

**KERMAN CITY COUNCIL
COUNCIL MEETING**

**December 16, 2009– Regular Meeting
6:30 PM**

MINUTES

**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: Mayor Rodriguez, Councilmember Stockwell, Dhaliwal, Jones

Absent: Sidhu

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

Voting Key:
Yes, No,
Absent
(Abstain if
necessary)

WELCOME - Mayor Trinidad M. Rodriguez

CALL TO ORDER

ROLL CALL – Deputy City Clerk Marci Reyes

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 – Deputy City Clerk

Presented

1. AGENDA APPROVAL

Approved
CH/RD
(4-0)

5.C - Minute Order: Planning Commission Balloting and Appointments
This item was moved up on the Agenda.

Tabled until
Jan 20, 2010
for a full
council to be
present.
Approved
RD/CJ
(4-0)

Recommendation: Council review all 8 applications received and direct the balloting process at the meeting to fill the three vacant PC seats.

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: City of Kerman Participation in CaliforniaFIRST and Membership in California Statewide Communities Development Authority. [RM]

Approved
CJ/RJ
(4-0)

Recommendation: City Council consider Resolution Approving the City of Kerman's Participation in CaliforniaFIRST and the Resolution for Membership in California Communities Appearing Later on the Agenda

3.B Public Hearing: Second Reading and Adoption of Model Water Efficiency Landscape Ordinance [LP]

Approved
RS/CJ
(4-0)

Recommendation: That City Council conduct second reading, hold a public hearing and adopt Ordinance amending Title 13 of the Kerman Municipal Code by adding Chapter 13 regarding the adoption of a Water Efficiency Landscape Ordinance.

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

Approved
CJ/RS
(4-0)

4.A Approval of Minutes:
12/4/2009

4.B Payroll Report:
Report: November 15, 2009 - November 28, 2009: \$113,795.74; Overtime: 1,901.57; Standby & FTO: \$985.28; Retro Pay: \$76.43; Uniform Pay: \$5,225.00; Holiday Pay: \$19,235.08; Comp Time Earned: 15.25

4.C Warrants:
Nos. 29625 - 29717 \$159,250.60
Excepting Kerman Auto Dismantling #29661 \$75.00

4.D Resolution: Authorizing the City Manager to Sign Program Supplement No. N010 for the Kearney Boulevard Median Project [GH]

Recommendation: We recommend that the Council adopt the attached Resolution authorizing the City Manager to sign Program Supplement No. N010 for the Kearney Boulevard Median Project.

4.E Resolution: Modification of Deferment Agreement Neighborhood Shopping Center [GH]

Recommendation: We recommend that the Council adopt the attached Resolution approving the Modification to Deferment Agreement and authorize the Mayor to sign on behalf of the City.

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

5.A Resolution: Approving Involvement in the Amended and Restated Joint Exercise of Powers Agreement Relating to the California Statewide Communities Development Authority. [RM]

Approved
CJ/RS
(4-0)

Recommendation: Council Approve Resolution to Join Joint Powers Authority California Communities Joint Exercise Of Powers Agreement Relating to the California Statewide Communities Development Authority.

5.B Resolution: Authorizing the City of Kerman to Join the CaliforniaFIRST Program; Authorizing the California Statewide Communities Development Authority to Accept Applications from Property Owners, Conduct Contractual Assessment Proceedings and Levy Contractual Assessments Within the Territory of the City of Kerman, and Authorizing Related Actions [RM]

Approved
CJ/RS
(4-0)

Recommendation: Council approve Resolution authorizing the City of Kerman to join the CaliforniaFIRST program; authorizing the California Statewide Communities Development Authority to accept applications from property owners, conduct contractual assessment proceedings and levy contractual assessments within the territory of the city of Kerman; and authorizing related actions.

5.C Minute Order: Planning Commission Balloting and Appointments. [MR]

Moved to
Item 1
Tabled until
Jan 20, 2010
for a full
council to be
present.
Approved
RD/CJ
(4-0)

Recommendation: Council review all 8 applications received and direct the balloting process at the meeting to fill the three vacant PC seats.

5.D Resolution: Approving City of Kerman Salary Schedule B - Miscellaneous Employees - Effective January 1, 2010 [KM]

Approved
RD/CJ
(4-0)
Adding and
bringing
new WWTP
online

Recommendation: Approve Resolution Enacting City of Kerman Salary Schedule B - Miscellaneous Employees - Effective January 1, 2010

5.E Resolution: Accepting Bid for California Avenue Storm Drain Project, CDBG-R [GH]

Approved
CJ/RD
(4-0)

Recommendation: We recommend that the Council adopt the attached Resolution awarding the California Avenue Storm Drain Project to Bill Nelson Construction for \$111,880.00, and authorize the City Manager to sign the Agreement.

5.F Resolution: Adopting Findings of Public Convenience for Rite Aide Pharmacy. [LP]

Approved
CJ/RD
(4-0)

Recommendation: Staff recommends that the City Council adopt resolution finding that public convenience or necessity will be served by granting of an off-sale beer and wine license to Rite Aide Pharmacy and authorize the

Director of Planning & Development to submit a copy of the resolution to the Department of Alcoholic Beverage Control.

6. WRITTEN COMMUNICATIONS

7. ADMINISTRATIVE REPORTS

7.A Withdrawal from Employment Risk Management Authority (ERMA) San Joaquin Valley Risk Management Authority [TLP]

CJ/RS
(4-0)
Do 6 month
review seek
other
insurance

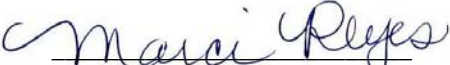
Recommendation: City Council authorize the City Manager to notify the Employment Risk Management Authority (ERMA) that the City is withdrawing from this risk management program effective June 30th, 2010.

<p>7.B Septic Service Dumpers at Wastewater Treatment Plant [KM]</p> <p><u>Recommendation:</u> Informational Only</p> <p>7.C Five-year Capital Improvement Program - Facilities & Equipment Improvements (FY 09/10 to 13/14) Preliminary Presentation [GH]</p> <p><u>Recommendation:</u> This item is for Council review and comment, no action is required.</p> <p>8. COUNCIL REPORTS</p> <p>8.A Mayor's Report</p> <p>8.B Council Members' Reports</p> <p>COUNCIL RECESS TO CONVENE AS THE REDEVELOPMENT AGENCY</p> <p>COUNCIL RECONVENE AS THE CITY COUNCIL</p> <p>COUNCIL ADJOURN INTO CLOSED SESSION</p> <p>9. CLOSED SESSION</p> <p>9.A Property Negotiations - 942 S. Madera Ave</p> <p>10. ADJOURNMENT</p>	<p>Presented</p> <p>Presented</p> <p>7:45</p> <p>7:52</p> <p>No reportable items at this time</p> <p>RS/RD (4-0) 7:53</p>
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MINUTES CERTIFICATION

I, MARCI REYES, Deputy 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

 January 21, 2010
 Date


 Marci Reyes, Deputy City Clerk