



## CITY COUNCIL REGULAR MEETING MINUTES

Wednesday, September 25, 2024 at 6:00 PM

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

---

### 1. OPENING CEREMONIES

- A. Call to Order - **6:03 p.m.**
- B. Roll Call - **All present except Councilmember Herrera and Mayor Pro Tem Nijjer.**
- C. Invocation - **Performed by Cherie Smith.**
- D. Flag Salute - **Performed.**

### 2. AGENDA APPROVAL/ADDITIONS/DELETIONS

**Item 3.A was removed from the agenda, and Items 6.A and 6.B were moved to Department Reports 7.A and 7.B, with the current department reports following.**

**Motion made to approve agenda with those modifications by Councilmember Yep, Seconded by Councilmember Coleman.**

**Ayes: Yep, Coleman, Pacheco**

**Noes: None**

**Abstain: None**

**Absent: Herrera, Nijjer**

**Motion passes 3-0-0-2.**

### 3. PRESENTATIONS/CEREMONIAL MATTERS

- A. Chamber of Commerce - **Removed.**

### 4. PUBLIC FORUM (*for matters not on agenda*) - **None.**

### 5. CONSENT CALENDAR

- A. **SUBJECT:** Minutes - September 11, 2024

**RECOMMENDATION:** Council approve minutes as presented.

- B. **SUBJECT:** Warrants (JA)

1. Nos.30140-30248 \$424,114.29 ACH \$103,307.71.

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

C. **SUBJECT:** Monthly Investment Report

**RECOMMENDATION:** Council accept monthly investment report as presented.

D. **SUBJECT:** Proposal and Selection of New Phone System (JA)

**RECOMMENDATION:** Staff recommends that the Council adopt resolution approving acceptance of proposal from Unity IT in the amount of \$1,408.04 per month for telephone services and approximately \$3,654.25 for equipment and authorize the City Manager to sign the proposal. – **Res. 24-74**

E. **SUBJECT:** Approving 2024-2027 Adult Compliance Team Agreement to Participate with Fresno County (SW)

**RECOMMENDATION:** Council by motion adopt resolution approving 2024-2027 Adult Compliance Team Agreement with County of Fresno. – **Res. 24-75**

**Motion made by Councilmember Coleman, Seconded by Councilmember Yep.**

**Ayes: Coleman, Yep, Pacheco**

**Noes: None**

**Abstain: None**

**Absent: Herrera, Nijjer**

**Motion passes 3-0-0-2.**

6. **PUBLIC HEARINGS - None.**

7. **DEPARTMENT REPORTS**

**Mayor Pro Tem Nijjer arrives 6:11 p.m. and recuses himself.**

A. **SUBJECT:** Whispering Falls Project: General Plan Amendment 2023-01, Mitigated Negative Declaration 2023-01, Rezone 2023-01, Tentative Subdivision Map 2023-01, and Annexation 2023-01 pertaining to the Whispering Falls residential development located on the east side of South Modoc Avenue between West California Avenue (proposed) and the West California Avenue Alignment/San Joaquin Valley Railroad (APNs 020-160-36S, 020-160-18S, 020-160-19S, 020-041-45S, 020-041-47S, and 020-041-09U) (BE)

**RECOMMENDATION:** That Council consider the second reading of ordinance, adoption of the Tentative Subdivision Map resolution and Annexation Initiation resolution; deliberate; and by motion:

1. Adopt an ordinance of the City Council of the City of Kerman amending the official City of Kerman zoning map to pre-zone approximately 44.75 acres (APNs 020-160-36S, 020-160-18S, 020-041-45S, and 020-041-47S) to the Smart Development Combining District – Residential – Minimum 2,500 square feet (SD-R-2.5) Zoning District and approximately 20 acres (020-160-19S) to the Smart Development Combining District – Residential – Minimum 5,000 square feet (SD-R-5) Zoning District (REZ 2023-01). – **Ord. 24-05**
2. Adopt a resolution approving Tentative Subdivision Map 2023-01 for a property located on the east side of South Modoc Avenue between West California Avenue (proposed) and the West California Avenue Alignment/San Joaquin Valley Railroad (APNs 020-160-36S, 020-041-45S, 020-041-47S); and – **Res. 24-76**
3. Adopt a resolution initiating annexation for the Whispering Falls residential project consisting of six (6) parcels identified as APNs 020-160-36S, 020-160-18S, 020-160-19S, 020-041-45S, 020-041-47S and 020-041-09U containing approximately 64.76 acres located on the east side of South Modoc Avenue between West Kearney Boulevard and the West California Avenue Alignment/San Joaquin Valley Railroad (Annexation 2023-01). – **Res. 24-77**

**Motion made by Councilmember Yep, Seconded by Councilmember Coleman.**

**Ayes: Yep, Coleman, Pacheco**

**Noes: None**

**Abstain: Nijjer**

**Absent: Herrera**

**Motion passes 3-0-1-1.**

- B. **SUBJECT:** Crown-Schaad Residential Project: Rezone 2023-02, Mitigated Negative Declaration 2023-03, Annexation 2023-02, and Tentative Subdivision Map 2023-02, pertaining to the Crown-Schaad Residential Development, located on the North Side of West Kearney Boulevard between South Modoc and South Siskiyou Avenues (APNs 020-140-22S and 020-140-23S) (JC)

**RECOMMENDATION:** That the Council consider the second reading of ordinance; adoption of the Annexation Initiation resolution and Tentative Subdivision Map resolution; deliberate; and by motion:

1. Adopt an ordinance of the City Council of the City of Kerman amending the official City of Kerman zoning map to pre-zone approximately 9.69 acres (APN 020-140-22S) to the SD-R-4.5 (Smart Development Combining District – Residential – minimum 4,500 square feet) Zone District and rezone approximately 19.65 acres (APN 020-140-23S) from the R-1-7 (Single-Family Residential) Zone District to the SD-R-4.5 Zone District located on the North side of West Kearney Boulevard between South Modoc and South Siskiyou Avenues (Rezone 2023-02); and adopt Mitigated Negative Declaration (ENV 2023-03) and Mitigated Monitoring and Reporting Program; and – **Ord. 24-06**
2. Adopt a resolution of the City Council of the City of Kerman initiating annexation for the Crown-Schaad residential project consisting of one (1) parcel identified as APN 020-140-22S

containing approximately 9.69 acres located on the North side of West Kearney Boulevard between South Modoc and South Siskiyou Avenues (Annexation 2023-02); and – **Res. 24-78**

3. Adopt a resolution of the City Council of the City of Kerman approving Tentative Subdivision Map 2023-02 located on the North side of West Kearney Boulevard between South Modoc and South Siskiyou Avenues (APNs 020-140-22S and 020-140-23S). – **Res. 24-79**

**Motion made by Mayor Pro Tem Nijjer, Seconded by Councilmember Yep.**

**Ayes: Nijjer, Yep, Coleman, Pacheco**

**Noes: None**

**Abstain: None**

**Absent: Herrera**

**Motion passes 4-0-0-1.**

- C. **SUBJECT:** Resolution Approving Successor Memorandum of Understanding with Kerman Peace Officers Association (JAJ)

**RECOMMENDATION:** Council by motion adopt resolution approving successor Memorandum of Understanding with Kerman Peace Officers Association effective July 1, 2024, through June 30, 2027. – **Res 24-80**

**Motion made by Councilmember Yep, Seconded by Mayor Pro Tem Nijjer.**

**Ayes: Yep, Nijjer, Coleman, Pacheco**

**Noes: None**

**Abstain: None**

**Absent: Herrera**

**Motion passes 4-0-0-1.**

- D. **SUBJECT:** Second Reading and Adoption of Ordinance to Increase City Council and Mayor’s Compensation within allowable limits set forth by Government Code Section 36516 (JAJ & HCM)

**RECOMMENDATION:** That Council conduct the second reading and adopt ordinance amending Section 2.40.010 of Title 2, Chapter 2.40 of the Kerman Municipal Code to increase the City Council and Mayor’s compensation within allowable limits set forth by Government Code Section 36516. – **Ord. 24-07**

**Motion made by Councilmember Yep, Seconded by Councilmember Coleman.**

**Ayes: Yep, Coleman, Nijjer, Pacheco**

**Noes: None**

**Abstain: None**

**Absent: Herrera**

**Motion passes 4-0-0-1.**

- E. **SUBJECT:** Consider Rejecting All Bids Received for the Hart Ranch Community Park Project and Authorizing Advertisement of Revised Bid Documents (JG)

**RECOMMENDATION:** Council by motion adopt resolution rejecting all bids for the Hart Ranch Community Park Project and authorizing staff to advertise revised bid documents. – **Res. 24-81**

**Motion made by Mayor Pro Tem Nijjer, Seconded by Councilmember Yep.**

**Ayes: Nijjer, Yep, Coleman, Pacheco**

**Noes: None**

**Abstain: None**

**Absent: Herrera**

**Motion passes 4-0-0-1.**

**8. CITY MANAGER/STAFF COMMUNICATIONS**

**9. MAYOR/COUNCIL REPORTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS**

**10. CLOSED SESSION - 7:03 p.m.**

- A. 1. Public Employee Performance Evaluation pursuant to Government Code Section 54957  
Title: City Manager
2. Conference with Labor Negotiators pursuant to Government Code Section 54957.6  
City Designated Representatives: Mayor Pacheco and Council Member Yep  
Unrepresented Employee: City Manager

**Reconvene 8:04 p.m. with no reportable action. Four members present.**

**11. ADJOURNMENT - 8:04 p.m.**

**MINUTES CERTIFICATION**

I, Josie Camacho, 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: September 26, 2024     /s/ Josie Camacho, City Clerk