



CITY COUNCIL REGULAR MEETING MINUTES

Wednesday, November 13, 2024 at 6:00 PM

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

1. OPENING CEREMONIES

- A. Call to Order - **6:02 p.m.**
- B. Roll Call - **All members present**
- C. Invocation - **Performed by Armando**
- D. Flag Salute - **Performed**

2. AGENDA APPROVAL/ADDITIONS/DELETIONS

Motion to approve agenda with the stipulation of moving Item 7.A after Item 4. Public Forum by Mayor Pro Tem Nijjer, Seconded by Councilmember Coleman.

Ayes: Nijjer, Coleman, Herrera, Yep, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

3. PRESENTATIONS/CEREMONIAL MATTERS

- A. Proclamation - Native American Heritage Month - **Presented to Bob Sandoval, Keeper of the Spirit**
- B. Certificate Presentation: Kerman Christian School - **Presented to Principal Rey and staff**
- C. Introduction of New Police Officers (SW) - **Introduced Officer Huston Walker and Reserve Officer Connor Henry**
- D. Honoring Jessica Silva - Years of Service (TJ) - **Presented**
- E. Proclamation - Small Business Saturday - **Presented**

Recess at 6:44 p.m.

Reconvene 6:55 p.m.

4. **PUBLIC FORUM** (*for matters not on agenda*) - **Gilbert Felix, Assemblywoman Soria's Office**

Moved to Item 7A. – Information Presented

5. **CONSENT CALENDAR**

A. **SUBJECT:** Minutes - October 23, 2024

RECOMMENDATION: Council approve minutes as presented.

B. **SUBJECT:** Payroll (JA)

9/29/24 to 10/12/24: \$239,417.76; Retro Pay & Other: \$3,138.36; Overtime: \$9,559.38; Standby: \$1,781.86; Comp Time Earned: 33.60

RECOMMENDATION: Council approve payroll as presented.

C. **SUBJECT:** License Agreements with Property Owners for Mural Locations (TJ)

RECOMMENDATION: Council by motion to adopt;

1. A resolution approving the license agreement with Eloy Coronado, property owner of 602 South Madera Avenue Kerman, CA 93630, APN: 023-241-015S, to install a mural and authorize the City Manager to sign the agreement; and – **Res. 24-95**

2. A resolution approving the license agreement with Russel D. Lindquist and Rebecca B. Linquist, property owners of 681 South Madera Avenue Kerman, CA 93630, APN: 023-148-07S, to install a mural and authorize the City Manager to sign the agreement. – **Res. 24-96**

D. **SUBJECT:** Community Organization Grant Program Supplemental Award – S.B.F. Kerman Portuguese Hall (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving waiver of \$467.01 in cost for facilitating S.B.F. Kerman Portuguese Hall - 2024 Portuguese Parade. – **Res. 24-97**

Motion to approve made by Mayor Pacheco, Seconded by Councilmember Coleman.

Ayes: Pacheco, Coleman, Herrera, Nijjer, Yep

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

E. **SUBJECT:** Update of Safety Policies and Procedures and Adoption of Injury and Illness Prevention Program – Administration (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving new Injury and Illness Prevention Program. – **Res. 24-98**

Motion to pull Item 5.D and approve the rest of the consent calendar as is by Mayor Pro Tem Nijjer, Seconded by Councilmember Yep.

Ayes: Nijjer, Yep, Coleman, Herrera, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

6. PUBLIC HEARINGS

Opened at 8:10 p.m.

- A. **SUBJECT:** Public Hearing and Authorization of Submission of Application for CDBG Funds for Fiscal Year 2025-2026 (JG)

RECOMMENDATION: Council conduct a public hearing and adopt the resolution authorizing the submission of an application for Community Development Block Grant (CDBG) funds for Fiscal Year 2025-2026 for the Kerckhoff Park Improvements. – **Res. 24-99**

Motion to approve made by Councilmember Yep, Seconded by Councilmember Coleman.

Ayes: Yep, Coleman, Herrera, Nijjer, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

Closed at 8:14 p.m.

7. DEPARTMENT REPORTS

- A. **SUBJECT:** Discussion-Study Session on West Fresno County Solar Projects (JAJ)

RECOMMENDATION: That Council hear a brief presentation regarding solar development in West Fresno County, including that of Westlands Water District, to become informed about current development proposals and any impacts to Kerman, with possible direction to staff.

Presentation conducted by Elizabeth Jonasson and Jose Gutierrez from Westlands Water District. Martha and Feleena Sutton from Fresno Regional Workforce Development Board, and Gilbert Felix from Assemblywoman Soria's Office present to answer question as well.

- B. **SUBJECT:** Award of Contract for the Hart Ranch Community Park Project to Avison Construction, Inc. (JG)

RECOMMENDATION: Council by motion adopt the resolution:

1. Awarding the Hart Ranch Community Park Project contract to Avison Construction, Inc. in the amount of \$12,453,125.00; and
2. Authorizing a 5% construction contingency in the amount of \$622,700.00; and
3. Authorizing the City Manager to sign the construction contract on behalf of the City; and
4. Authorizing the City Manager to sign change orders, up to the additional contingency amount, on behalf of the City. – **Res. 24-100**

Motion made by Councilmember Herrera, Seconded by Mayor Pro Tem Nijjer.

Ayes: Herrera, Nijjer, Coleman, Yep, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

- C. **SUBJECT:** Third Amendment to Employment Agreement with City Manager (HCM)

RECOMMENDATION: Council is asked to consider and determine whether to adopt a resolution approving a third amendment to Employment Agreement with City Manager. – **Res. 24-101**

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

Ayes: Nijjer, Yep, Coleman, Herrera, Pacheco

Noes: None

Abstain: None

Absent: None

Motion passes 5-0-0-0

8. CITY MANAGER/STAFF COMMUNICATIONS

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

10. CLOSED SESSION - 8:33 p.m.

Councilmember Coleman recuses herself from Item 10.A

- A. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9)
Eric Antuna, Appellant v. City of Kerman, Respondent
Court of Appeal, Fifth Appellate District Case No. F086661

Reconvene 8:44 p.m. with no reportable action.

11. ADJOURNMENT - 8:44 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: November 14, 2024 /s/ Josie Camacho, City Clerk