

KERMAN CITY COUNCIL

COUNCIL MEETING

September 03, 2008– Regular Meeting

6:30 PM

MINUTES

Community Teen Center

15101 Kearney Plaza

Kerman, CA 93630

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

Council 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, Council Members Stockwell, and Jones

Absent: Raj Dhaliwal, Jack Sidhu

Also Present: City Manager, City Attorney, City Clerk, Police Chief, Finance Director, Planning and Development Director, Public Works Director, Parks and Community Services Director.

WELCOME - Mayor Trinidad M. Rodriguez

CALL TO ORDER

6:35 pm

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**

Approved: CJ/RS;
(3-0-2 Absent)

2. **PRESENTATIONS/COMMENDATIONS**

2.A **Presentation: Life Saving Medal to Yvonne Guzman [WWN]**

Presented.

Recommendation: None

2.B **Leadership Kerman [RM]**

RS/CJ; (3-0-2
Absent) Council
endorsed the
proposed program.

Recommendation: Council endorse Leadership Kerman and Co-sponsor program in conjunction with Sebastian Communications (formerly Kerman Telephone Co.) and the Kerman Chamber of Commerce. Council Members are also asked to submit names of areas citizens and businesses-persons who may be interested in the program.

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: Budget Year 2009/2010 Community Block Grant (CDBG) Project - Parallel Storm Drain Line in First Street.

Resolution: Budget Year 2009-2010 Community Development Block Grant - Parallel Storm Drain in First Street. [KM]

Recommendation: Open Public Hearing and approve the First Street Parallel Storm Drain Line as the CDBG Project for Budget Year 2009/2010.

3.B Public Hearing: Ordinance Relating to Regulation and Abatement of Abandoned Residential Structures (Second Reading and Adoption) [LP]

Recommendation: Mayor Open Public Hearing and City Council conduct second reading and adopt the Abandoned Residential Property Registration and Maintenance Ordinance.

Opened PH 6:58 pm
Closed PH 6:59 pm
Approved: CJ/RS;
(3-0-2 Absent)

Opened PH 7:02 pm
Closed PH 7:03 pm
Waive 2nd Reading
and adopted the
Ordinance amending
Chapter 8-10 with
minor corrections to
the wording of the
ordinance. RS/CJ;
(3-0-2 Absent)

3.C Resolution: Ordering Abatement of Weeds, Rubbish and Debris [KC] Adopted Authorizing the mailing of the Notices of Abatement.

Approved amended Exhibit A and adopted resolution: CJ/RS; (3-0-2 Absent)

Recommendation: That the City Council Adopt Resolution Ordering Abatement of Weeds, Rubbish and Debris.

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

CJ/RS; (3-0-2 Absent)

4.A. Approval of Minutes:
Minutes: August 20, 2008

4.B Payroll Report:
Payroll Report: August 10, 2008 - August 23, 2008: \$116,636.72;
Overtime: \$4,287.91; Standby & FTO: \$977.52; Comp Time Earned: 18.00

4.C Warrants:
Warrant Nos. 26777 - 26844 \$301,812.95

4.D Resolution: Accepting Real Property on behalf of the public for a City Park in Tract No. 5805 [GH]

Recommendation: We recommend that the Council adopt the attached resolution accepting the real property on behalf of the public.

4.E Resolution: Final Acceptance of Improvements, Tract No. 5805, Covington [GH]

Recommendation: Staff recommends that the Council adopt the enclosed Resolution accepting the improvements for Tract No. 5805 and direct the recording of the Notice of Acceptance.

4.F Proclamation: Family Day - September 22, 2008 [RH]

Recommendation: City Council proclaims September 22, 2008 as Family Day - A Day to Eat Dinner with your Children

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

5.A Resolution: Award of Bid for 2008 Street Sealing Project [GH]

RS/CJ; (3-0-2 Absent) Council moved to reject all bids and wait until Spring.

Recommendation: Staff recommends that the Council approve a resolution accepting the low bid from Asphalt Maintenance for the original contract amount of \$154,494.50 with a Change Order issued to reduce the total amount to \$106,560.45, and authorize the City Manager to sign the Agreement.

5.B Resolution: Award of Bid for Wastewater Treatment Plant Expansion - Demolition of Clarifier and Headworks [GH]

Approved: RS/CJ;
(3-0-2 Absent)

Recommendation: Staff recommends that the Council adopt the enclosed Resolution accepting the low bid from Lee Crippen Demolition for \$34,976.00 and authorize the City Manager to sign the Agreement.

6. WRITTEN COMMUNICATIONS

6.A Joining City of Anaheim Amicus Brief Regarding Marijuana Dispensary [WWN]

RS/CJ; (3-0-2 Absent) Council agreed to join Anaheim's brief.

Recommendation: That City of Kerman Join in the City of Anaheim amicus brief regarding marijuana dispensaries.

7. ADMINISTRATIVE REPORTS

7.A Recreation & Community Services Department Partnership with Big Brothers Big Sisters of California in the development and implementation of a new Kerman Mentoring Program. [PG]

Approved: CJ/RS;
(3-0-2 Absent)

Recommendation: Staff seeks council comments, input, support and approval to proceed with the implementation of the new Kerman Big Brothers Big Sisters (High School Bigs Program)

7.B Donation of Unserviceable/Excess Police Equipment [WWN]

CJ/RS 3-0-2 Absent)
Approved Declaring the Property Surplus and then Make the Donation.

Recommendation: That Council authorize the Police Dept. to donate the equipment on the attached list to the Brotherhood of the Badge.

8. COUNCIL REPORTS

8.A Mayor's Report

1. Kerman Harvest Festival - September 11th-14th
2. Harvest Festival Parade - September 13, 2008. Council to

meet at start of parade route at 9:35.

Marci: Let'sd ADD the Joint KUSD/Council meeting on all upcoming Agendas.

8.B Council Members' Reports

COUNCIL ADJOURN INTO CLOSED SESSION (To discuss 9.B) 7:49 pm

9. CLOSED SESSION

- 9.A Government Code Section 54956.9(b) - Conference with Legal Counsel - Anticipated Litigation - 2 Potential Cases**
- 9.B Government Code 54956.8, Conference with Real Property Negotiator; Property: Portion of NE Quarter, Section 18, Township 14 South, Range 18 East, 1 acre, more or less, adjacent to San Joaquin Valley RR Right-of-way. Negotiating Parties: City Manager Ron Manfredi for City and Josephine H McClain and others for Property Owner. Under Negotiation: Price and Terms.**
- 9.C Government Code 54956.8. Discussion Regarding Property Negotiations: Park Site; Agency Negotiator: City Manager; Negotiating Parties: Parties requested Confidentiality; Under Negotiation: Purchase of Land for Park Property**

COUNCIL RECONVENE FROM CLOSED SESSION


10. ADJOURNMENT

8:02 p.m.

AGENDA POSTING CERTIFICATION

I, L. RENEE HOLDCROFT, City Clerk for the City of Kerman, do hereby declare under penalty of perjury that on the date affixed below I caused this document to be posted at Kerman City Hall, 942 So. Madera Avenue, and at Kerman Community/Teen Center, 15101 Kearney Plaza, Kerman Ca.

Date: 9-12-08


L. Renee Holdcroft
City Clerk