29224- 1526	17	9/15/2009	19561 T & T PAVEMENT MARKINGS & PROD			
	17		39213 GRAFFITI REMOVER/GLASS BEADS/P	1,825.46	2009488	
	17		39214 STOP SIGNS /W GRAFFITI FILM	2,848.61	2009513	
29224- 1526	17	9/15/2009	Logged	*** Total ***	4,674.07	
29225- 1526	18	9/15/2009	23048 WORKINGARTS MARKETING, INC			
	18		39205 WEBSITE UPDATES/AUG 09 & HOSTI	95.00	1704	
29225- 1526	18	9/15/2009	Logged	*** Total ***	95.00	
29226- 1528	1	9/18/2009	1040 ALLIED ELECTRIC			
	1		39238 CONDUIT ELBOW	251.48	1466577-03	
	1		39239 CHRISTY BOX/CHECKER LID	1,038.93	1466577-02	
	1		39240 CONDUITS/HUB/ELBOWS/PVC	391.69	1466577-01	
	1		39241 600 PVC CONDUIT	461.53	1467070-01	
	1		39247 CUT CFRT	47.24	1468062-01	
	1		39248 RIGID CONDUIT ELBOW	251.48	1466577-03	
29226- 1528	1	9/18/2009	Logged	*** Total ***	2,442.35	
29227- 1528	2	9/18/2009	1058 AMERIPRIDE UNIFORM SERVICES			
	2		39237 MISC SUPPLIES/UNIFORMS/SERVICE	1,841.16	58934	8/31/09
29227- 1528	2	9/18/2009	Logged	*** Total ***	1,841.16	
29228- 1528	3	9/18/2009	19130 CALIFORNIA STATE DISBURSEMENT			
	3		39263 *C WAGE ASSIGNMENT 0192596302-	184.62	P/E	9/11/09
	3		39264 *C WAGE ASSIGNMENT 0195023686-	499.00	P/E	9/11/09
29228- 1528	3	9/18/2009	Logged	*** Total ***	683.62	
29229- 1528	4	9/18/2009	3172 CBC INNOVIS, INC			
	4		39252 CREDIG CHECKS/BACKGROUNDS	16.50	2009080254	
29229- 1528	4	9/18/2009	Logged	*** Total ***	16.50	

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description	Net amount	Invoice number	PO number
29230- 1528	5	9/18/2009	3214 CENTRAL VALLEY TOXICOLOGY			
	5		39257 ETHYL ALCOHOL TEST	36.00	156191	
	5		39258 ETHYL ALCOHOL TEST	36.00	156739	
29230- 1528	5	9/18/2009	Logged	*** Total ***	72.00	
29231- 1528	6	9/18/2009	3084 CLEARS			
	6		39272 2009/2010 DUES	50.00	DON RAMIREZ	
29231- 1528	6	9/18/2009	Logged	*** Total ***	50.00	
29232- 1528	7	9/18/2009	3161 COMMUNITY MEDICAL CENTERS			
	7		39255 2 BLOOD DRAWS AUG 09	350.00	8/31/09	
29232- 1528	7	9/18/2009	Logged	*** Total ***	350.00	
29233- 1528	8	9/18/2009	4023 DEPARTMENT OF JUSTICE			
	8		39259 LIVE SCAN FINGERPRINTS	343.00	753638	
29233- 1528	8	9/18/2009	Logged	*** Total ***	343.00	
29234- 1528	9	9/18/2009	4059 DEPT OF WATER RESOURCES			
	9		39235 INT/PRINICAL LOAN E54401 SAFE	19,437.68	0910E54401 1009	
29234- 1528	9	9/18/2009	Logged	*** Total ***	19,437.68	
29235- 1528	10	9/18/2009	4053 DIAMOND LOCKSMITHS			
	10		39274 EXTRA KEYS/KERCKHOFF PARK BOOT	19.23	12528	
29235- 1528	10	9/18/2009	Logged	*** Total ***	19.23	
29236- 1528	11	9/18/2009	3991 DISPENSING TECHNOLOGY CORP			
	11		39242 21 GUN REPAIR KIT	31.83	3597	
29236- 1528	11	9/18/2009	Logged	*** Total ***	31.83	
29237- 1528	12	9/18/2009	5042 EXECU-TECH COMMUNICATIONS			
	12		39243 CHRISTY LID/WATER	13.43	974193	
	12		39244 CARSON GREEN LID	22.17	974192	
29237- 1528	12	9/18/2009	Voided	*** Total ***	35.60	
29238- 1528	13	9/18/2009	6038 FRESNO BEE			
	13		39260 CLASSIFIED/POLICE SGT	583.63	5598466633 9/11	
29238- 1528	13	9/18/2009	Logged	*** Total ***	583.63	
29239- 1528	14	9/18/2009	6042 FRESNO CITY COLLEGE			
	14		39256 DRUG RECOG CLASS ENROLLMENT	60.00	7068723-24	
29239- 1528	14	9/18/2009	Logged	*** Total ***	60.00	
29240- 1528	15	9/18/2009	6063 FRESNO DISTRIBUTING CO.			
	15		39273 R/R SINK REPLACEMENT/PARK	36.83	83042	
29240- 1528	15	9/18/2009	Logged	*** Total ***	36.83	
29241- 1528	16	9/18/2009	6070 FRESNO MADERA AREA AGNY ON AGI			
	16		39277 SITE SUPPLIES JULY 09	134.13	10-0004	
29241- 1528	16	9/18/2009	Logged	*** Total ***	134.13	
29242- 1528	17	9/18/2009	10050 JUDICIAL DATA SYSTEMS CRP			
	17		39268 PARKING ACTIVITY AUG 09	100.00	480	

CITIBANK AP						
Check-Run	Seq#	Date	Vendor / Name / Obligat'n	Description	Net amount	Invoice number PO number
29242- 1528	17	9/18/2009	Logged	*** Total ***	100.00	
29243- 1528	18	9/18/2009	11033 KERWEST NEWSPAPERS			
	18		39253 CLASSIFIED/SGT POSITION 9/9 -		50.00	21892
29243- 1528	18	9/18/2009	Logged	*** Total ***	50.00	
29244- 1528	19	9/18/2009	11063 KRAZAN & ASSOCIATES INC			
	19		39249 ENGINEERING/WHITESBRIDGE WIDEN		575.00	0169768-9221
	19		39250 LAB TESTING/WHITESBRIDGE WIDEN		1,250.00	0169769-9221
29244- 1528	19	9/18/2009	Logged	*** Total ***	1,825.00	
29245- 1528	20	9/18/2009	14014 NEXTEL COMMUNICATIONS			
	20		39236 MO SVC - 8/12/09-9/11/09		1,810.63	622685312094
29245- 1528	20	9/18/2009	Logged	*** Total ***	1,810.63	
29246- 1528	21	9/18/2009	15000 OFFICE DEPOT			
	21		39232 DESK PANEL/FRONT DESK		235.23	485975328001
	21		39254 COPY/COLORED PAPER/TAPE/MEMO		40.66	487242620001
	21		39261 COPY PAPER/WALL CLOCK		221.76	487690090001
	21		39280 ENVELOPES/LABELS		57.63	487233757001
	21		39281 TONER CARTRIDGES		213.68	487036744001
	21		39282 COPY PAPER/COLORED PAPER		80.65	482926096001
29246- 1528	21	9/18/2009	Logged	*** Total ***	849.61	
29247- 1528	22	9/18/2009	16025 P.G. & E.			
	22		39233 MO SVC 8/11/09-9/10/09/SKATE/S		521.22	6206788690 9/10
	22		39234 MO SVC 8/11/09-9/10/09/STAGE/S		89.18	9217439139 9/10
	22		39267 MO SVC/CITYWIDE 7/1/09-9/1/09		45,526.74	1987076107 9/09
29247- 1528	22	9/18/2009	Logged	*** Total ***	46,137.14	
29248- 1528	23	9/18/2009	16054 PETE'S SPORT SHOP			
	23		39279 TBALL/YOUTH VALLEYBALL		93.13	AAD008752-ADO
29248- 1528	23	9/18/2009	Logged	*** Total ***	93.13	
29249- 1528	24	9/18/2009	16070 PITNEY BOWES INC			
	24		39266 QUARTERLY RENTAL/POSTAGE MACHI		1,602.00	6839923-SP09
29249- 1528	24	9/18/2009	Logged	*** Total ***	1,602.00	
29250- 1528	25	9/18/2009	4097 RAUL HERRERA			
	25		39231 PRE EMP POLYGRAPH/ KAYE		150.00	KERMPDSEPT15
29250- 1528	25	9/18/2009	Logged	*** Total ***	150.00	
29251- 1528	26	9/18/2009	8055 RENEE HOLDCROFT			
	26		39265 REIMB/MISC SUPPLIES		77.02	CC 9/16/09
29251- 1528	26	9/18/2009	Logged	*** Total ***	77.02	
29252- 1528	27	9/18/2009	19159 SDU C/O HOLLIE MICHELLE HALLAU			
	27		39262 *C WAGE ASSIGNMENT 19900000008		369.23	P/E 9/11/09
29252- 1528	27	9/18/2009	Logged	*** Total ***	369.23	
29253- 1528	28	9/18/2009	19566 TECHNICON ENGINEERING SERVICES			
	28		39246 CTC/CITY HALL P/LOT IMP		862.00	69226

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description	Net amount	Invoice number	PO number
29253- 1528	28	9/18/2009	39251 ENG SVC/CITY HALL/CTC P/LOT IM Logged	343.00 1,205.00	69307	
			*** Total ***			
29254- 1528	29	9/18/2009	11964 TIM J LAW			
	29		39270 EMP BACKGROUND/ANTUNA	500.00	547	
	29		39271 EMP BACKGROUND/KAYE	500.00	549	
29254- 1528	29	9/18/2009	Logged	1,000.00		
			*** Total ***			
29255- 1528	30	9/18/2009	22002 VALLEY FOOD CENTER			
	30		39269 KITCHEN CLEANING SUPPLIES	9.12	1341	9/17/09
	30		39278 EVENT/PROGRAM SUPPLIES	173.09	2525	9/2/09
29255- 1528	30	9/18/2009	Logged	182.21		
			*** Total ***			
29256- 1528	31	9/18/2009	22010 VALLEY SANITARY SUPPLY			
	31		39283 SOAP DISPENSERS	44.90	153557	
	31		39284 LATEX GLOVES/FLOOR CLEANER	159.78	153351	
	31		39285 VACUUM MOTOR	209.00	153298	
	31		39286 JANITORIAL SUPPLIES	2,699.24	153016	
29256- 1528	31	9/18/2009	Logged	3,112.92		
			*** Total ***			
29257- 1528	32	9/18/2009	24001 XEROX CORPORATION			
	32		39275 REC BASE CHARGE - JULY 09	271.64	042163902	
	32		39276 REC BASE CHARGE - AUG 09	271.64	042767625	
29257- 1528	32	9/18/2009	Logged	543.28		
			*** Total ***			
29258- 1528	33	9/18/2009	26005 ZEP MANUFACTURING CO			
	33		39245 ZEP-O-SHINE	321.32	60494303	
29258- 1528	33	9/18/2009	Logged	321.32		
			*** Total ***			
29259- 1530	1	9/25/2009	1012 A.V.R., INC.			
	1		39301 UVISION ONLINE MONTHLY ACCESS	250.00	18532	
	1		39302 UVISION ONLINE MO ACCESS - AUG	250.00	19031	
29259- 1530	1	9/25/2009	Logged	500.00		
			*** Total ***			
29260- 1530	2	9/25/2009	1038 ADMINISTRATIVE SOLUTIONS, INC			
	2		39323 DENTAL FUNDING / OCT 09	4,340.09	8574	
	2		39324 BLUE SHIELD PLAN ADMIN OCT 09	615.00	11845	
	2		39325 KAISER PLAN ADMIN OCT 09	240.00	33705	
	2		39326 KAISER MED CLAIMS OCT 09	2,475.00	KAISER 10/09	
	2		39327 BLUE SHIELD MED CLAIMS FUND OC	7,500.00	B/S MED 10/09	
29260- 1530	2	9/25/2009	Logged	15,170.09		
			*** Total ***			
29261- 1530	3	9/25/2009	1031 ALERT O LITE			
	3		39321 MESH VEST	26.84	0370345-IN	
	3		39353 SIGNS/BARRICADES - HARVEST FES	391.00	00003704	
29261- 1530	3	9/25/2009	Logged	417.84		
			*** Total ***			
29262- 1530	4	9/25/2009	1075 ARCO BUSINESS SOLUTIONS			
	4		39318 FUEL FOR CITY VEHICLES 8/16-9/	3,484.46	FJ373	9/18
29262- 1530	4	9/25/2009	Logged	3,484.46		
			*** Total ***			
29263- 1530	5	9/25/2009	1109 AT&T			

		CITIBANK AP					
Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description	Net amount	Invoice number	PO number	
29263- 1530	5		39298 T-1 LINE SEPT 10-OCT 9	260.71	9/10/09		
	5	9/25/2009	Logged	*** Total ***	260.71		
29264- 1530	6	9/25/2009	1135 AT&T MOBILITY				
	6		39299 MDT SERVICE 8/9/09-9/8/09	234.25	X091609		
29264- 1530	6	9/25/2009	Logged	*** Total ***	234.25		
29265- 1530	7	9/25/2009	2053 BLUE SHIELD OF CALIFORNIA				
	7		39296 GROUP/COBRA MED INS OCT 09	24,663.00	4329440	10/09	
29265- 1530	7	9/25/2009	Logged	*** Total ***	24,663.00		
29266- 1530	8	9/25/2009	19130 CALIFORNIA STATE DISBURSEMENT				
	8		39335 *C WAGE ASSIGNMENT 0192596302-	184.62	P/D 9/25/09		
	8		39336 *C WAGE ASSIGNMENT 0195023686-	499.00	P/D 9/25/09		
29266- 1530	8	9/25/2009	Logged	*** Total ***	683.62		
29267- 1530	9	9/25/2009	12901 CHERYL MEDEIROS				
	9		39341 REIMB/CVSS MEETING/LUNCH	45.00	DOUG/ROBERT/CHE		
29267- 1530	9	9/25/2009	Logged	*** Total ***	45.00		
29268- 1530	10	9/25/2009	3134 CSJVRMA				
	10		39303 2ND QTR DEPOSITS/WORKERS COMP/	49,203.56	RMA-2010-0085		
29268- 1530	10	9/25/2009	Logged	*** Total ***	49,203.56		
29269- 1530	11	9/25/2009	4003 DAPPER TIRE				
	11		39344 2 TIRES/VEH 1374	252.14	129857		
	11		39345 TIRES/SHOP STOCK AND VEH 420	576.28	129784		
29269- 1530	11	9/25/2009	Logged	*** Total ***	828.42		
29270- 1530	12	9/25/2009	4074 DELLAVALLE LABORATORY, INC				
	12		39338 DRY SLUDGE SAMPLE TESTING	2,074.00	912895		
29270- 1530	12	9/25/2009	Logged	*** Total ***	2,074.00		
29271- 1530	13	9/25/2009	4103 DON BERRY CONSTRUCTION, INC				
	13		39351 WHITESBRIDGE WIDENING/PHASE II	12,161.70	PP 5		
29271- 1530	13	9/25/2009	Logged	*** Total ***	12,161.70		
29272- 1530	14	9/25/2009	5023 EWING IRRIGATION PRODUCTS				
	14		39289 CARSON GREEN LID	22.17	974192		
	14		39290 CHRISTY LID	13.43	974193		
29272- 1530	14	9/25/2009	Logged	*** Total ***	35.60		
29273- 1530	15	9/25/2009	6038 FRESNO BEE				
	15		39316 CLASSIFIED/SGT/SUNDAY AD	50.00	T090804552401		
29273- 1530	15	9/25/2009	Logged	*** Total ***	50.00		
29274- 1530	16	9/25/2009	7979 HANFORD COMM MEDICAL CENTER				
	16		39295 PRE-EMP PHYSICAL/KEN MOORE	132.83	3000231021		
29274- 1530	16	9/25/2009	Logged	*** Total ***	132.83		
29275- 1530	17	9/25/2009	8041 HD SUPPLY WATERWORKS, LTD				
	17		39322 TRAFFIC VALVE BOX/LID	483.96	9532180		

CITIBANK AP						
Check-Run	Seq#	Date	Vendor / Name / Obligat'n	Description	Net amount	Invoice number PO number
29275-1530	17	9/25/2009	Logged	*** Total ***	483.96	
29276-1530	18	9/25/2009	8960 IDTS, INC			
	18		39311 ENROLLMENT/2 EMP		10.00	19615
29276-1530	18	9/25/2009	Logged	*** Total ***	10.00	
29277-1530	19	9/25/2009	9004 INTERNATIONAL CODE COUNCIL			
	19		39330 MEMBERSHIP DUES		100.00	2740120
	19		39331 3 WEBINARS/BLDG UPDATES/KUFUS		200.00	1146182-IN
29277-1530	19	9/25/2009	Logged	*** Total ***	300.00	
29278-1530	20	9/25/2009	10981 KAISER FOUNDATION HEALTH PLAN,			
	20		39294 GROUP MEDICAL COVERAGE 10/1/09		6,168.00	45929-0006 10/1
29278-1530	20	9/25/2009	Logged	*** Total ***	6,168.00	
29279-1530	21	9/25/2009	11033 KERWEST NEWSPAPERS			
	21		39319 LAMINATE EMERGENCY CARDS		32.00	21936
29279-1530	21	9/25/2009	Logged	*** Total ***	32.00	
29280-1530	22	9/25/2009	11999 LAURISSA GALLARDO			
	22		39304 REIMB/KYC PARADE FLOAT/PIZZA		147.36	9/11/09
29280-1530	22	9/25/2009	Logged	*** Total ***	147.36	
29281-1530	23	9/25/2009	18076 MONIA RODRIGUEZ			
	23		39315 BLOOD DRAW		100.00	09-1504
29281-1530	23	9/25/2009	Logged	*** Total ***	100.00	
29282-1530	24	9/25/2009	6031 MONICA FONSECA			
	24		39329 REIMB/WEED ABATEMENT FILING		5.50	LIENS FILED
29282-1530	24	9/25/2009	Logged	*** Total ***	5.50	
29283-1530	25	9/25/2009	13976 NAFFA INTERNATIONAL, INC			
	25		39347 PLAN CHECK 15261 W C ST		169.88	3875
29283-1530	25	9/25/2009	Logged	*** Total ***	169.88	
29284-1530	26	9/25/2009	15000 OFFICE DEPOT			
	26		39312 PAPER FASTENERS/INK CARTRIDGES		67.42	488274776001
	26		39313 STAPLE REMOVER/LABELS/FILE DRA		41.09	4879945865001
	26		39339 GARBAGE RECEPTACLES/CITY HALL		122.58	488178827001
	26		39352 KEY CABINET/CITY HALL		121.22	481048301001
29284-1530	26	9/25/2009	Logged	*** Total ***	352.31	
29285-1530	27	9/25/2009	16025 P.G. & E.			
	27		39291 MO SVC 8/15/09-9/15/09-SOROPTO		174.21	1019447562 9/09
	27		39349 MO SVC 8/20/09-9/18/09/WELL 15		5,524.78	54677.8309 9/20
29285-1530	27	9/25/2009	Logged	*** Total ***	5,698.99	
29286-1530	28	9/25/2009	7005 PHILIP GALLEGOS			
	28		39309 REIMB/MISC SUMMER PROG SUPPLIE		265.12	RECEIPTS ATTACH
29286-1530	28	9/25/2009	Logged	*** Total ***	265.12	
29287-1530	29	9/25/2009	16069 PITNEY BOWES PURCHASE POWER			

		CITIBANK AP					
Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description		Net amount	Invoice number	PO number
	29		39293 POSTAGE FOR MACHINE		1,541.77	44326767	9/09
29287- 1530	29	9/25/2009	Logged	*** Total ***	1,541.77		
29288- 1530	30	9/25/2009	16071 PITNEY BOWES INC				
	30		39292 POSTAGE INK/TAPE/CLEANER		311.23	902114	
29288- 1530	30	9/25/2009	Logged	*** Total ***	311.23		
29289- 1530	31	9/25/2009	16092 POSTAL ANNEX				
	31		39342 SHIP WWTP CONTRACT/CLARK BROS		25.14	57251	
29289- 1530	31	9/25/2009	Logged	*** Total ***	25.14		
29290- 1530	32	9/25/2009	17006 QUINN COMPANY				
	32		39337 PIN-GET/RETAINER ASS/TIP-SOIL		286.11	PC000243407	
29290- 1530	32	9/25/2009	Logged	*** Total ***	286.11		
29291- 1530	33	9/25/2009	18011 REAL-TIME INFORMATION SERVICES				
	33		39328 SYSTEM ENGINEER/AFTER HOURS		288.75	21264	
29291- 1530	33	9/25/2009	Logged	*** Total ***	288.75		
29292- 1530	34	9/25/2009	18027 RENO'S HARDWARE				
	34		39333 MISC INVOICES/AUGUST 09		372.19	AUG 09	
29292- 1530	34	9/25/2009	Logged	*** Total ***	372.19		
29293- 1530	35	9/25/2009	19019 SAN JOAQUIN VALLEY AIR POLLUTI				
	35		39305 09/10 ANNUAL PERMIT / KPD		240.00	C148857	
	35		39306 09/10 ANNUAL PERMIT/WWTP		240.00	C148845	
	35		39307 09/10 ANNUAL PERMIT/CITY YARD		240.00	C148849	
29293- 1530	35	9/25/2009	Logged	*** Total ***	720.00		
29294- 1530	36	9/25/2009	19159 SDU C/O HOLLIE MICHELLE HALLAU				
	36		39334 *C WAGE ASSIGNMENT 19900000008		369.23	P/D 9/25/09	
29294- 1530	36	9/25/2009	Logged	*** Total ***	369.23		
29295- 1530	37	9/25/2009	11010 SEBASTIAN				
	37		39320 MOVE PBX FROM KPD TO CITY HALL		2,170.48	41725	
29295- 1530	37	9/25/2009	Logged	*** Total ***	2,170.48		
29296- 1530	38	9/25/2009	19566 TECHNICON ENGINEERING SERVICES				
	38		39346 CTC/CITY HALL PARKING LOT TEST		687.00	69410	
29296- 1530	38	9/25/2009	Logged	*** Total ***	687.00		
29297- 1530	39	9/25/2009	20057 THE EQUIPMENT DOCTOR				
	39		39343 SERVICE CALL/REPAIR/TIRE MACHI		223.94	004553	
29297- 1530	39	9/25/2009	Logged	*** Total ***	223.94		
29298- 1530	40	9/25/2009	10017 TONI JONES				
	40		39297 NOTARY STAMP/RECORD COMMISSION		65.35	NOTARY	
29298- 1530	40	9/25/2009	Logged	*** Total ***	65.35		
29299- 1530	41	9/25/2009	20054 TRI COUNTY GRADING & PAVING				
	41		39340 2008 STREET OVERLAY PROJECT		24,891.93	RETENTION	
29299- 1530	41	9/25/2009	Logged	*** Total ***	24,891.93		

CITIBANK AP

Check-Run	Seq#	Date	Vendor / Name / Obligat'n Description	Net amount	Invoice number	PO number
29300- 1530	42	9/25/2009	99999 U.S. BANK CORPORATE PAYMENT SY			
	42		39308 PURCHASES 8/24/09 INVOICE	2,383.81	8/24/09	
29300- 1530	42	9/25/2009	Logged	*** Total ***	2,383.81	
29301- 1530	43	9/25/2009	22002 VALLEY FOOD CENTER			
	43		39300 RENT RUG CLEANING MACHINE	41.39	1341 9/19/09	
	43		39314 RUG DOCTOR CLEANING SOLUTION	20.69	1341 9/21/09	
	43		39350 KERMAN LEADERSHIP BREAKFAST	27.74	1341 9/23	
29301- 1530	43	9/25/2009	Logged	*** Total ***	89.82	
29302- 1530	44	9/25/2009	23022 WEST HILLS OIL, INC			
	44		39317 FUEL/CITY VEH/9/1-9/15/09	2,042.12	24470	
29302- 1530	44	9/25/2009	Logged	*** Total ***	2,042.12	
29303- 1530	45	9/25/2009	25001 YAMABE & HORN ENGINEERING			
	45		39348 MISC ENGINEERING SVC SEPT 2009	16,462.43	25889-25899	
29303- 1530	45	9/25/2009	Logged	*** Total ***	16,462.43	
29304- 1532	1	9/28/2009	0 OLGA LARA			
	1		39355 *C REFUND OVERPAYMENT	64.55	1-01-08565-01	
29304- 1532	1	9/28/2009	Logged	*** Total ***	64.55	
** Total MFP discount **				.00		
** Total MFP amount **				.00		
** Total check discount **				.00		
** Total check amount **				411,594.22		
** Total void discount **				.00		
** Total void amount **				35.60		

Date	Item	Cardholder Acct	Internal Acct Code	Amount
<b>William Newton</b>				
07/30/09	Postal Annex	Vest paperwork to Washington Dc	10.0.3011.521.02	\$ 17.50
08/17/09	EASYIDCARD	ID cards, 3 officers	10.0.3011.521.30	\$ 45.00
07/31/09	Xerox	Staples	10.0.3011.521.01	\$ 126.61
				Newton
				\$ 189.11
<b>Ken Moore</b>				
07/23/09	Fajuta Fiesta Mexican lunch meeting/WWTP-ARRA		42.0.4014.554.01	\$ 24.89
07/29/09	Target	Sledgehammer WSB	10.0.4011.521.04	\$ 188.27
08/05/09	Target	Return Demon max Chem	10.0.4011.521.04	\$ (87.03)
				Moore
				\$ 126.13
<b>Ron Manfredi</b>				
8/4/2009	Cecelia's Restaurant	Patlan/Walmart EIR presentation	10.0.1002.554.01	\$ 11.41
7/31/2009	Perko's		10.0.1002.554.01	\$ 23.37
8/11/2009	Taqueria El Rincon		10.0.1002.554.01	\$ 12.78
				Manfredi
				\$ 47.56
<b>Phillip Gallegos</b>				
07/22/09	Smart & Final	Lock In food items	16.0.0000.230.65	\$ 226.63
7/27/09	Wal Mart	Prizes/life guard olympics	10.0.2047.521.02	\$ 64.80
07/24/09	Reedley College	Movie Tickets/Lock in prizes	10.0.2065.521.02	\$ 261.38
08/14/09	Guitar Center	Speaker cables/CTC	10.0.2069.521.02	\$ 141.62
				Gallegos
				\$ 694.43
<b>Renee Holdcroft</b>				
07/22/09	Dallas Midwest	Ganging Clips/Chairs	10.0.1002.521.02	\$ 129.90
07/30/09	Lowe's	Cleaning Supplies	10.0.1002.521.02	\$ 19.03
08/07/09	League of Ca Cities	T. Rodriguez Attended Conf	10.0.6001.554.01	\$ 600.00
08/13/09	Dallas Midwest	Bookcases	13.4024.600.04.01	\$ 400.00
08/13/09	Dallas Midwest	Bookcases	10.0.1002.521.02	\$ 135.48
08/14/09	Perforated Paper.co,	Dedication Invitations	10.0.6001.570.00	\$ 42.17
				Renee
				\$ 1,326.58
				<b>TOTAL</b>
				<b>\$ 2,383.81 \$ 2,383.81</b>

**RESOLUTION NO.09-**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN  
AUTHORIZING FINAL ACCEPTANCE AND NOTICE OF COMPLETION  
FOR WHITESBRIDGE WIDENING STPLN 5291 (010) PHASE II**

WHEREAS, Don Berry Construction, Inc. has completed the work for the Whitesbridge Widening STPLN 5291 (010) Phase II 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 Whitesbridge Widening STPLN 5291 (010) Phase II and requests Council to authorize the City Clerk to record the Notice of Completion for the project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN HEREBY ACCEPTS the Whitesbridge Widening STPLN 5291 (010) Phase II and authorizes the City Clerk to record the Notice of Acceptance.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 7<sup>th</sup> day of October, 2009, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

---

TRINIDAD M. RODRIGUEZ  
MAYOR, CITY OF KERMAN

ATTEST:

---

L. RENEE HOLDCROFT  
CITY CLERK, CITY OF KERMAN

Resolution No. 09-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN  
APPROVING COVENANT FOR STORM DRAIN BASIN FOR THE  
NEIGHBORHOOD SHOPPING CENTER

---

WHEREAS, Wilson Kerman, LLC has obtained approval by the City of Kerman to construct a shopping center at the southeast corner of Madera Avenue and Whitesbridge Road through approval of Site Plan Review No. 07-19, known as the Neighborhood Shopping Center, the “project;” and

WHEREAS, permanent storm drain facilities are not available to provide for the disposal of storm water for Phase I of the project; and

WHEREAS, Wilson Kerman, LLC proposes to construct and maintain a temporary storm drain basin on a portion of the project sites until such time as permanent facilities are available; and

WHEREAS, The City of Kerman and Wilson Kerman, LLC desire to enter into an agreement to provide for the operation and maintenance of the temporary storm drain basin.

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

1. The Basin Covenant shown in Exhibit “A” is hereby approved.
2. The City Manager is hereby authorized to sign the Covenant 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 October, 2009, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

\_\_\_\_\_  
TRINIDAD M. RODRIGUEZ, MAYOR

ATTEST:

\_\_\_\_\_  
L. RENEE HOLDCROFT, CITY CLERK

EXHIBIT "A"

FOR THE BENEFIT OF  
THE CITY OF KERMAN

WHEN RECORDED RETURN TO  
AND RECORDING REQUESTED BY:

City of Kerman  
Planning and Development Services  
850 S. Madera Avenue  
Kerman, CA 93630-1799

APN: 023-030-19, 20 & 21  
ADDRESS: SEC Whitebridge & Madera Avenues  
SPR 07-19

**BASIN COVENANT  
AFFECTING LAND DEVELOPMENT  
NEIGHBORHOOD SHOPPING CENTER**

A. WILSON KERMAN, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, hereinafter referred to as "the Covenantor," is the owner of that certain real property in the City of Kerman, County of Fresno, State of California, hereinafter referred to as "the Subject Property," and more particularly described as:

Parcels A, B, C, D, E, F, G, H and I, of Parcel Map No. 08-01, in the City of Kerman, County of Fresno, State of California, according to the map thereof recorded in Book \_\_\_\_\_ of Parcel Maps at Pages \_\_\_\_\_ and \_\_\_\_\_, Fresno County Records.

B. A condition of approval of SPR No. 07-19 is a requirement that the Covenantor provide on-site temporary drainage facilities for the subdivision until such time that permanent facilities are available.

C. The Covenantor and the City of Kerman desire to enter into an agreement providing for such facilities.

**COVENANTS, CONDITIONS AND RESTRICTIONS**

The Covenantor hereby covenants that the Subject Property shall be held, conveyed, encumbered, used, occupied, developed, maintained, and improved subject to the following covenants, conditions, and restrictions, which are for the purpose of

enhancing attractiveness, usefulness, value, desirability, and safety of the Subject Property, the surrounding property and the public at large, and to minimize possible adverse effects on the public health, safety, peace, and general welfare. Each of the covenants, conditions, and restrictions contained in this Statement shall run with the Subject Property and shall be binding upon and inure to the benefit of each successive owner of the Subject Property and his heirs, successors, and assigns during his ownership thereof.

1. The Covenantor agrees that the following described property:  
Parcels D, E, F, G, H and I, of Parcel Map No. 08-01, in the City of Kerman, County of Fresno, State of California, according to the map thereof recorded in Book \_\_\_\_\_ of Parcel Maps at Pages \_\_\_\_ and \_\_\_\_\_, Fresno County Records.

shall be used as temporary flooding and drainage facilities until the City of Kerman determines that such use is no longer necessary. The owner of the property on which the temporary basin(s) are located shall backfill said basin(s) within ninety (90) days after notice is given by the City that the basin(s) are no longer needed. The Covenantor grants to the City of Kerman the right to enter upon the Subject Property for purposes of inspection and maintenance of the drainage facilities and to regulate the use of and access to the Subject Property.

2. The conditions of this Statement are intended to benefit the Subject Property, the public, the City of Kerman and its public properties. Accordingly, it is agreed the City of Kerman shall have the right to enforce this Statement by any legal or equitable means, including, but not limited to, obtaining an order of specific performance, against the Covenantor and such person or persons in actual possession of Subject property who directly or who through any agent violate the terms hereof.

3. The foregoing conditions shall remain in full force and effect until such time as the City of Kerman, determines in its sole discretion that the enforcement of all or part of this Covenant is no longer equitable.

4. The provisions of this Statement shall be deemed independent and severable and the validity or partial invalidity or unenforceability of any one provision or portion thereof shall not affect the validity or enforceability of any other provision hereof. Whenever the context of the Statement so requires, in interpreting this Statement, any gender includes the other genders, the singular includes the plural, and the plural includes the singular.

DATED: \_\_\_\_\_

Accepted by:

City of Kerman  
a Municipal Corporation

Covenantor  
WILSON KERMAN, LLC, A  
CALIFORNIA LIMITED  
LIABILITY COMPANY

By \_\_\_\_\_  
Ron Manfredi  
City Manager

By \_\_\_\_\_  
David R. Wilson, Trustee

ATTEST:

\_\_\_\_\_  
L. Renee Holdcroft  
City Clerk

ATTACH NOTARY ACKNOWLEDGMENT

**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN AMENDING  
SALARY SCHEDULE “C” (09-10) FOR KERMAN PUBLIC SAFETY EMPLOYEES  
ASSOCIATION (KPSEA).**

THE CITY COUNCIL OF THE CITY OF KERMAN DOES RESOLVE as follows:

1. That the amended salary schedule referenced as Exhibit C, Kerman Public Safety Employees Association (KPSEA) – Revised October, 2009 (attached) is approved as part of the Memorandum of Understanding (MOU) between the City of Kerman and the KPSEA for the period in time herein specified on the salary schedule.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 7th day of October, 2009, and approved at said regular meeting by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

---

Trinidad M. Rodriguez  
Mayor

ATTEST:

---

L. Renee Holdcroft  
City Clerk

# EXHIBIT "C"

## Public Safety Employees September 2009 - July 30, 2011

<b>Public Safety</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>	<b>Step F</b>	<b>Step G</b>
<b>Sergeant *</b>	\$ 4,610	\$ 4,840	\$ 5,082	\$ 5,336	\$ 5,603	\$ 5,883	\$ 6,177
<b>Corporal</b>	\$ 3,865	\$ 4,058	\$ 4,261	\$ 4,474	\$ 4,697	\$ 4,932	\$ 5,179
<b>Police Officer</b>	\$ 3,505	\$ 3,680	\$ 3,864	\$ 4,057	\$ 4,260	\$ 4,473	\$ 4,697
<b>Records Manager</b>	\$ 2,734	\$ 2,871	\$ 3,015	\$ 3,165	\$ 3,324	\$ 3,490	\$ 3,664
<b>Records Clerk</b>	\$ 2,321	\$ 2,437	\$ 2,558	\$ 2,686	\$ 2,821	\$ 2,962	\$ 3,110
<b>Administrative Assistant</b>	\$ 2,734	\$ 2,871	\$ 3,015	\$ 3,165	\$ 3,324	\$ 3,490	\$ 3,664

*\* Sergeant Range Adjusted 5%: Incumbent Employees move back one range on merit anniversary and if positive evaluation advance to next applicable step.*

1 ORDINANCE NO. 09- \_\_\_\_

2 AN URGENCY ORDINANCE OF THE CITY OF KERMAN ADDING CHAPTER 3.22  
3 THE KERMAN MUNICIPAL CODE TO ESTABLISH A POLICY AND PROCEDURE FOR  
4 THE POLICY FOR SELECTION AND COMPENSATION  
5 OF ARCHITECTURAL, ENGINEERING AND OTHER CONSULTANTS  
6

7 WHEREAS, the City Council of the City of Kerman is authorized pursuant to Section  
8 4526 of the Government Code to select and enter into contracts for professional architectural,  
9 engineering, environmental, land surveying, or constructing project management on the basis of  
10 demonstrated competence and professional qualifications necessary for the satisfactory  
11 performance of the services required. Section 4526 further provides that in order to implement  
12 this method of selection, local agencies contracting for such services may by ordinance adopt  
13 procedures that assure the engagement of such services on the basis of demonstrated competence  
14 and qualifications for the types of services to be performed and at fair and reasonable prices to  
15 the local agency. Such procedures shall assure maximum participation of small business firms,  
16 and specifically prohibit practices which might result in specified unlawful activities.  
17

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

20 SECTION 1: Chapter 3.22 is hereby added to the Kerman Municipal  
21 Ordinance to read as set forth in Exhibit A attached hereto and incorporated by this reference as  
22 if set forth herein in full.

23 SECTION 2: The Council finds that this ordinance is for the immediate protection and  
24 preservation of the public peace, health, safety, and welfare in that its enactment is a precondition to the  
25 receipt of federal funding that can be used for the construction of additional storm drain facilities so that  
26 in a major storm, the stormwater on the east side of Madera Avenue does not back up and flood the  
27 streets and threaten the houses for several blocks including the medical center and the motel on  
28 California and Madera Avenue. The availability of federal funds requires strict compliance with short  
timelines, and the approaching winter season which is predicted to include an El Nino event with higher

1 probabilities of significant precipitation events, all make it necessary for this ordinance to take effect  
2 immediately upon passage. Therefore, upon the approval of four-fifths of the City Council, this  
3 ordinance shall become effective and in full force immediately upon its adoption. Publication of this  
4 ordinance or a summary of the same within fifteen days (15) of passage pursuant to the laws of the State  
5 of California in the Kerman News, a newspaper of general circulation published and circulated in the  
6 City of Kerman is hereby ordered and directed.

7 The foregoing ordinance was introduced and given its first reading at a regular meeting of the  
8 City Council of the City of Kerman held on the 16<sup>th</sup> day of September, 2009, and was amended  
9 to be passed as an urgency ordinance after a second reading and noticed public hearing held  
10 pursuant to law at a regular meeting of the City Council of the City of Kerman on the 7th day of  
11 October, 2009 by the following vote:

12  
13 AYES:

14 NOES:

15 ABSENT:

16 ABSTAIN:

17  
\_\_\_\_\_  
18 MAYOR, CITY OF KERMAN

19  
20  
21 ATTEST

\_\_\_\_\_  
22 CITY CLERK  
23  
24  
25  
26  
27  
28

# EXHIBIT A

## Chapter 3.22

### Procedure and Policy for Selection and Compensation of Architectural, Engineering and other Consultants

#### Sections:

#### 3.22.010 Purpose.

#### 3.22.020 Definitions.

#### 3.22.030 Procedures implementing selection of consultants.

#### 3.22.010 Purpose.

A. Section 4526 of the California Government Code provides that the selection of private firms providing professional architectural, engineering, environmental, land surveying, or constructing project management services shall be on the basis of demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required. Section 4526 further provides that in order to implement this method of selection, local agencies contracting for such services may by ordinance adopt procedures that assure the engagement of such services on the basis of demonstrated competence and qualifications for the types of services to be performed and at fair and reasonable prices to the local agency. Such procedures shall assure maximum participation of small business firms, and specifically prohibit practices which might result in specified unlawful activities.

B. It is the purpose of this policy to adopt procedures which implement the selection of consultants in accordance with the authorization provided in Government Code Section 4526.

C. It is the finding of the City Council of City of Kerman that the procedures herein implement the method for selection of professional services identified in Government Code Section 4526, and that such procedures assure the engagement of such services on the basis of demonstrated competence and qualification necessary for the satisfactory performance of the type of services to be performed, and at a fair and reasonable price to City of Kerman City.

#### 3.22.020 Definitions.

The following words when used in this policy shall have meanings ascribed to them, and all other words and phrases shall be given their ordinary meaning:

- A. "City Council" means the City Council of the City of Kerman.
- B. "Consultant" means an architect, professional engineer, environmental firm, land surveying firm, or construction project management firm, as used in Government Code Section 4526.
- C. "City" means the City of Kerman or its authorized representative.
- D. "Executive" means the City Manager of City of Kerman, or the Executive's designated agent.
- E. "Policy" refers to this policy adopted by the City Council, entitled "Policy for Selection and Compensation of Architectural, Engineering and other Consultants."

3.22.030 Procedures implementing selection of consultants.

A.

**1. General.** The procedures herein implement the selection of consultants on the basis of demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required, by assuring engagement of services on the basis of demonstrated competence and professional qualification for the type of services to be performed and at a fair and reasonable price to the City. The general framework for each such procedure is:

a) When a project requiring architectural, landscape architectural, engineering, environmental or land surveying services of a value of over \$20,000 is identified by the City Council, an announcement shall be made by the Executive selectively advertising to reach providers of services within the appropriate trade or profession by publishing the announcement through electronic communications media which support bulletin boards or Internet Web sites that have demonstrated statewide accessibility and are regularly maintained at established addresses by professional organizations which are representative of the services to be procured, or through such other media as may reach providers of the services to be procured. Additionally, the Executive may publish an announcement in a construction trade journal or in other appropriate publication, if any exist. The announcement shall be published within a reasonable time frame so that a lengthy publication delay does not adversely affect the project. Where the value of services to be provided exceeds \$100,000, the Executive shall also advertise the request for proposals or qualification in a newspaper of general circulation within a 50 mile radius of the project location.

(b) The announcement shall contain the following minimal information: The nature of the work, the criteria upon which the award shall be made, and the time within which statements of interest, qualification and performance data must be received by the Director.

(c) The Executive shall endeavor to provide to all small business firms who have indicated an interest in receiving such, a copy of each announcement for projects for which the Executive concludes that small business firms could be especially qualified. A failure of the Executive to send a copy of an announcement to any firm shall not operate to preclude any contract.

(d) The Executive shall have obtained pertinent information from consultants to be used to determine those consultants who have the demonstrated competence and professional qualifications necessary for satisfactory performance of the types of services to be performed. Such consultants are placed in the "qualified pool."

(e) City shall then use pertinent information obtained from the consultants in the qualified pool for evaluation in accordance with the evaluation criteria set forth in this policy. Consultants passing evaluation are placed in the "candidate pool."

(f) City shall obtain estimated fees from consultants who are placed in the "candidate pool."

(g) City shall determine, based upon the estimated fees, those consultants from the "candidate pool" who can perform services at a price which is a fair and reasonable price to the City. Such consultants are placed in the "consultant pool" and are referred to as "finalists."

(h) The City Council hereby establishes selection criteria that will comprise the basis for the selection of eligible firms to perform the required services. The criteria includes such factors as professional experience of the firm in performing services of similar nature; quality and relevance of recently completed or ongoing work; reliability, continuity, and location of firm to the project site; staffing capability; ability to meet schedules; education and experience of key personnel to be assigned; knowledge of applicable regulations (including but not limited to, regulations applicable to federally-funded activities and projects) and technology associated with the services

required; specialized experience of the firm in the services to be performed; participation as a small business firm; and other factors the Executive deems relevant to the specific task to be performed.

If the contract is funded in whole or part by federal funds, the Executive shall include notice of such a funding source in the solicitations and advertisements issued in connection with the contract and the selection criteria shall include consideration of the consultant's capability to comply with applicable federal requirements. Unless otherwise directed by the City Council, the Executive may weigh these factors according to the nature of the proposed project, the complexity and special requirements of the specific services, and the needs of the City.

(i) City shall prepare a written description of the selection process and perform a cost or price analysis, and upon a determination that the process has complied with this policy and that the cost or price analysis shows that services for the project can economically benefit the City, the City may engage a consultant from among the finalists, based upon the terms and conditions most advantageous to the City, to perform the services.

## **2. Engagement Procedures.**

There shall be three procedures for the engagement of consultants: (1) Request for proposal ("RFP"); (2) informal proposals; or (3) contract extension. The applicability of a procedure to a public works project depends upon the construction cost or the estimated consultant fees involved for that project. Refer to the policy for the monetary parameters that apply to each procedure.

**(a) Requests for proposals.** RFP's are distributed to those consultants who previously expressed an interest in similar projects and are listed by the City for that purpose. Additional consultants may be added to that list at any time by written request.

Under this procedure, for projects where the estimated consultant fees will exceed \$25,000, consultants are required to submit formal proposals setting forth their qualifications as well as detailed information on provision of project-related services. Consultants are provided a design program or description of the proposed project and needed services. Consultants are required to answer questions developed by the Executive. Responses will be utilized to determine those consultants with the demonstrated competence and professional qualifications necessary for the satisfactory performance of the types of services.

Responsive proposals shall be submitted to the Executive. The Executive will refer all responsive proposals to an evaluation committee for screening.

The evaluation committee shall then determine those consultants who have the demonstrated competence and professional qualifications necessary for the satisfactory performance of the types of services to be performed. Such consultants are placed in the qualified pool. The evaluation committee will next evaluate all qualified consultants according to the evaluation criteria set forth in this policy. Such consultants are placed in the candidate pool. Consultants placed in the candidate pool shall be required to provide an estimated fee for the services to be performed, for a determination of those consultants who will perform services at a price which is a fair and reasonable price to the City. The evaluation committee shall then determine, based upon the estimated fee provided, those consultants within the candidate pool who shall perform the services at a price which is a fair and reasonable price to the City. Such consultants are placed in the consultant pool and are referred to as "finalists."

After the finalists have been identified, the evaluation committee will recommend to the City Council for selection the consultant(s) among the finalists who shall provide the services upon terms and conditions most advantageous to the City. Upon direction by the City Council, the Executive will enter into negotiation with the selected consultant over the final terms and conditions for the engagement of such services.

**(b) Informal Proposals.** Under this procedure, a consultant is selected from a list of qualified candidates. Interested consultants may be placed on the list by submitting a statement of qualifications and performance data on a City supplied form. The purpose of this statement is to obtain all pertinent information required of consultants for placement in a pool of consultant candidates with demonstrated competence and professional qualifications necessary for the types of services to be performed (the "qualified pool"). The Executive may, however, from time to time request additional information as deemed necessary or desirable. Statements are solicited by the Executive on annual basis, but may be updated by participating firms at any time. Additional interested firms may be added to the list at any time by submitting the completed City-supplied form.

Committee Selection. For projects identified where the estimated cost of services is less than \$25,000, an evaluation committee shall determine a candidate from the qualified pool based upon the evaluation criteria set forth in the evaluation committee shall then solicit an estimated fee from this candidate consultant. The evaluation committee will then determine if this consultant shall perform services at a fair and reasonable price. The evaluation committee will then select the consultant who shall provide the services upon terms and conditions most advantageous to the City. The Executive will enter into negotiations with the selected consultant over the final terms and conditions. The agreement will then be submitted to the City Council for approval.

Where this informal proposal procedure is used for procurement by noncompetitive proposals or procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate, then as part of its action in approving the proposed contract, the City Council shall make the following findings:

Procurement by noncompetitive proposals is necessary because the award of a contract is infeasible under small purchase procedures, sealed bids or competitive proposals and one of the following circumstances applies:

- (A) The item is available only from a single source;
- (B) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- (C) The awarding agency authorizes noncompetitive proposals; or
- (D) After solicitation of a number of sources, competition is determined inadequate.

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

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

**B. Prohibited Practices.** City employees shall not engage in practices which might result in unlawful activity including, but not limited to, rebates, kickbacks or unlawful consideration. In addition, City employees shall not participate in the selection, award or administration of contracts or contractors selected pursuant to the processes established herein when those employees have a relationship with a person or business entity seeking a contract under this

chapter which would subject those employees to the prohibition of Section 87100 and following of the Government Code, Section 1090 of the Government Code, or which would pose a real or apparent conflict of interest as specified in paragraph (b)(3) of Section 85.36 of Title 24 of the Code of Federal Regulations.

**C. Small Business Participation.** The City when issuing the RFP or in seeking to engage professionals to provide consulting services herein shall evaluate whether small business firms, as defined by the State Director of General Services pursuant to Section 14837 of the Government Code, could be especially qualified for the proposed project. If the Executive so concludes, he shall endeavor to provide a copy of each announcement for such projects to such small business firms that have indicated an interest in receiving any such information. A failure to provide a copy of announcement to any firm or firms shall not operate to invalidate any contract herein.

**D. Compliance with Applicable Law.** Each contract entered into pursuant to this policy shall comply with all applicable federal, state and local law. If the contract is funded in whole or part by federal funds, the Executive shall include notice of such a funding source in the solicitations and advertisements issued in connection with the contract, and the Executive shall comply with the requirements of Section 85.36 of Title 24 of the Code of Federal Regulations, and other applicable law. Such a contract shall include a provision by which the consultant firm warrants that the contract was not obtained or secured through rebates, kickbacks or other unlawful considerations either promised or paid to any City employee. Failure to adhere to this warranty may be cause for contract termination and recovery of damages under the rights and remedies due the City under the default provision of the contract.

RESOLUTION 09-\_\_\_\_\_

A RESOLUTION OF THE CITY OF KERMAN

SELECTING AN ENGINEERING CONSULTANT

WHEREAS, the City Council of City of Kerman is authorized pursuant to Section 4526 of the Government Code to enter into contracts for architectural, engineering and related professional services through negotiation with qualified providers of those services, and pursuant to that authorization the City has adopted policies and criteria for such professional services contracts.

THEREFORE LET IT BE RESOLVED, the City Council of City of Kerman hereby finds, resolves, and orders as follows:

1. THE CITY HAS ADOPTED POLICIES AND CRITERIA FOR SELECTING AND NEGOTIATING PROFESSIONAL SERVICES CONTRACTS, THE POLICY FOR SELECTION AND COMPENSATION OF ARCHITECTURAL/ENGINEERING CONSULTANTS (REFERRED TO HEREIN AS THE “CONSULTANT SELECTION POLICY”). A TRUE AND CORRECT COPY OF THE CONSULTANT SELECTION POLICY IIS CONTAINED IN EXHIBIT A **Chapter 3.22 “Procedure and Policy for Selection and Compesnation of Architectural Engineering and other Consultants Sections: 3.22.010; 3.22.020; 3.22.030**
2. Pursuant to the Consultant Selection Policy, the City has prepared and distributed a Notice for Request for Qualifications (the “RFQ”) to the engineering firms named below in order to obtain engineering services necessary for the planning, designing, bidding and oversight of various City facilities and improvements as more particularly described in the RFQ, including, but not limited to CDBG and other federally-funded projects. The RFQ indicates that the selected consultant may be offered a contract for not more than 3 years, and that it is estimated that the total engineering services to be obtained over that period will have a value of less than \$100,000. A true and correct copy of the RFQ is attached hereto as Exhibit “A”.
3. The RFQ was sent to:

§ **BLAIR, CHURCH & FLYNN CONSULTING**

§ **GIERSCH & ASSOCIATES, INC.**

§ **PROVOST & PRITCHARD ENGINEERING**

§ **YAMABE & HORN ENGINEERING**

4. Responses to the RFQ were received from:

§ **BLAIR, CHURCH & FLYNN CONSULTING**

§ **YAMABE & HORN ENGINEERING**

5. Pursuant to the Consultant Selection Policy, the City has reviewed the Responses and interviewed representatives of the Responding firms. The City has identified those consultants who are qualified and should be considered as candidates.

6. The City 's evaluation committee, after determining which firms were qualified, then evaluated the qualified firms to determine which of them best demonstrated the capability of timely providing the necessary engineering services and otherwise appeared to best serve the City 's selection criteria as specified in the RFQ namely, such factors as professional experience of the firm in performing services of similar nature; quality and relevance of recently completed or ongoing work; reliability, continuity, and location of firm to the project site; staffing capability; ability to meet schedules; education and experience of key personnel to be assigned; knowledge of applicable regulations (including but not limited to, regulations applicable to federally-funded activities and projects) and technology associated with the services required; specialized experience of the firm in the services to be performed. It was determined that **Yamabe & Horn Engineering** best met these criteria and that firm was to utilize the fee schedule as previously adopted by the Kerman City Council.

7. After analysis and negotiation, the City Manager and City Attorney agreed that a fee schedule, previously approved by the City Council and as set forth in the attached Exhibit "B" would be applicable to the consulting contract in substantially the form attached hereto as Exhibit "C", if approved by the City Council.

8. A cost analysis of the fee proposal and proposed contract indicates that the fee schedule fairly reflects applicable rates in this vicinity for the types of services to be provided, and will make the services available to the City at a fair and reasonable price and that the proposed contract will be advantageous to the City.

9. The City Council finds that the actions and decisions described above were conducted according to, and in compliance with, the Consultant Selection Policy, and directs and authorizes the City Manager to execute such contracts or other documents as may be necessary or convenient to procure the services of **Yamabe & Horn Engineering** and City staff and officers are directed to take such further actions as may be necessary or convenient to obtain such services, provided however that the contract with the selected firm shall not be executed by the City until a project grant agreement with the County of Fresno and committing funds for the project(s) has been executed.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 7<sup>th</sup> day of October, 2009 and passed at said meeting by the following vote:

Ayes  
Noes  
Absent  
Abstained

\_\_\_\_\_  
Mayor Trinidad Rodriguez

Attested \_\_\_\_\_  
L. Renee Holdcroft, City Clerk

# Exhibit A

## City of Kerman



### NOTICE INVITING STATEMENTS OF QUALIFICATIONS

The City of Kerman ("City") is a full service city operating a water distribution system, sanitary sewer collection system and treatment plant; and a storm drain collection system. In addition, the City of Kerman maintains approximately thirty-five miles of local streets; several city parks, public buildings and community centers and associated facilities.

The City periodically receives Community Development Block Grant (CDBG) assistance for various water, sewer, parks, community facilities and appurtenant infrastructure projects throughout the City. The City is requesting Statement of Qualifications from engineering firms to perform the design, bidding and construction review services required to complete the projects in conformance with CDBG requirements and subject to Federal regulations applicable to CDBG or other federally-funded projects. The City intends to select one firm to provide contract services for a maximum period of three years. Services are to include identification of all necessary permits, conducting environmental review and compliance, surveying, testing, preparation of plans, specifications, description of a construction phasing plan, estimate of probable construction costs, preparation of bid documents, performance of cost or price analysis, review of construction contract bids, recommendation for award, construction review and construction administration.

The City invites Statements of Qualifications which are to include:

- Firm name, contact person, address, phone and fax numbers.
- Type of organization (individual, partnership, or corporation).
- Firm principal(s) who will be responsible for the project, their education, credentials, and experience.
- Key personnel who will be assigned to work on the project, their education, credentials, and experience.
- Present staff – number and classification.

- List of relevant project experience in the past five years, including location, and type of project. Provide the name and telephone number of a reference for each project listed.
- List previous experience with City.
- Indicate familiarity with CDBG-funding procedures and applicable federal regulations and requirements of applicable law.

Statement of Qualifications will be evaluated based on qualifications of the engineering firm, subject to negotiation of fair and reasonable compensation.

The City has established selection criteria that will comprise the basis for the selection of eligible firms to perform the required services. The criteria includes such factors as professional experience of the firm in performing services of similar nature; quality and relevance of recently completed or ongoing work; reliability, continuity, and location of firm to the project site; staffing capability; ability to meet schedules; education and experience of key personnel to be assigned; knowledge of applicable regulations (including but not limited to, regulations applicable to federally-funded activities and projects) and technology associated with the services required; specialized experience of the firm in the services to be performed; participation as small business firm; and other factors the City Manager deems relevant to the specific task to be performed.

Unless otherwise directed by the City Council, the City Manager may weigh these factors according to the nature of the proposed project or projects, the complexity and special requirements of the specific services, and the needs of the City.

Final selection of the engineer is subject to approval by the City Council. Interested firms are encouraged to contact Ken Moore, Director of Public Works at (559-846-9388 if they have any questions.

After selection of an engineering firm based upon qualifications and the foregoing criteria, the compensation amount for consultant engineering and environmental services for the project or projects will be negotiated with the highest rated firm after the selection process is completed and after agreeing to the final scope of work. In the event negotiations fail with this firm, the City will terminate the negotiations and commence negotiations with the next ranked firm. This process shall continue until an agreement is reached on a fair and equitable fee.

Provide 5 copies of the Statements of Qualifications and deliver to the City Clerk , 850 South Madera Avenue, Kerman, CA 93630 or by e-mail to [rholdcroft@cityofkerman.org](mailto:rholdcroft@cityofkerman.org) prior to 4:00 p.m., Friday September 25, 2009. SOQ's that are late or faxed will not be accepted or considered.

**Blair, Church & Flynn Consulting**

451 Clovis Ave. #200  
Clovis, Ca. 93612-1376  
(559) 326-1400  
[spaloutzian@bcf-engr.com](mailto:spaloutzian@bcf-engr.com)  
[www.bcf-engr.com](http://www.bcf-engr.com)

**Giersch & Associates, Inc.**

421 North I Street  
Madera, Ca. 93637  
(559) 673-5981  
(559) 675-3544 fax  
[office@gai-online.com](mailto:office@gai-online.com)  
[www.ga-online.com](http://www.ga-online.com)

**Provost & Pritchard Engineering**

2505 Alluvial Ave  
Clovis, Ca. 93611  
(559) 326-1100  
(559) 326-1090 fax  
[bkerner@ppeng.com](mailto:bkerner@ppeng.com)  
[www.ppeng.com](http://www.ppeng.com)

**Yamabe & Horn Engineering**

2985 N. Burl Ave. Suite 101  
Fresno, Ca. 93727  
(559) 244-3123  
(559) 244-3120 fax  
[ghorn@yhmail.com](mailto:ghorn@yhmail.com)  
[www.yandhengr.com](http://www.yandhengr.com)

# Exhibit B

## **YAMABE & HORN ENGINEERING, INC.**

CIVIL ENGINEERS - LAND SURVEYORS  
1300 E. Shaw Avenue, Suite 176, Fresno, CA 93710  
(559) 244-3123, FAX (559)244-3120

### **FEE SCHEDULE - KERMAN**

2007

PRINCIPAL ENGINEER .....	\$ 105.00 per hour
SENIOR ENGINEER/SURVEYOR.....	\$ 100.00 per hour
ENGINEER/SURVEYOR .....	\$ 85.00 per hour
ASSISTANT ENGINEER .....	\$ 75.00 per hour
INSPECTOR .....	\$ 65.00 per hour
DRAFTER .....	\$ 60.00 per hour
CLERICAL.....	\$ 44.00 per hour
SURVEY CREW.....	\$120.00 per hour
TRAVEL .....	\$ 0.48 per mile
REIMBURSABLE EXPENSES .....	Cost plus 10%

# EXHIBIT C

## AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES

THIS AGREEMENT, Made this \_\_\_\_ day of \_\_\_\_\_, 2009, by and between the CITY OF KERMAN, a California municipal corporation, hereinafter referred to as “City”, and \_\_\_\_\_, hereinafter referred to as “Consultant”;

The City department responsible for administering this Agreement is the Finance Department, and all written communications hereunder with the City shall be addressed to the Finance Director.

### WITNESSETH:

WHEREAS, City requires the services of a qualified engineering firm to provide design and construction administration services for various public facilities owned by the City, and some of the facilities will be funded by federal programs, including, but not limited to Community Development Block Grants, and American Recovery and Reinvestment Act funds; and

WHEREAS, Consultant warrants that it is specially trained, experienced, expert, and competent to perform such services; and

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements herein contained, it is agreed by and between the City and the Consultant as follows:

### ARTICLE 1: GENERAL

The City hereby employs Consultant to perform the Consulting Services herein set forth at the compensation and upon the terms and conditions herein expressed, and Consultant hereby agrees to perform such services for said compensation, and upon said terms and conditions. City hereby authorizes Consultant to commence work immediately upon issuance of the Notice to Proceed.

### ARTICLE II: OBLIGATIONS, DUTIES AND RESPONSIBILITIES OF CONSULTANT

It shall be the duty, obligation and responsibility of the Consultant, in a skilled and professional manner, to perform, furnish, and supply to the City the following work and services:

- A. Scope of Work. Consultant shall, at its own cost and expense, provide all the services, equipment and materials necessary to complete the work described in Exhibit “A”, which is attached hereto. All work shall be performed to the highest professional standard.
  
- B. Ownership, Delivery, and Reproduction of Work Product. All documents, information and materials of any and every type prepared by the Consultant pursuant to this Agreement shall be the property of the City, whether completed or in process. Consultant shall not permit the reproduction or use thereof by any other person except as provided herein. Any use of such completed deliverables or documents other than in connection with the Project described in Exhibit A, or any use of incomplete deliverables or documents shall be at the City’s sole risk. Upon request by City, Consultant shall provide additional copies at his cost, which cost shall be paid by the City.
  
- C. Consultant is an independent contractor. It is expressly understood that in the performance of the services herein provided, Consultant shall be, and is, an independent contractor, and is not an agent or employee of the City. Consultant has and shall retain the right to exercise full control over the employment, direction, compensation, and discharge of all persons assisting Consultant in the performance of the services rendered hereunder. Consultant shall be solely responsible for all matters relating to the payment of his employees, including compliance with Social Security withholding, and all other regulations governing such matters.

### ARTICLE III: CITY’S RESPONSIBILITIES

City shall:

- A. Upon request provide access to all information and data in its possession which are required in connection with the consulting services, including, but not limited to, pertinent environmental reports and supporting technical documents.

- B. Provide upon request access to, and make all provisions necessary to enter upon, public or private lands as required for Consultant to perform such work.

ARTICLE IV: SUBCONTRACTING FOR SPECIALIZED SERVICES

The Consultant is authorized to subcontract any specialized work, provided that the City has given its written approval of each subcontractor in advance of the engagement of the subcontractor. Consultant shall be responsible for payment of subcontractor, and shall require subcontractor to comply with this agreement.

ARTICLE V: PAYMENT OF SERVICES

- A. Compensation. City shall pay to Consultant as compensation in full for all work required by this Agreement a sum not to exceed the total Agreement amount of \$\_\_\_\_\_ or as specified in any fee proposal attached hereto. Consultant's compensation shall be based on actual services performed and costs incurred at the rates set forth for each task in the Consultants Fee Schedule appearing in Exhibit B. Progress payments will be made as set forth below based on compensable services provided and allowable costs incurred pursuant to this agreement.
- B. Reports and Billing Invoices. Consultant shall submit to the City, on a monthly basis, a detailed statement of services performed and work accomplished during that preceding period, including the number of hours worked performed and the personnel involved. For the purpose of processing of invoices, the Consultant's invoices are not regarded as received until the monthly report and any documentation required in connection with any federal funding is submitted. Any anticipated problems in performing any future work shall be noted in the monthly reports. The Consultant shall also promptly notify the City of any perceived need for a change in the scope of work or services.
- C. Monthly billing invoices for all services rendered shall be due and payable by the City to Consultant within thirty (30) days after presentation of invoices to City, up to the total amount authorized by City. The parties acknowledge that federally funded projects may not have funds available within 30 days after presentation of

invoice and all required documentation, and City agrees to use its best efforts to obtain prompt payment in connection with such projects. Additional hourly fees shall require written authorization.

#### ARTICLE VI: INDEMNIFICATION

Consultant shall defend, indemnify and hold harmless the City and its officials, directors, officers and employees from and against claims, loss, liability, suits and damages, including attorney's fees to the extent caused by the Consultant's negligent acts, errors or omission, or willful misconduct.

#### ARTICLE VII: INSURANCE

Consultant shall procure the following required insurance Coverages at its sole cost and expense and shall maintain in full force and effect for the period covered by this Agreement such insurance against claims for injuries to persons or damages to property which may arise from or in connection with negligent acts, errors or omissions in performance of work hereunder by the Consultant, his agents, representatives, employees, or subcontractors.

##### 1. Minimum Scope and Limits of Insurance

###### a. Coverage shall be at least as broad as:

1. Errors and Omissions Insurance. Not less than \$1,000,000 per claim and \$1,000,000 in the aggregate during the performance of this Agreement. The Consultant agrees to purchase and maintain claims made, errors and omissions coverage providing coverage for a minimum of two years after completion of this contract.
2. General Liability Insurance: Insurance Service Office from number GL 0002 (Ed. 1/73), or its equivalent, covering Commercial General Liability and Insurance Services Office from GL 0404, or its equivalent, covering Broad Form Commercial General Liability coverage ("occurrence" from CG 0001) not less than \$1,000,000 combined single limit per occurrence for bodily injury, personal injury, and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall

apply separately to this project or the general aggregate limit shall be twice the required occurrence limit.

3. Automobile Liability Insurance. Insurance Service Office form number CA 0001 (Ed. 1/78), or its equivalent, covering Automobile Liability, code 1 “any auto” and endorsement CA 0025, or its equivalent, not less than \$1,000,000 combined single limit per accident for bodily injury and property damage.
4. Worker’s Compensation and Employer’s Liability Insurance. Workers Compensation Insurance limits as required by Labor Code of the State of California; Employers’ Liability Insurance limits of \$1,000,000 per accident.

## 2. Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved in writing by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, officials, employees, and volunteers; or the Consultant shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

## 3. Other Insurance Provisions

### a. General Liability and Automobile Liability Coverages.

1. The City, its officers, officials, and employees are to be covered as additional insureds as respects liability arising out of activities performed by or on behalf of the Consultant, products and completed operations of the Consultant; premises owned, occupied, or used by the Consultant or automobiles owned, leased, hired, or borrowed by the Consultant. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officers, officials or employees.
2. The Consultants’ insurance coverage shall be primary insurance as respects the City, its officers, officials and employees. Any insurance or self-insurance maintained by the City, its officers, officials or employees

shall be excess of the Consultant's insurance and shall not contribute with it.

3. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its officers, officials, or employees.
4. The Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

b. Worker's Compensation and Employer's Liability Coverage.

The insurer shall agree to waive all rights of subrogation against the City, its officers, officials, and employees for losses arising from work performed by the Consultant for the City.

c. All Coverages.

Coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice has been given to the City.

4. Acceptability of Insurers

- a. Insurance is to be placed with insurers with a Best's rating of no less than A:VII. However, the minimum Best's rating required of the professional liability insurer is A:V.
- b. Any changes in insurance required herein must be approved in writing by the City Attorney's office.
- c. The Consultant shall provide certificates of said insurance prior to issuance of a "Notice to Proceed".

ARTICLE VIII: TERMINATION

This Agreement may cover on-going services on multiple projects by consultant for a period not to exceed 3 years from the date on which this Agreement has been signed by the authorized signatories on behalf of each party, and may be terminated by mutual agreement or it may be terminated by the City upon giving fifteen (15) days' written notice of intent or terminate the contract.

Notice of termination shall be mailed to the City:

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

To the Consultant:

In the event of such termination, Consultant shall be paid for work completed to date of termination, and any such work completed shall become property of the City and the amount of final fee due and payable by City to Consultant will be subject to negotiation and shall be based primarily on the estimated percentage of work completed for the various phases.

#### ARTICLE IV: MISCELLANEOUS PROVISIONS

1. Compliance with Federal, State and Local Laws. Consultant shall be responsible for and shall comply with all applicable laws, rules and regulations that are now in effect or may be promulgated or amended from time to time by the Government of the United States, the State of California, the County of Fresno, the City and any other agency now authorized or which may be authorized in the future to regulate the services to be performed pursuant to this Agreement. Consultant represents that it currently has, and will maintain in effect all proper licensing and permits necessary to providing the described services.

Where the services provided pursuant to this Agreement are funded by a federal program, including, but not limited to, Community Development Block Grant funds, Consultant agrees that where applicable, its performance will be in:

(a) Compliance with Executive Order 11246 of September 24, 1965, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR chapter 60). (All construction contracts awarded in excess of \$10,000 by grantees and their contractors or subgrantees)

(b) Compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR part 3). (All contracts and subgrants for construction or repair)

(c) Compliance with the Davis- Bacon Act (40 U.S.C. 276a to 276a-7) as supplemented by Department of Labor regulations (29 CFR part 5). (Construction contracts in excess of \$2000 awarded by grantees and subgrantees when required by Federal grant program legislation)

(d) Compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by Department of Labor regulations (29 CFR part 5). (Construction contracts awarded by grantees and subgrantees in excess of \$2000, and in excess of \$2500 for other contracts which involve the employment of mechanics or laborers)

(e) Compliance with the provisions of any notice of awarding agency requirements and regulations pertaining to reporting.

(f) Compliance with the provisions of any notice of awarding agency requirements and regulations pertaining to patent rights with respect to any discovery or invention which arises or is developed in the course of or under such contract.

(g) Compliance with any awarding agency requirements and regulations pertaining to copyrights and rights in data.

(h) Compliance with access requirements imposed by the grantee, the subgrantee, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.

(i.) Compliance with applicable requirements for the retention of all required records for three years after grantees or subgrantees make final payments and all other pending matters are closed.

(j.) Compliance with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857 (h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (Contracts, subcontracts, and subgrants of amounts in excess of \$100,000).

(k) Compliance with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871). [53 FR 8068, 8087, Mar. 11, 1988, as amended at 60 FR 19639, 19642, Apr. 19, 1995]

2. City of Kerman Business License. Consultant and its subcontractors will obtain and maintain a valid business license from the City of Kerman during the term or renewed term of this Agreement.
3. Attorney's Fees. In the event that any party hereto institutes an action or proceeding for a declaration of the rights of the parties under this Agreement, for injunctive relief, or for an alleged breach or default of, or any other action arising out of, this Agreement, or the transactions contemplated hereby, or in the event any party is in default of its obligations hereunder, whether or not suit is filed or prosecuted to final judgment, the non-defaulting party or prevailing party shall be entitled to reasonable attorney's fees and to any court costs incurred, in addition to any other damages or relief awarded.
4. Law to Govern; Venue. The law of the State of California shall govern this Agreement. In the event of litigation between parties, venue in state trial courts shall lie exclusively in the County of Fresno.
5. Amendment or Modification. This Agreement may be amended or modified only by written agreement for the parties hereto. The parties agree to meet and confer in good faith if amendments or modifications are proposed.
6. Savings Clause and Entirely. If any material provision of this Agreement shall for any reason to be held to be invalid or unenforceable, the invalidity or unenforceability of any of the remaining provisions of this Agreement.
7. New and Entire Agreement. Upon the effective date of this Agreement, all other Agreements between the parties for the provisions of the services described herein are superseded. This Agreement represents the full and entire agreement between the parties hereto with respect to the matters covered herein.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement at Kerman, California, the day and year first above written.

CITY OF KERMAN  
"City"

By \_\_\_\_\_

Ron Manfredi, City Manager

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“Consultant”

By \_\_\_\_\_  
(Name and title)

Approved as to form:

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Mark A. Blum, City Attorney



# City of Kerman

*"Community Comes First"*

## Planning Commission Terms of Office

## PLANNING & DEVELOPMENT SERVICES

REPORT TO THE CITY COUNCIL  
October 7, 2009

To: Mayor and City Council  
From: Luis Patlan, Director  
Subject: Planning Commission Terms of Appointment

### Recommendation:

That the City Council provide review and consider amending Section 2.28.20 of the Kerman Municipal Code to revise the terms of office for the Planning Commission from two years to three and staggering the terms so that no more than three members shall have terms expiring in any given year.

### Background:

On August 24 and September 28, 2009 staff solicited input and direction from the Planning Commission regarding possible changes to the terms of office for the Commission. Staff advised the Commission that five (5) of the seven (7) members have terms that are set to expire in December of this year (see table below). Ideally, the terms of office should be staggered so that no more than three (3) members will have terms expiring in any given year. The existing terms of office are listed in the table below.

The Commission considered several alternatives and agreed that the terms of office for the Planning Commission should be changed from two (2) years to three (3) and that the terms should be staggered. This proposed schedule will promote stability and continuity on the Planning Commission.

Existing Terms of Office	
Commissioner	Term of Office
Bob Epperson	December 31, 2007 to December 31, 2009
Mike Arabian	December 31, 2007 to December 31, 2009
Kevin Nehring	December 31, 2007 to December 31, 2009
Louie Garcia	December 31, 2007 to December 31, 2009
Michael Lopez	December 31, 2007 to December 31, 2009
Robert Felker	December 31, 2008 to December 31, 2010
Robert Bandy	December 31, 2008 to December 31, 2010

**Discussion:**

The Kerman Planning Commission is an important advisory body to the City Council on all land use decisions. As such, stability and continuity of the Planning Commission members is critical to maintaining knowledge and understanding of planning related matters. Staff is asking that the City Council consider amending Chapter 2.28 of the Kerman Municipal Code to revise the terms of office for the Planning Commission by extending the terms from two (2) years to three (3) years, and by staggering the terms so that no more than three (3) members shall have terms expiring in any given year.

In order for the three (3) year staggered terms to work, four (4) of the seven (7) seats will need to be extended one year and three (3) seats will expire in December of this year. As shown in the table below, the interim term for two seats will be extended from December 31, 2010 to 2011 and two seats will be extended from December 31, 2009 to 2010. However, because five (5) seats are subject to expire in December the Commission decided to draw names to determine which two seats shall be granted a one-year extension and which seats will be subject to re-appointment in December of this year. Commissioners Nehring and Arabian were chosen to have their terms of office extended one additional year. Thus, the terms for Commissioners Epperson, Lopez and Garcia will expire in December.

Proposed Three (3) Year Staggered Terms of Office			
Members	Existing Term	Interim Term	Proposed New Term
(2) Bandy, Felker	12/31/2008 to 12/31/2010	12/31/2008 to 12/31/2011	12/31/2011 to 12/31/2014
(2) Nehring, Arabian	12/31/2007to 12/31/2009	12/31/2007to 12/31/2010	12/31/2010 to 12/31/2013
(3) Epperson, Lopez, Garcia	12/31/2007to 12/31/2009	Unchanged	12/31/2009 to 12/31/2012

**Conclusion:**

The current terms of office result in five (5) of the seven (7) Planning Commission seats being subject to appointment in December of this year and every two years thereafter. This could result in the potential turnover and appointment of five new commissioners at one time, affecting the continuity and institutional knowledge of the commission. The ideal schedule would be to stagger the terms of office so that no more than three (3) Commission positions are up for appointment in any given year. This would insure that the remaining Commissioners would have some experience and knowledge of land use planning issues.

**Recommendation:**

Staff is asking that the City Council consider amending Chapter 2.28 of the Kerman Municipal Code to revise the terms of office for the Planning Commission.

**Attachments**

*Resolution Adopted by the Planning Commission - Revision to Chapter 2.28 of the KMO*

RESOLUTION NO. 09-\_\_\_\_\_

BEFORE THE PLANNING COMMISSION  
CITY OF KERMAN, STATE OF CALIFORNIA

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL AMEND CHAPTER 2.28 OF THE KERMAN MUNICIPAL CODE TO REVISE THE TERMS OF OFFICE FOR THE PLANNING COMMISSION

WHEREAS, Chapter 2.28 of the Kerman Municipal Code authorizes the creation of a Planning Commission; and

WHEREAS, the City Council adopted Ordinance No. 79-6, which created a Planning Commission, provided for the selection and removal of Planning Commission members, and set forth their terms of office; and

WHEREAS, the Planning Commission has reviewed Chapter 2.28 of the Kerman Municipal Code, and recommends that the City Council amend said ordinance to ensure stability and continuity of understanding of the Planning Commission by revising the terms of office from two years to three years and by staggering the terms so that no more than three new members will be appointed in any give year.

NOW, THEREFORE, the Planning Commission of the City of Kerman hereby resolves as follows:

Section 2.28.020 of the Kerman Municipal Code, shall read as follows:

2.28.020 Members – Generally. Each appointment of a commission member shall be for a term *not to exceed of two three years, and their terms shall be staggered so that no more than two (3) members shall have terms expiring in any given year. Beginning in 2009, four commission members are extended for one year with two seats terminating in 2010 and two seats terminating in 2011, and three commission members terminating in 2009.* If a vacancy shall occur otherwise than by expiration of a term, it shall be filled by appointment of the unexpired portion of the term. The terms of ex officio members shall correspond to their respective official tenures. The rights and duties of the commission shall be as provided in the laws of the state of California.

The foregoing Resolution was adopted at a regular meeting of the Kerman Planning Commission held on this 28<sup>th</sup> day of September, 2009, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED BY:

\_\_\_\_\_  
Chairman, Robert D. Epperson

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary, Olivia Pimentel

\_\_\_\_\_  
Date