



CITY COUNCIL REGULAR MEETING MINUTES

Wednesday, January 11, 2023 at 6:00 PM

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

1. OPENING CEREMONIES

- A. Welcome - Mayor
- B. Call to Order - **6:00 p.m.**
- C. Roll Call - **All present**
- D. Invocation - **Moment of silence for former Council Member David Durham**
- E. Pledge of Allegiance - **Performed**

2. AGENDA APPROVAL / ADDITIONS / DELETIONS – None

3. PRESENTATIONS / CEREMONIAL MATTERS – None

4. REQUEST TO ADDRESS COUNCIL – None

5. CONSENT CALENDAR

Approved. Motion made by Council Member Yep, Seconded by Council Member Coleman. Voting Yea: Council Member Nijjer, Council Member Herrera, Mayor Pacheco

A. **SUBJECT:** Minutes December 14, 2022 (MR)

RECOMMENDATION: Council approve minutes as presented.

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

1. Nos. 25636-25798 \$978,217.92 ACH \$230,265.01

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

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

11/13/22 - 11/26/22: \$179,541.98; Retro Pay & Other: \$1,933.89; Overtime: \$5,638.51; Holiday at 1/2 Time: \$2,394.65; Standby: \$1,417.14; Comp Time Earned: 77.06; Uniform Pay: \$7,726.40; Holiday Pay: \$21,820.45

11/27/22 - 12/10/22: \$185,254.39; Retro Pay & Other: \$2,719.36; Overtime: \$8,914.50; Standby: \$1,263.07; Comp Time Earned: 53.63.

RECOMMENDATION: Council approve payroll report as presented.

D. **SUBJECT:** Monthly Investment Report (JA)

RECOMMENDATION: Council approve monthly investment report as presented.

E. **SUBJECT:** Ordinance Amending Chapter 15.04 of Title 15 of the Kerman Municipal Code to Adopt the 2022 California Building Standards Code By Reference (JRO)

RECOMMENDATION: City Council by motion waive second reading and adopt an Ordinance Amending Chapter 15.04 of Title 15 of the Kerman Municipal Code to Adopt the 2022 California Building Standards Code by reference. **Ord 23-01**

F. **SUBJECT:** Remote City Council Meetings Under New Brown Act Requirements (AB 361) (MR)

RECOMMENDATION: Council by motion adopt resolution reauthorizing remote teleconference public meetings by the City Council and all boards, commissions, and standing committees of the City in accordance with Assembly Bill 361. **Res 23-01**

G. **SUBJECT:** Consider Concurring with North Central Fire Protection District Board's Ordinance No. 2022-01 Adopting the 2022 California Fire Code and Concurring with Resolution No. 22-13 Finding that Modifications or Changes to the California Fire Code are Reasonably Necessary as Amended (JRO)

RECOMMENDATION: City Council by motion approve a resolution concurring with North Central Fire Protection District Board's Ordinance No. 2022-01 Adopting the 2022 California Fire Code and concurring with Resolution No. 22-13 finding that modifications or changes to the California Fire Code are reasonably necessary as amended. **Res 23-02**

H. **SUBJECT:** Resolution Authorizing the City Manager to Complete and Sign Applications and Administer the New Alternative Fuel Vehicle Purchase Program through San Joaquin Valley Air Pollution Control District (JA)

RECOMMENDATION: Council by motion adopt resolution authorizing City Manager to complete and sign applications and administer the new alternative fuel vehicle purchase program through San Joaquin Valley Air Pollution Control District. **Res 23-03**

I. **SUBJECT:** Participation in Fresno County's Urban County Development Block Grant for Program Years 2024-25, 2025-26, 2026-27 (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving participation in a Joint Powers Agreement for administration of the County Community Development Block Grant program for Program Years 2024-25, 2025-26, 2026-27. **Res 23-04**

J. **SUBJECT:** Award of Contract for the Hart Ranch Community Park Orchard Removal to JFS Enterprises, Inc. (JJ)

RECOMMENDATION: Council by motion adopt the resolution awarding the contract for the Hart Ranch Community Park Orchard Removal to JFS Enterprises, Inc. in the amount of \$50,000.00 and authorize the City Manager to sign the contract. **Res 23-05**

6. PUBLIC HEARINGS

A. **SUBJECT:** Ordinance Text Amendment to Amend Ordinance Sections 17.46.030, 17.48.030, 17.50.030, 17.90.020 of Title 17 of the Kerman Municipal Code and Adding Chapter 17.100 to Title 17 of the Kerman Municipal Code Relating to Alcohol Beverage Sales (JRO)

RECOMMENDATION: City Council conduct a public hearing, waive full reading, and introduce an Ordinance Text Amendment amending Ordinance Sections 17.46.030, 17.48.030, 17.50.030,

17.90.020 of Title 17 of the Kerman Municipal Code and adding Chapter 17.100 to Title 17 of the Kerman Municipal Code related to Alcohol Beverage Sales.

GY recused, left meeting at 6:25 p.m. Open PH; Mr. Leighly addressed Council. Closed PH. Approved. Motion made by Council Member Nijjer, Seconded by Council Member Coleman. Voting Yea: Council Member Herrera, Mayor Pacheco. Voting Abstaining: Council Member Yep. 6:47 p.m. Council Member Yep returned to meeting.

7. DEPARTMENT REPORTS

- A. SUBJECT:** Presentation of the City of Kerman 2021-2022 Auditor's Report and Financial Statements

RECOMMENDATION: Council accept the City of Kerman 2021-2022 Auditor's Report and Financial Statements as presented.

Presented. Approved. Motion made by Council Member Yep, Seconded by Council Member Nijjer. Voting Yea: Council Member Coleman, Council Member Herrera, Mayor Pacheco

- B. SUBJECT:** Resolution Appointing Members to the Planning Commission and Announcement of Votes (MR)

RECOMMENDATION: Council by motion adopt resolution appointing two applicants to the Planning Commission for three-year terms ending December 31, 2025.

Motion made by Council Member Yep, appointing Kevin Nehring Seconded by Council Member Coleman. Voting Yea: Council Member Nijjer, Council Member Herrera, Mayor Pacheco

Motion made by Council Member Herrera, appointing Robert Bandy Seconded by Council Member Coleman. Voting Yea: Council Member Nijjer, Council Member Yep, Mayor Pacheco Res 23-06

- C. SUBJECT:** Request for Funding - Kerman Youth Football

RECOMMENDATION: Council review request and direct staff accordingly.

Motion made by Council Member Yep, to donate \$500 each to Junior and Senior Cheer Teams, Seconded by Council Member Coleman. Voting Yea: Council Member Nijjer, Council Member Herrera, Mayor Pacheco

- D. SUBJECT:** Updated City Expense Reimbursement Policy (JAJ)

RECOMMENDATION: City Council by motion adopt resolution approving and adoption an updated City policy concerning expense reimbursements for the Mayor, Councilmembers, members of the Boards and Commissions, and employees for City related travel and business which shall supersede any existing City policy(ies).

Motion made by Council Member Nijjer, Seconded by Council Member Coleman. Voting Yea: Council Member Yep, Council Member Herrera, Mayor Pacheco Res 23-07

E. **SUBJECT:** Amendment of Authorized Position List to add Code Enforcement Staff Position and Amendment to FY 22-23 Budget to Fund said Position (JAJ)

RECOMMENDATION: Council by motion adopt resolution amending the Authorized Position List to add the position of Code Enforcement Official and amending the FY 22-23 Budget in the amount of \$40,000.00 to fund the position.

Motion made by Council Member Yep, Seconded by Council Member Coleman. Voting Yea: Council Member Nijjer, Mayor Pacheco. Absent: Council Member Herrera (Zoom connection lost) Res 23-08

F. **SUBJECT:** Consideration of Reasonable Accommodations Policy for City Meetings Subject to the Brown Act to Comply with AB 2449 (JAJ)

RECOMMENDATION: Council by motion approve resolution adopting reasonable accommodations policy for City meetings subject to the Brown Act to comply with Assembly Bill No. 2449.

Motion made by Council Member Yep, Seconded by Council Member Nijjer. Voting Yea: Council Member Coleman, Council Member Herrera, Mayor Pacheco Res 23-09

G. **SUBJECT:** Council Assignment for Committees, Commissions and Boards (MR)

RECOMMENDATION: Council discuss various assignment and by minute order approve appointments.

Motion made by Council Member Yep, Seconded by Council Member Nijjer. Voting Yea: Council Member Coleman, Council Member Herrera, Mayor Pacheco

8. CITY MANAGER/STAFF COMMUNICATIONS

9. MAYOR/COUNCIL REPORTS

10. CLOSED SESSION - 8:20 p.m.

- A. Government Code Section 54957
PUBLIC EMPLOYEE EVALUATION
Title: City Manager

8:45 p.m. Reconvened from Closed Session: No reportable action.

11. ADJOURNMENT – 8:46 p.m.

MINUTES CERTIFICATION

I, **MARCI REYES**, 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: January 12, 2023


Marci Reyes, City Clerk