

**ALL CELL PHONES AND ELECTRONIC DEVICES MUST BE
TURNED OFF IN THE COUNCIL CHAMBERS**

**A G E N D A
REEDLEY CITY COUNCIL MEETING**

7:00 P.M.

TUESDAY, DECEMBER 12, 2023

**Meeting Held in the Council Chambers
845 "G" Street, Reedley, California**

www.reedley.ca.gov

The Council Chambers are accessible to the physically disabled. Requests for additional accommodations for the disabled, including auxiliary aids or to request translation services, should be made 48 hours prior to the meeting by contacting the City Clerk at 637-4200 ext. 212.

Any document that is a public record and provided to a majority of the City Council regarding an open session item on the agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such documents may be posted on the City's website.

Unless otherwise required by law to be accepted by the City at or prior to a Council meeting or hearing, no documents shall be accepted for Council review unless they are first submitted to the City Clerk by the close of business one day prior to said Council meeting/hearing at which the Council will consider the item to which the documents relate, pursuant to the adopted City Council Protocols.

The meeting will be held in person and may be observed remotely via Zoom or at:

<http://www.reedley.com/livestream.php>.

Public comment may be made in person or submitted in writing. Members of the public who wish to provide written comments are encouraged to submit their comments to the City Clerk at ruthie.greenwood@reedley.ca.gov by the close of business one day prior to the start of the meeting to ensure that the comments will be available to the City Council. Please indicate the agenda item number to which the comment pertains. Written comments that do not specify a particular agenda item will be marked for the general public comment portion of the meeting. A copy of any written comment will be provided to the City Council at the meeting. Please note that written comments received will not be read aloud during the meeting, but will be included with the meeting minutes.

Anita Betancourt, Mayor

Matthew Tuttle, Mayor Pro Tem
Mary Fast, Council Member

Suzanne Byers, Council Member
Scott Friesen, Council Member

MEETING CALLED TO ORDER

INVOCATION- Associate Pastor Len Kinzel, Redeemers Church

PLEDGE OF ALLEGIANCE

ROLL CALL

AGENDA APPROVAL – ADDITIONS AND/OR DELETIONS

PRESENTATION

1. PRESENTATION FROM REEDLEY'S RIVER CITY THEATER COMPANY
2. PRESENTATION TO CODE ENFORCEMENT OFFICER JESALYN HARPER

PUBLIC COMMENT – *Provides an opportunity for members of the public to address the City Council on items of interest to the public within the Council's jurisdiction and which are not already on the agenda this evening. It is the policy of the Council not to answer questions impromptu. Concerns or complaints will be referred to the City Manager's office. Speakers should limit their comments to not more than three (3) minutes. No more than ten (10) minutes per issue will be allowed. For items which are on the agenda this evening, members of the public will be provided an opportunity to address the Council as each item is brought up for discussion.*

NOTICE TO PUBLIC

CONSENT AGENDA items are considered routine and a recommended action for each item is included, and will be voted upon as one item. If a Councilmember has questions, requests additional information, or wishes to comment on an item, the vote should not be taken until after questions have been addressed or comments made, and the public has had an opportunity to comment on the **Consent Agenda** items. If a Councilmember wishes to have an item considered individually or change the recommended action, then the item should be removed and acted upon as a separate item. A Councilmember's vote in favor of the **Consent Agenda** is considered and recorded as a separate affirmative vote in favor of each action listed. For adoption of ordinances, only those that have received a unanimous vote upon introduction are considered **Consent** items.

CONSENT AGENDA (Item 3-7)

3. APPROVAL OF MINUTES OF THE REGULAR COUNCIL MEETING OF NOVEMBER 14, 2023 - (City Clerk)
Staff Recommendation: Approve
4. RECOMMENDATION OF REJECTION OF COMPANION CLAIMS- FATIMA PEREZ, FREDY PEREZ-GARCIA, GRIZELDA FLORES-BERNADIO AND KIMBERLY PEREZ- (Administrative Services)
Staff Recommendation: Approve Claim Rejection
5. APPROVE A RECOMMENDATION BY THE COMMUNITY SERVICES COMMISSION TO AWARD COMMUNITY RECREATION GRANTS IN THE AMOUNT OF \$350 TO EACH OF THE FOUR QUALIFYING APPLICANTS-(Community Services)
Staff Recommendation: Approve
6. APPROVE PROPERTY TAX ALLOCATION AGREEMENT BETWEEN THE CITY OF REEDLEY AND THE FRESNO COUNTY FIRE PROTECTION AGREEMENT- (Administration)
Staff Recommendation: Approve

7. ADOPT RESOLUTION NO. 2023-086 AUTHORIZING SUBMITTAL OF INDIVIDUAL GRANT APPLICATIONS FOR ALL CALRECYCLE GRANT PROGRAMS FOR WHICH THE CITY OF REEDLEY IS ELIGIBLE-(Public Works)
Staff Recommendation: Approve

WORKSHOP

8. UPDATE ON CITY HALL FACILITIES PLANNING

RECEIVE INFORMATION & REPORTS

These items are formal transmittals of information to the Reedley City Council. They are not voted upon by the Reedley City Council. Members of the public who have questions on these items are suggested to call City staff members during regular business hours.

9. REEDLEY PLANNING COMMISSION MINUTES OF REGULAR MEETING OF SEPTEMBER 21, 2023 – Community Development
10. RECEIVE, REVIEW AND FILE THE 2022-23 FISCAL YEAR ANNUAL DEVELOPMENT IMPACT FEE REPORT– Administrative Services

COUNCIL REPORTS

11. BRIEF REPORT BY COUNCIL MEMBERS ON CITY RELATED ACTIVITIES AS AUTHORIZED BY THE BROWN ACT AND REQUESTS FOR FUTURE AGENDA ITEMS.

STAFF REPORTS

12. UPDATES AND/OR REPORTS BY CITY MANAGER AND/OR STAFF MEMBERS.

CLOSED SESSION

13. Government Code Section 54956.8
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: 1710 Ninth St. Reedley, CA 93654
Agency Negotiator: City Manager and Assistant City Manager
Negotiating Parties: Central CA Commercial Advisory & Brokerage Services
Under Negotiation: Price, Terms and Conditions
14. Government Code Section 54956.8
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: 936 G St. Reedley, CA 93654
Agency Negotiator: City Manager and Assistant City Manager
Negotiating Parties: PI Properties NO 140 LLC
Under Negotiation: Price, Terms and Conditions
15. Government Code Section 54956.9(d)(1)
CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Steve Bradley v. City of Reedley, Fresno County Superior Court Case No.23CECG04463

16. Government Code Section 54956.9

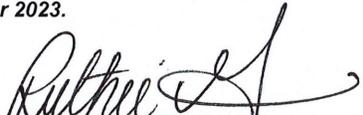
CONFERENCE WITH LEGAL COUNSEL –ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Subdivision (d)(2) of Section 54956.9 of the Government Code

One potential case

ADJOURNMENT

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing revised agenda was posted in accordance with the applicable legal requirements. Dated this 7th day of December 2023.



Ruthie Greenwood, City Clerk

REEDLEY CITY COUNCIL MEETING –November 14, 2023

A complete audio record of the minutes is available at www.reedley.ca.gov

The meeting of Reedley City Council called to order by Mayor Betancourt at 7:00 p.m. on Tuesday, November 14, 2023 in the City Hall Council Chambers, 845 “G” Street, Reedley, California.

INVOCATION – Rev. Dr. Jeff Wheeland, Reedley Mennonite Brethren Church

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Tuttle

ROLL CALL

Council Members

Present: Suzanne Byers, Mary Fast, Scott Friesen, Matthew Tuttle, Anita Betancourt

Absent: None.

AGENDA APPROVAL – ADDITIONS AND/OR DELETIONS

City Manager Nicole Zieba requested item 6 be removed from Consent and be discussed as the first item on Administrative Business.

Council Member Tuttle motioned, Council Member Friesen seconded to accept and approve agenda.

Motion unanimously **carried**.

PRESENTATION

1. PRESENTATION OF CHECK FROM ASSEMBLYMAN DEVON MATHIS
Mayor Betancourt and Council thanked Assemblyman Mathis.

2. INTRODUCTION OF ENGINEERING ASSISTANT
City Engineer Marilu Morales introduced Kyle Garcia and welcomed him to Reedley.

PUBLIC COMMENT

David Santos who is from Senator Anna Caballero’s office introduced himself to Mayor and Council.

Martha Rosales shared her concerns regarding public safety and graffiti in town.

CONSENT AGENDA (Item 3-12)

Council Member Fast requested to discuss item 8 prior to the vote. City Engineer Marilu Morales answered questions regarding this item.

Council Member Fast moved, Council Member Byers seconded to accept, approve and adopt all items listed under the **CONSENT AGENDA**.

- 3. APPROVAL OF MINUTES OF THE REGULAR COUNCIL MEETING OF OCTOBER 10, 2023 - *Approved*
- 4. RATIFY THE AUTHORIZATION FOR CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE GIANTS COMMUNITY FUND ALLOWING THE CITY OF REEDLEY TO PROVIDE THE JR. GIANTS BASEBALL PROGRAM – *Approved*
- 5. RATIFICATION OF AN UPDATED SOFTWARE SERVICES AGREEMENT WITH IWORQ SYSTEMS, INC. FOR ONGOING PERMIT MANAGEMENT, CODE ENFORCEMENT, MAINTENANCE TRACKING & FACILITIES WORK ORDERS -*Approved*

REEDLEY CITY COUNCIL MEETING –November 14, 2023

6. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL RENEWAL DOCUMENTS AND PLAN CHANGES NECESSARY FOR THE PROVISION OF DENTAL, MEDICAL, & VISION COVERAGE FOR ELIGIBLE CITY EMPLOYEES, RETIREES, AND DEPENDENTS FOR THE 2024 CALENDAR YEAR– *Item removed from Consent and will be discussed first under Administrative Business*
7. APPROVE AND AUTHORIZE CITY MANAGER TO RENEW THE ANNUAL SERVICES AGREEMENT WITH DAVID WELLHOUSE & ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$4,500 FOR PREPARATION AND FILING OF CLAIMS FOR STATE MANDATED COST (SB 90) REIMBURSEMENT – *Approved*
8. AUTHORIZE THE CITY MANAGER TO SUBMIT A FINANCIAL ASSISTANCE APPLICATION AND SUBSEQUENT RELATED ITEMS TO THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD FOR THE INSTALLATION OF A WATER MAIN ON PARLIER AVENUE AND COLUMBIA AVENUE– *Approved*
9. ADOPT RESOLUTION 2023-080 AMENDING THE PAID SICK LEAVE POLICY PURSUANT TO SB 616 FOR PART-TIME EMPLOYEES AMENDING THE ACCRUAL HOURS PROVIDED – *Approved*
10. ADOPT RESOLUTION NO. 2023-081 APPROVING THE FINAL MAP FOR TENTATIVE PARCEL MAP NO. 2022-02– *Approved*
11. ADOPT RESOLUTION NO. 2023-082 OF INTENTION TO ANNEX THE FOLLOWING TERRITORY (ANNEXATION NO. 21): APN’S 368-183-01, 368-183-02, 368-183-03, 368-350-17, 368-350-31, 368-350-32, 368-350-33, 368-021-44S, 368-021-69S, 368-350-19, 368-350-35, 370-164-13, AND 370-030-49 INTO THE CITY OF REEDLEY COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES AND FIXING THE TIME AND PLACE OF PUBLIC HEARING FOR JANUARY 9, 2024– *Approved*
12. ADOPT RESOLUTION NO. 2023-085 AUTHORIZING THE GRANT APPLICATION TO THE CALIFORNIA NATURAL RESOURCES AGENCY URBAN GREENING GRANT PROGRAM FOR IMPROVEMENTS TO THE REEDLEY COMMUNITY PARKWAY– *Approved*

ADMINISTRATIVE BUSINESS

6. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL RENEWAL DOCUMENTS AND PLAN CHANGES NECESSARY FOR THE PROVISION OF DENTAL, MEDICAL, & VISION COVERAGE FOR ELIGIBLE CITY EMPLOYEES, RETIREES, AND DEPENDENTS FOR THE 2024 CALENDAR YEAR

City Manager Nicole Zieba explained the insurance contract was up for renewal and the City of Reedley expected a large increase in medical premiums. The City’s insurance broker, Arrow Benefits Insurance Services was able to strike up a deal with Blue Shield of California however Kaiser proposed a 16 percent increase to premiums. Through the hard work negotiating a contract, 3pm today Kaiser came back with an 11.65 percent increase.

Council Member Byers motioned and Council Member Tuttle seconded to APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL RENEWAL DOCUMENTS AND PLAN CHANGES NECESSARY FOR THE PROVISION OF DENTAL, MEDICAL, & VISION COVERAGE FOR ELIGIBLE CITY EMPLOYEES, RETIREES, AND DEPENDENTS FOR THE 2024 CALENDAR YEAR

Motion unanimously **carried**.

13. RECOMMENDATION OF REJECTION OF CLAIM- UNIVERSAL MEDITECH, INC.-

City Manager Nicole Zieba explained that the City of Reedley received a claim from an attorney representing Universal Meditech, Inc. According to the claim form filed by the Thomas Business Law Group on behalf of Universal Meditech, Inc. the city unlawfully seized and destroyed assets valued at \$30 million. Staff recommended complete rejection of the claim.

REEDLEY CITY COUNCIL MEETING –November 14, 2023

Council Member Friesen motioned and Council Member Tuttle seconded to REJECTION OF CLAIM- UNIVERSAL MEDITECH, INC.-

Motion unanimously **carried**.

14. CONSIDERATION OF ITEMS PERTAINING TO REHANGING THE FIVE MURALS WHICH WERE REMOVED FROM THE ROYAL VALLEY BUILDING AND RELOCATING THE MURALS TO THE REEDLEY PARKWAY

- A. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SPECIAL INITIATIVE GRANT AGREEMENT WITH SIERRA KINGS HEALTH CARE DISTRICT
- B. ADOPT RESOLUTION NO. 2023-083 AMENDING THE 2023-24 CITY OF REEDLEY ADOPTED BUDGET APPROPRIATING \$7,000 IN THE GENERAL FUND TO COVER COSTS ASSOCIATED WITH THE MATERIALS TO FABRICATE FRAMES FOR THE MURALS.

Community Services Director Sarah Reid explained that since the destruction of the Royal Valley Building which used to stand behind City Hall, the five murals which hung on the back of the building have been stored at the City of Reedley Public Works yard. Staff has considered different options for relocation of the murals for public viewing. Along the Reedley Parkway there are murals located on the fence alongside Reedley Lock and Leave Self Storage which have enhanced the section of the trail. Staff is recommending the five murals to be relocated to this same area on the trail but the opposite side of the trail.

Council Member Fast motioned and Council Member Friesen seconded to CONSIDERATION OF ITEMS PERTAINING TO REHANGING THE FIVE MURALS WHICH WERE REMOVED FROM THE ROYAL VALLEY BUILDING AND RELOCATING THE MURALS TO THE REEDLEY PARKWAY

- A. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SPECIAL INITIATIVE GRANT AGREEMENT WITH SIERRA KINGS HEALTH CARE DISTRICT
- B. ADOPT RESOLUTION NO. 2023-083 AMENDING THE 2023-24 CITY OF REEDLEY ADOPTED BUDGET APPROPRIATING \$7,000 IN THE GENERAL FUND TO COVER COSTS ASSOCIATED WITH THE MATERIALS TO FABRICATE FRAMES FOR THE MURALS

Motion unanimously **carried**.

15. CONSIDERATION OF ITEMS PERTAINING TO AMENDING THE JOINT USE AGREEMENT BETWEEN KINGS CANYON UNIFIED SCHOOL DISTRICT AND THE CITY OF REEDLEY

- A. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE THIRD AMENDED AND RESTATED FACILITY USAGE MASTER COOPERATION AGREEMENT AND ALL PERTAINING DOCUMENTS
- B. ADOPT RESOLUTION NO. 2023-084 AMENDING THE 2023-24 ADOPTED BUDGET APPROPRIATING \$3,572 IN THE GENERAL FUND TO COVER THE COSTS ASSOCIATED WITH A PART TIME RECREATION LEADER TO OVERSEE THE PUBLIC USE OF THE PICKLEBALL AND TENNIS COURTS AT REEDLEY HIGH SCHOOL

Community Services Director Sarah Reid discussed staff had been in communication with Kings Canyon Unified School District regarding the desire to use the newly constructed pickleball courts located at Reedley High School. There has been a long standing agreement with the school and the city which benefits both organizations with the opportunity to utilize facilities. Currently there are no public pickleball courts in Reedley which caused the city to have an interest in using the courts at the high school for organized programs and for public use.

Council Member Friesen motioned and Council Member Tuttle seconded to CONSIDERATION OF ITEMS PERTAINING TO AMENDING THE JOINT USE AGREEMENT BETWEEN KINGS CANYON UNIFIED SCHOOL DISTRICT AND THE CITY OF REEDLEY

REEDLEY CITY COUNCIL MEETING –November 14, 2023

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Motion unanimously **carried**.

WORKSHOP

16. REEDLEY CHAMBER OF COMMERCE UPDATE

Erik Valencia President and CEO of the Greater Reedley Chamber of Commerce provided an update on events and plans for the future.

RECEIVE INFORMATION & REPORTS

These items are formal transmittals of information to the Reedley City Council. They are not voted upon by the Reedley City Council. Members of the public who have questions on these items are suggested to call City staff members during regular business hours.

17. QUARTERLY EXPENSE & TRAVEL REPORT FOR ELECTED AND APPOINTED OFFICIALS – JULY 1, 2023 THROUGH SEPTEMBER 30, 2023
18. RECEIVE, REVIEW AND FILE THE QUARTERLY INVESTMENT REPORT FOR 1ST QUARTER ENDING SEPTEMBER 30, 2023 FOR FISCAL YEAR 2023-24

COUNCIL REPORTS

19. BRIEF REPORT BY COUNCIL MEMBERS ON CITY RELATED ACTIVITIES AS AUTHORIZED BY THE BROWN ACT AND REQUESTS FOR FUTURE AGENDA ITEMS.

Council Member Friesen:

- Attended a 5 Cities meeting and provided a brief update

Council Member Fast:

- Discussed the Reedley State of the College event she attended
- Mentioned the Korean visit she attended
- Attended a Council of Governments meeting and provided a brief update

Council Member Byers:

- Discussed Senior Thanksgiving lunch she attended
- Mentioned the Police Department awards ceremony
- Shared about the Marjaree Mason event

Mayor Betancourt:

- Thanked the police department for hard work and dedication on a recent case

STAFF REPORTS

20. UPDATES AND/OR REPORTS BY CITY MANAGER AND/OR STAFF MEMBERS.

City Manager Nicole Zieba:

- Discussed the upcoming Council meeting schedule
- Mentioned upcoming training opportunities

Public Works Director Russ Robertson:

- Discussed upcoming Fall Clean Up event

REEDLEY CITY COUNCIL MEETING –November 14, 2023

City Engineer Marilu Morales:

- Provided an update regarding road construction happening in the community

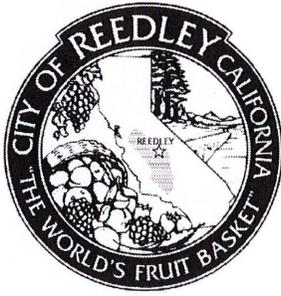
ADJOURNMENT

Mayor Betancourt adjourned the regular meeting at 8:58 p.m.

Mayor Anita Betancourt

ATTEST:

Ruthie Greenwood, City Clerk



REEDLEY CITY COUNCIL

- Consent
- Regular Item
- Workshop
- Closed Session
- Public Hearing

ITEM NO: 4

DATE: December 14, 2023

TITLE: RECOMMENDATION OF REJECTION OF COMPANION CLAIMS – FATIMA PEREZ, FREDY PEREZ-GARCIA, GRIZELDA FLORES-BERNADINO, AND KIMBERLY PEREZ

SUBMITTED: Amar Bains, Accountant *AB*

REVIEWED: Paul A. Melikian, Assistant City Manager *PM*

APPROVED: Nicole R. Zieba, City Manager *NZ*

RECOMMENDATION

That the City Council reject the claims received from Fatima Perez, Fredy Perez-Garcia, Grizelda Flores-Bernadino, and Kimberly Perez on November 09, 2023. The claims were referred to Acclamation Insurance Management Services (AIMS) for investigation and recommendation to the City.

BACKGROUND

According to the Claim Forms filed by B&D Law Group APLC on behalf of their clients listed above, on May 14, 2023 City of Reedley failed to properly manage, oversee and maintain traffic signals near E. Manning Ave and N. Buttonwillow Ave. The claims allege that non-operational traffic signals led to a collision between claimants' vehicle and another vehicle and thus, City is liable for the damages and injuries sustained by the claimants.

Based upon their investigation, AIMS revealed that lights were set to flash red at the request of Yanez Construction Inc., a private construction company relative to Encroachment Permit No. 2023-0068. Pursuant to this permit, General Provisions, #14 Liability for Damages: which reads, "Any liability resulting from personal injury or property damage that may occur while performing the work herein permitted shall be the responsibility of the Permittee. In the event a claim is made against the City of Reedley or its' employees due to the failure of the Permittee to perform his or her obligations written in this permit, the Permittee shall defend, indemnify, and hold them harmless of such a claim."

AIMS has therefore recommended that claims be rejected and tendered to Yanez Construction, Inc.

Pursuant to Government Code Section 912.4, the City Council must act upon a claim within 45 days after receipt. If there is no official action by Council, the claim is deemed to be rejected on the last day. Denial by minute order action provides a clearly defined rejection date and allows AIMS to begin their investigation and take appropriate action to resolve the claim in a timely manner.

ATTACHMENTS

1. Letter from Claimant

B&D LAW GROUP, APLC

10700 SANTA MONICA BOULEVARD, SUITE 200
LOS ANGELES, CALIFORNIA 90025
TEL: (310) 424-5252
FAX: (310) 492-5855

10/9 '23 10:52AM
CITY OF REEDLEY
RECEIVED

CLAIM FOR DAMAGES

(Government Code §911.2)

TO: CITY OF REEDLEY, CITY CLERK

SENT VIA CERTIFIED MAIL: 9407 1112 0623 8259 2077 73

City of Reedley
City Clerk
1717 9th St.
Reedley, CA 93654

RE: Fatima Perez
Date of Incident: 05/14/2023
Our File Number 21165

Name of Claimant(s): Fatima Perez

Mailing Address of Claimant:

Give Address to Which You Desire Notices or Communications to be Sent regarding this Claim: B&D LAW GROUP, APLC , 10700 Santa Monica Blvd., Suite 200, Los Angeles, California 90025-4768

How Did Damage or Injury Occur? Give full particulars:

Claimant Fatima Perez was a passenger in Fredy Prerez's vehicle traveling on E. Manning Ave. at its intersection with N. Buttonwillow Ave., whereat, the traffic signals were non-operational. Claimant stopped at the intersection but was ultimately struck by another vehicle due to the public entity Respondents' non-operational traffic signals.

Name of Agency against which this claim is filed?

City of Reedley, County of Fresno, Public Works Department.

When Did Damage or Injury Occur? Give full particulars; date, time of day:

On or about May 14, 2023 at approximately 3:30pm

Where Did Damage or Injury Occur? Describe fully.:

At or near E. Manning Ave. and N. Buttonwillow Ave., in the City of Reedley, CA

Certified Mail Delivery accepted by Ruthie Greenwood, City Clerk

City of Reedley
Attention: City Clerk
RE: Fatima Perez
Page 2 of 2

What Particular Act or Omission Do You Claim Caused the Injury or Damage?

The public entity Respondents were negligent by failing to properly manage, oversee, maintain properly operating traffic signals and/or direct traffic at the subject intersection in a safe manner and thus, liable for the damages and injuries sustained by the Claimant. The absence of operational traffic signals created a dangerous condition. Plaintiff is informed, believes and thereon alleges that the traffic signals were not functioning, creating a trap, peculiar risk and nuisance for a sufficient amount of time, so that the entity in charge of the area knew, or should have known, of the hazard with sufficient time to correct the dangerous condition, an exception to immunity under Gov. Code §§ 815.2, 815.4, 815.6, 820, 830, 830.8, 835 and 840.2, inter alia.

Give Names of employees causing the injury or Damage, if known:

N/A

Names and Address of Witnesses, Doctors and Hospitals:

Adventist Health Reedley 372 W. Cypress Ave. Reedley, CA 93654
CEP America California 1601 Cummins Dr. Ste D Modesto, CA 95358
Accelerated Urgent Care 761 Shaw Ave. Clovis, CA 93621

What Damage or Injuries Do You Claim Resulted? Please give full extent of injuries or damages claimed.

By way of example and without limitation: Injuries to their person and body, including but not limited to neck, right shoulder, right lower extremity, right foot.

What is the amount of Your Claim? Please itemize your Damages:

Within the jurisdiction of the Superior Court (Unlimited Civil Case). The Demand is in excess of \$25,000.00.

DATED: 11-2-2023



DANIEL D. GEOULLA, ESQ.
On Behalf of Claimant

B&D LAW GROUP, APLC

10700 SANTA MONICA BOULEVARD, SUITE 200
LOS ANGELES, CALIFORNIA 90025
TEL: (310) 424-5252
FAX: (310) 492-5855

NOV 23 10:51 AM
CITY OF REEDLEY
RECEIVED

CLAIM FOR DAMAGES

(Government Code §911.2)

TO: CITY OF REEDLEY, PUBLIC WORKS DEPARTMENT

SENT VIA CERTIFIED MAIL: 9407 1112 0623 8254 5922 56

City of Reedley
Public Works Department
1733 9th St.
Reedley, CA 93654

RE: Grizelda Flores Bernadino
Date of Incident: 05/14/2023
Our File Number 21165

Name of Claimant(s): Grizelda Flores Bernadino

Mailing Address of Claimant:

Give Address to Which You Desire Notices or Communications to be Sent regarding this Claim: B&D LAW GROUP, APLC , 10700 Santa Monica Blvd., Suite 200, Los Angeles, California 90025-4768

How Did Damage or Injury Occur? Give full particulars:

Claimant Grizelda Flores Bernadino was a passenger in Fredy Prerez's vehicle traveling on E. Manning Ave. at its intersection with N. Buttonwillow Ave., whereat, the traffic signals were non-operational. Claimant stopped at the intersection but was ultimately struck by another vehicle due to the public entity Respondents' non-operational traffic signals

Name of Agency against which this claim is filed?

Public Works Department, City of Reedley, County of Fresno

When Did Damage or Injury Occur? Give full particulars; date, time of day:

On or about May 14, 2023 at approximately 3:30pm

Where Did Damage or Injury Occur? Describe fully.:

At or near E. Manning Ave. and N. Buttonwillow Ave., in the City of Reedley, CA

Certified Mail Delivery accepted by Ruthie Greenwood, City Clerk

City of Reedley
Attention: Public Works Department
RE: Grizelda Flores Bernardino
Page 2 of 2

What Particular Act or Omission Do You Claim Caused the Injury or Damage?

The public entity Respondents were negligent by failing to properly manage, oversee, maintain properly operating traffic signals and/or direct traffic at the subject intersection in a safe manner and thus, liable for the damages and injuries sustained by the Claimant. The absence of operational traffic signals created a dangerous condition. Plaintiff is informed, believes and thereon alleges that the traffic signals were not functioning, creating a trap, peculiar risk and nuisance for a sufficient amount of time, so that the entity in charge of the area knew, or should have known, of the hazard with sufficient time to correct the dangerous condition, an exception to immunity under Gov. Code §§ 815.2, 815.4, 815.6, 820, 830, 830.8 835 and 840.2, inter alia.

Give Names of employees causing the injury or Damage, if known:

N/A

Names and Address of Witnesses, Doctors and Hospitals:

Adventist Health Reedley 372 W. Cypress Ave. Reedley, CA 93654
CEP America California 1601 Cummins Dr. Ste D Modesto, CA 95358
RSPN- Fresno 6065 N. First St. Ste. 104 Fresno, CA 93710
Fresno Imaging Center 6191 N. Thesta Ave. Fresno, CA 93710

What Damage or Injuries Do You Claim Resulted? Please give full extent of injuries or damages claimed.

By way of example and without limitation: Injuries to their person and body, including but not limited to neck right wrist, right elbow, waist, & back.

What is the amount of Your Claim? Please itemize your Damages:

Within the jurisdiction of the Superior Court (Unlimited Civil Case). The Demand is in excess of \$25,000.00.

DATED: 11-2-2023


DANIEL B. GEOULLA, ESQ.
On Behalf of Claimant

B&D LAW GROUP, APLC

10700 SANTA MONICA BOULEVARD, SUITE 200
LOS ANGELES, CALIFORNIA 90025
TEL: (310) 424-5252
FAX: (310) 492-5855

NOV 23 10:51AM
CITY OF REEDLEY
RECEIVED

CLAIM FOR DAMAGES

(Government Code §911.2)

TO: CITY OF REEDLEY, PUBLIC WORKS DEPARTMENT

SENT VIA CERTIFIED MAIL: 9407 1112 0623 8254 1052 72

City of Reedley
Public Works Department
1733 9th St.
Reedley, CA 93654

RE: Kimberly Perez
Date of Incident: 05/14/2023
Our File Number 21165

Name of Claimant(s): Kimberly Perez

Mailing Address of Claimant:

Give Address to Which You Desire Notices or Communications to be Sent regarding this Claim: B&D LAW GROUP, APLC , 10700 Santa Monica Blvd., Suite 200, Los Angeles, California 90025-4768

How Did Damage or Injury Occur? Give full particulars:

Claimant Kimberly Perez was a passenger in Fredy Prerez's vehicle traveling on E. Manning Ave. at its intersection with N. Buttonwillow Ave., whereat, the traffic signals were non-operational. Claimant stopped at the intersection but was ultimately struck by another vehicle due to the public entity Respondents' non-operational traffic signals

Name of Agency against which this claim is filed?

Public Works Department, County of Fresno, City of Reedley.

When Did Damage or Injury Occur? Give full particulars; date, time of day:

On or about May 14, 2023 at approximately 3:30pm

Where Did Damage or Injury Occur? Describe fully.:

At or near E. Manning Ave. and N. Buttonwillow Ave., in the City of Reedley, CA

*Certified Mail Delivery accepted by
Ruthie Greenwood, City clerk*

City of Reedley
Attention: Public Works Department
RE: Kimberly Perez
Page 2 of 2

What Particular Act or Omission Do You Claim Caused the Injury or Damage?

The public entity Respondents were negligent by failing to properly manage, oversee, maintain properly operating traffic signals and/or direct traffic at the subject intersection in a safe manner and thus, liable for the damages and injuries sustained by the Claimant. The absence of operational traffic signals created a dangerous condition. Plaintiff is informed, believes and thereon alleges that the traffic signals were not functioning, creating a trap, peculiar risk and nuisance for a sufficient amount of time, so that the entity in charge of the area knew, or should have known, of the hazard with sufficient time to correct the dangerous condition, an exception to immunity under Gov. Code §§ 815.2, 815.4, 815.6, 820, 830, 830.8 835 and 840.2, inter alia.

Give Names of employees causing the injury or Damage, if known:

N/A

Names and Address of Witnesses, Doctors and Hospitals:

Adventist Health Reedley 372 W. Cypress Ave. Reedley, CA 93654
CEP America California 1601 Cummins Dr. Ste D Modesto, CA 95358
Accelerated Urgent Care 761 Shaw Ave. Clovis, CA 93621

What Damage or Injuries Do You Claim Resulted? Please give full extent of injuries or damages claimed.

By way of example and without limitation: Injuries to their person and body, including but not limited to neck and back.

What is the amount of Your Claim? Please itemize your Damages:

Within the jurisdiction of the Superior Court (Unlimited Civil Case). The Demand is in excess of \$25,000.00.

DATED: 11-2-2023



DANIEL D. GEOULLA, ESQ.
On Behalf of Claimant

B&D LAW GROUP, APLC

10700 SANTA MONICA BOULEVARD, SUITE 200
LOS ANGELES, CALIFORNIA 90025
TEL: (310) 424-5252
FAX: (310) 492-5855

NOV 9 '23 10:50AM
CITY OF REEDLEY
RECEIVED

CLAIM FOR DAMAGES

(Government Code §911.2)

TO: CITY OF REEDLEY, PUBLIC WORKS DEPARTMENT

SENT VIA CERTIFIED MAIL: 9407 1112 0623 8254 0331 55

City of Reedley
Public Works Department
1733 9th St.
Reedley, CA 93654

RE: Fredy Perez Garcia
Date of Incident: 05/14/2023
Our File Number 21165

Name of Claimant: Fredy Perez Garcia

Mailing Address of Claimant:

Give Address to Which You Desire Notices or Communications to be Sent regarding this Claim: B&D LAW GROUP, APLC , 10700 Santa Monica Blvd., Ste. 200, Los Angeles, CA 90025-4768

How Did Damage or Injury Occur? Give full particulars:
Claimant Fredy Perez Garcia was driving his vehicle on E. Manning Ave. at its intersection with N. Buttonwillow Ave., whereat, the traffic signals were non-operational. Claimant stopped at the intersection but was ultimately struck by another vehicle due to the public entity Respondents' non-operational traffic signals.

Name of Agency against which this claim is filed?
Public Works Department, City of Reedley, County of Fresno

When Did Damage or Injury Occur? Give full particulars; date, time of day:
On or about May 14, 2023 at approximately 3:30pm

Where Did Damage or Injury Occur? Describe fully.:
At or near E. Manning Ave. and N. Buttonwillow Ave., in the City of Reedley, CA

Certified Mail Delivery accepted by Ruthie Greenwood, City Clerk

County of Fresno
Attention: City Clerk
RE: Fredy Perez Garcia
Page 2 of 2

What Particular Act or Omission Do You Claim Caused the Injury or Damage?

The public entity Respondents were negligent by failing to properly manage, oversee, maintain properly operating traffic signals and/or direct traffic at the subject intersection in a safe manner and thus, liable for the damages and injuries sustained by the Claimant. The absence of operational traffic signals created a dangerous condition. Plaintiff is informed, believes and thereon alleges that the traffic signals were not functioning, creating a trap, peculiar risk and nuisance for a sufficient amount of time, so that the entity in charge of the area knew, or should have known, of the hazard with sufficient time to correct the dangerous condition, an exception to immunity under Gov. Code §§ 815.2, 815.4, 815.6, 820, 830, 830.8 835 and 840.2, inter alia.

Give Names of employees causing the injury or Damage, if known:

N/A

Names and Address of Witnesses, Doctors and Hospitals:

Adventist Health Reedley - 372 W. Cypress Ave., Reedley, CA 93654
CEP America California - 1601 Cummins Dr., Ste D, Modesto, CA 95358
RSPN Fresno - 6065 N. First St., Ste. 104, Fresno, CA 93710
Sierra Medical Imaging - 231 W. Fir Ave., Clovis, CA 93611

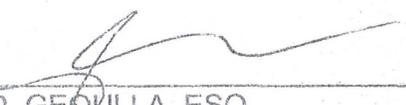
What Damage or Injuries Do You Claim Resulted? Please give full extent of injuries or damages claimed.

By way of example and without limitation: Injuries to their person and body, including but not limited to neck, right shoulder, right elbow, and right wrist.

What is the amount of Your Claim? Please itemize your Damages:

Within the jurisdiction of the Superior Court (Unlimited Civil Case). The Demand is in excess of \$25,000.00.

DATED: 11-2-2023



DANIEL D. GEOULLA, ESQ.
On Behalf of Claimant



REEDLEY CITY COUNCIL

- Consent
- Regular Item
- Workshop
- Closed Session
- Public Hearing

ITEM NO: 5

DATE: December 12, 2023

TITLE: APPROVE A RECOMMENDATION BY THE COMMUNITY SERVICES COMMISSION TO AWARD COMMUNITY RECREATION GRANTS IN THE AMOUNT OF \$350 TO EACH OF THE FOUR QUALIFYING APPLICANTS.

SUBMITTED: Sarah Reid
Community Services Director 

APPROVED: Nicole R. Zieba
City Manager 

RECOMMENDATION

Approve a recommendation by the Community Services Commission to award four Community Recreation Grants in the amount of \$350 to each of qualifying applicants: Reedley High School (RHS) Pirates Band Boosters, Reedley High School (RHS) Parents for a Sober Graduation, Reedley Senior Commission, Inc. and Reedley Parks and Recreation Foundation.

EXECUTIVE SUMMARY

The Community Recreation Grant Guidelines specifies these funds are intended for local, non-profit organizations who support recreational activities in Reedley.

A notice announcing the grant cycle was posted on the City's website and Community Services Department's Facebook page announcing six (6) \$350 grants available. The notice indicated that applications were available at the Reedley Community Center and on the City's website with a due date of October 19, 2023 by 5:00pm. Letters were mailed to past applicants announcing the grant opportunity as well. Four applications were received by the deadline and met the requirement to apply.

If awarded, the groups have stated they will use the funds for the following purposes: RHS Pirates Band Boosters for fees related to parades entries and transportation costs, RHS Parents for a Sober Graduation to cover expenses associated with the high school senior event at the end of the school year, Reedley Senior Commission, Inc. to support Reedley senior activities, Reedley Parks and Recreation Foundation to purchase doggie poop bags for the dispensers along the Parkway.

FISCAL IMPACT

\$2,100 has been appropriated in the City of Reedley 2023-24 Fiscal Year Budget.

COMMITTEE/COMMISSION REVIEW/ACTIONS

The Community Services Commission reviewed this item and recommend the four applicants are awarded \$350 each.

ATTACHMENTS

City of Reedley Community Recreation Grant Guidelines

CITY OF REEDLEY
COMMUNITY RECREATION GRANT GUIDELINES

1. Community Cash Donations from the City of Reedley will be limited to the total amount appropriated by the City Council in the City Budget.
2. Donations will be limited to non-profit groups who provide direct recreational activities to Reedley residents. Non-profit as used herein shall mean those tax-exempt groups that present written evidence that the organization has obtained non-profit status under the Internal Revenue Code Section 501(c)(3).
3. No funding will be granted to any fundraiser or cause.
4. Grants will be limited to a maximum of \$350.00 per group per fiscal year. *If not, all grants are awarded, the Commission may make a recommendation to City Council to increase the award amount up to the maximum budgeted amount.*
5. **The deadline for submission of applications is the 4th Thursday in October by 5:00 p.m.** Grant proposals will be reviewed by the Community Services Commission at their meeting the following week. If you are not notified, please ask the Community Services staff for information regarding the meeting.
6. The Grant process will be as follows:
 - a. Grant proposals shall be submitted to:
Director of Community Services, 100 N. East Avenue, Reedley, California 93654
 - b. Grant proposals will include:
 - 1) Name of Organization.
 - 2) State Non-Profit Number.
 - 3) Statement of groups purpose for requesting funds (organizations are encouraged to use the funding to pay for participants that could not otherwise afford to participate).
 - 4) Number of Reedley participants estimated to be served.
 - 5) Financial Statement Form attached.
 - 6) Other information as may be specified by the Community Services Director.
 - c. Due to the competitive nature of the grants, if all of the information listed in item 6b. is not included with the application, the organization may be disqualified.
 - d. The Community Services Director shall review requests and submit eligible requests to the Community Services Commission for evaluation.
 - e. A representative of the organization needs to be present at the Community Services Commission meeting where the grants are reviewed and recommended. This will give the applicant an opportunity to clarify information submitted.
 - f. The Community Services Commission shall submit grant award recommendations to the City Council for approval. Recommendations will be based on several factors. Does this event....
 - 1) ... encourage the health and well-being of Reedley citizens?
 - 2) ... teach or encourage recreational, enrichment and/or outdoor skills?
 - 3) ... help organizations or individuals with limited financial means?
 - 4) ... encourage or promote our local parks?
 - 5) ... encourage or promote youth?
 - 6) ... encourage or promote local activities?
 - g. Upon approval, the Community Services Director shall have funds disbursed.
7. All other community groups who are not covered under these guidelines should be referred by the Director to the appropriate agency for potential funding.



REEDLEY CITY COUNCIL

- Consent
- Regular Item
- Workshop
- Closed Session
- Public Hearing

ITEM NO: 6

DATE: December 12, 2023

TITLE: APPROVE PROPERTY TAX ALLOCATION AGREEMENT BETWEEN THE CITY OF REEDLEY AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

APPROVED: Nicole R. Zieba
City Manager

RECOMMENDATION

That the City Council approve the tax sharing agreement between the City of Reedley and the Fresno County Fire Protection District for equitable allocation of tax revenues after property has been annexed from the County of Fresno into the City of Reedley.

BACKGROUND

When property is annexed into the City of Reedley (City) jurisdiction from the County of Fresno (County), the property taxes for the subject area that were previously paid to the County of Fresno are paid to the City. A portion of those property taxes that were collected when the property was under County jurisdiction are remitted to the Fresno County Fire Protection District (District) for fire related services. When annexations occur, the District loses important revenue that helps to fund its stations, and provide for staffing and equipment. In order to ensure an orderly transition of services, staffing, and the planning of future stations, all cities within or adjacent to the District's service territory have a Property Tax Allocation Agreement between the parties that outlines how property tax is to be allocated for a defined transitional period of time between the parties after property is annexed into a city.

The City's Agreement with the District was last negotiated and approved in 2013 and has an expiration date of December 31, 2023. The City and District have communicated about a new Agreement. Both parties believe that the terms of the previous Agreement have been beneficial and both desire to execute a new ten-year Agreement with substantially the same terms as the previous Agreement. If approved by both the City Council and the District Board, the new Agreement will be effective as of January 1, 2024, and will remain in effect through December 31, 2033.

FISCAL IMPACT

The Agreement calls for a Base Year Allocation (BYA) to be established for each property that is annexed into the City. The BYA represents the share of property tax revenue that the District has been receiving from that property. For a period of ten years, the City remits that BYA to the District upon receiving property tax revenue from the County each year. The BYA increases by 2% each year for that ten year period. At the end of the ten year period, the City's obligation to remit revenue to the District ceases for that parcel and the City retains the revenue for that parcel from that point forward.

ATTACHMENTS

Draft Property Tax Allocation Agreement Between the City of Reedley and the Fresno County Fire Protection District

**PROPERTY TAX ALLOCATION
AGREEMENT BETWEEN
THE CITY OF REEDLEY
AND
THE FRESNO COUNTY FIRE PROTECTION DISTRICT**

This Property Tax Allocation Agreement ("Agreement") is entered into and effective _____, 2023 ("Effective Date"), between the City of Reedley, a California municipal corporation ("City") and the Fresno County Fire Protection District ("District"), a local fire protection district organized and existing as a California Special District under provisions of the Fire Protection District Law of 1987 (Health & Safety Code Section 13800 *et seq.*) with respect to the following Recitals, which are incorporated as a substantive part of this Agreement.

RECITALS

WHEREAS, the District is the primary provider of fire suppression, prevention, rescue, emergency medical services and hazardous material emergency response and other services relating to the protection of lives and property ("Fire Protection Services") within its territorial limits, which includes areas near the incorporated centers of the County of Fresno ("County"), including the City. Current District boundaries are reflected in Exhibit 1, attached and incorporated by this reference. The District also provides Fire Protection Services to certain incorporated cities and substantial portions of unincorporated areas within the County; and

WHEREAS, the City is the provider of Fire Protection Services within its corporate limits; and

WHEREAS, the District's primary source of funding comes from general purpose *ad valorem* property tax revenue from all real property within its territory (property taxes); and

WHEREAS, from time to time in connection with proposed property development, territory within the District is annexed into the City and detached from the District. Although District no longer services properties that annex into the City and detach from the District, District wide service obligations and regional support are not reduced commensurately. To address the impact of the resulting loss of property tax revenue on District facilities, equipment and personnel and partially mitigate impacts upon the District from annexations and detachments, Fresno County Local Agency Formation Commission ("LAFCo") policy requires the City and District to reach an agreement governing the transition of Fire Protection Services: and

WHEREAS, for the past 30 years District and the incorporated cities in the County have operated under transition agreements, the most recent covering the last

ten (10) years (the "2013 Transition Agreement"), under which City agreed to pay District a lump sum of money upon annexation and detachment of property reflecting a percentage of Property Taxes District would have received had the property not been annexed for a period of 10 years; and

WHEREAS, the District and City desire to enter into a new agreement under substantially the same terms, removing obsolete language, and providing for a new 10 year term with an option for the parties to extend the term for an additional 10 years; and

WHEREAS, the intent of this Agreement is to apply to all unincorporated areas that are within the jurisdictional boundaries of the District which may be subject to annexation to the City.

AGREEMENT

NOW, THEREFORE, the parties agree as follows:

1. Effect of Recitals. The foregoing Recitals are incorporated in, and are a part of this Agreement.
2. Allocation and Payment of Property Taxes.
 - a) Upon the effective date of annexations/reorganizations of property ("Affected Territory") into the City and detachment of the Affected Territory from the District, the real property tax previously imposed on the Affected Territory, and collected and allocated by Fresno County for the benefit of the District ("Base Year Allocation" or "BYA") shall continue to be collected by the County from the City's portion of real property taxes, but paid to the City and the City shall allocate and pay the BYA for the Affected Territory to the District for a period of 10 years from the effective date of the specific reorganization. The BYA shall include any increase up to two percent (2%) per annum imposed by the County in accordance with the constitutional rate. Other than a potential up to 2% annual increase in the BYA, the District will not be eligible to receive any increase in the BYA.

For the purposes of this Agreement, the effective date of reorganizations and the date to be used for when the tax reallocation to District commences, shall be the date upon which the annexation of property is recorded with the County Recorder and California State Board of Equalization consistent with applicable law. The District shall be responsible for creating the tax allocation rate schedule and providing City with the tax allocation rate schedule for review and approval prior to District invoicing the City for the BYA. Exhibit 2, attached, and incorporated by this reference, sets forth an example of the tax allocation rate schedule.

- b) The District shall notice and invoice the City to pay the applicable BYA to the District in July of each year. Such notice shall include the applicable tax allocation

rate schedule showing the BYA due the District. City shall send the applicable payment to District within thirty (30) days after the City's receipt of the District's notice, invoice and tax allocation rate schedule. In the event the City does not pay to the District the applicable BYA due the District within said thirty (30) day period, the amount due the District shall be assessed interest at the legal rate commencing on the thirty first (31) day after the City's receipt of the District's notice and tax allocation rate schedule. The City's failure to make the allocated monetary payment amount due the District within the time period set forth in this subparagraph 2b. shall be considered a material breach of this Agreement.

- c) The City and District agree that if a tax allocation rate schedule for a reorganization identifies the total annual allocation of BYA over the 10-year allocation period, which includes the 2% annual constitutional rate increase, is less than \$10,000, City will pay the entire 10-year allocation in one (1) lump sum at the time the first annual allocation payment is due under the applicable tax allocation rate schedule.

3. Term. The term of this Agreement shall be for a period of 10-years from the Effective Date, through December 31, 2033, and it shall replace in all respects the 2013 Transition Agreement between the parties, except that obligations which by the terms expressed herein are intended to continue beyond the term of this Agreement shall continue until satisfied. This Agreement may also be extended by an additional period of 10-years from the expiration date with the agreement of both District and City.

4. Effect of Annexations. Upon annexation of affected properties to City, those properties shall detach from the District, and all Property Taxes shall be allocated consistent with Agreement section 2 and existing laws, rules, policies and procedures established in the County, subject to any applicable agreement between City and the County.

5. LAFCo Compliance. District and City agree that this Agreement is intended to satisfy the intent and purpose of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

6. Non-Opposition to Annexations. District represents and agrees that during the term of this Agreement, it will not oppose further annexation to the City. This District agreement does not extend to modifications to the City Sphere of Influence or required Municipal Service Reviews adopted by the Fresno County LAFCo.

7. Accounting. District and City agree that their designated representatives shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. District and City agree to maintain such records for a possible audit for a minimum of four (4) years from the recording date of an annexation to the City and to allow access to such records for an audit during normal business hours.

8. Termination.

- a. Termination Upon Expiration. This Agreement shall terminate upon expiration of its Term, if not extended by agreement.
- b. Termination Due to Invalidity. Should any material portion of this Agreement be declared invalid or inoperative by a court of competent jurisdiction, this entire Agreement as well as any ancillary documents entered into by the parties in order to fulfill the intent of this Agreement shall immediately be of no force and effect and this Agreement shall terminate in its entirety.
- c. Termination Due to Material Breach: Right to Cure. This Agreement may be terminated by either party for a material breach and a failure to cure that breach within thirty (30) days after receipt of a notice to cure.
- d. Termination Due to Change in Law. It is mutually understood and agreed that this Agreement shall terminate immediately and shall be of no further force and effect should substantial substantive changes occur in such statutory scheme or successor statutory schemes (whether by legislative or judicial action) which negate or frustrate the fundamental reasons or tenets of this Agreement, such termination to be in the entirety. Any party contending this section applies shall give written notice of termination pursuant to this section, which notice shall include an explanation of the reason(s) for such termination.

9. Renewal of Agreement. Within 60 days after the date of commencement of the ninth year of this Agreement, the District and the City will meet and negotiate in good faith, in an attempt to agree upon the terms and conditions of an extension of the Term of this Agreement for a period of 10 years consistent with applicable law at the time.

10. Remedies for Breach of Agreement. In addition to termination of this Agreement for a material breach, the parties may exercise any other remedy available to them at law or in equity, including specific performance, injunctive relief, and writ of mandate.

11. Dispute Resolution. If any dispute arises regarding the interpretation or application of this Agreement or any determination or calculation thereunder, the parties agree upon the request of either of them to meet and attempt to resolve the same amicably for a period not to exceed thirty (30) days.

If the dispute is not otherwise resolved, and absent the need for emergency relief or to meet a statute of limitations, the parties agree to enter into mediation before initiating litigation. The parties shall mutually agree upon a mediator and each party shall pay one half (1/2) the cost of the mediator and bear their own costs for the mediation. The mediation shall be completed within sixty (60) days of notice of the intent to undergo mediation. If the mediation is not completed within sixty (60) days of notice, a party may initiate litigation. The parties shall act in good faith and with due diligence to timely complete the mediation.

If litigation is commenced before mediation due to one of the reasons mentioned above, the parties agree to immediately commence and complete

mediation within sixty (60) days of the commencement of litigation as evidenced by the filing in court of a formal complaint, petition, or similar document.

12. Modification. This Agreement may be modified or amended only by a writing duly authorized and executed by the City and District.

13. Enforcement. The City and District each acknowledge that this Agreement cannot bind or limit themselves or each other or their future governing bodies in the exercise of their discretionary legislative power. However, each binds itself that it will insofar as is legally possible, fully carry out the intent and purposes hereof, if necessary, by administrative and ministerial action independent of that legislative power and that this Agreement may be enforced by injunction or mandate or other writ to the full extent allowed by law.

14. Integration. With respect to the subject matter hereof, this Agreement is intended to be an integrated agreement and supersedes any and all previous negotiations proposals, commitments, writings and understandings of any nature whatsoever between the City and the District as to the subject matter of this Agreement.

15. Notice. All notices, requests, determinations or other correspondence required or allowed by law or this Agreement to be provided by the parties shall be in writing and shall be deemed given and received when delivered to the recipient by first-class mail (or an equal or better form of delivery) at the following addresses:

CITY

City Manager
City of Reedley
1717 Ninth Street
Reedley, California 93654

DISTRICT

Fire Chief
Fresno County Fire Protection District
210 South Academy Avenue
Sanger, California 93657

By giving notice, either party may change its address for these purposes.

16. Third Parties. This Agreement shall not be construed as or deemed an agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action hereunder for any cause of action whatsoever.

17. Subsequent District Agreements. District agrees that if, during the term of this Agreement, District negotiates a property tax allocation and fire services agreement involving an annexation to the municipality and a detachment from the District with any other municipality which contains more favorable terms than this Agreement, District shall notify City within thirty (30) days of such agreement and offer those same terms to City. More favorable terms, means, but is not necessarily limited to, another municipality allocating to District a lower percentage of taxes than City allocates District under Section 2 of this Agreement.

18. Attorney's Fees and Costs. In any action to enforce the provisions of this Agreement or for breach of the Agreement, the prevailing party shall recover from the other party, in addition to any damages, injunctive or other relief, all costs (whether or

not allowable as "cost" items by law) reasonably incurred at, before and after trial or on appeal, including without limitation attorneys' and witness (expert and otherwise) fees, deposition costs, copying charges and other expenses.

19. Approval. The parties represent that this Agreement was approved by their respective governing boards at a properly noticed meeting.

20. Choice of Law and Venue. This Agreement shall be governed by the laws of the State of California. Venue for actions and proceedings between the parties related to this Agreement shall be in the Eastern District of California for any federal action and, unless otherwise agreed by the parties, in Fresno County Superior Court for state actions.

21. Agreement Mutually Drafted. Each party has participated jointly in the drafting of this Agreement, which each Party acknowledges is the result of extensive negotiations between the Parties, and the language used in this Agreement shall be deemed to be the language chosen by the Parties to express their mutual intent. If an ambiguity or question of intent or interpretation arises, then this Agreement will accordingly be construed as drafted jointly by the parties, and no presumption or burden of proof will arise favoring or disfavoring any Party to this Agreement by virtue of the authorship of any of the provisions of this Agreement. The captions, headings and table of contents contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

22. Notification to County Auditor-Controller/Treasurer/Tax-Collector. Immediately after the Effective Date of this Agreement, City and District shall furnish a fully executed copy of this Agreement to the Fresno County Auditor-Controller/Treasurer Tax-Collector ("County Auditor") at the address listed below. Any Agreement amendment, upon its becoming effective, shall also be furnished to the County Auditor by the City and the District.

Fresno County Auditor-Controller/Treasurer Tax-Collector
2281 Tulare Street
Fresno, CA 93721

Signatures on next page

IN WITNESS WHEREOF, the parties have entered into this Agreement in Fresno County, California.

FRESNO COUNTY FIRE PROTECTION DISTRICT

CITY OF REEDLEY

BY: _____
Matt Furrer, Board President

BY: _____
Nicole R. Zieba, City Manager

Date: _____

Date: _____

ATTEST:

ATTEST:

BY: _____
Brad Richter, Board Secretary

BY: _____
Ruthie Greenwood, City Clerk

Date: _____

Date: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

William D. Ross, District Counsel

Laurie Avedisian-Favini, City Attorney

Date: _____

Date: _____

Exhibit 1 – Current District Boundaries

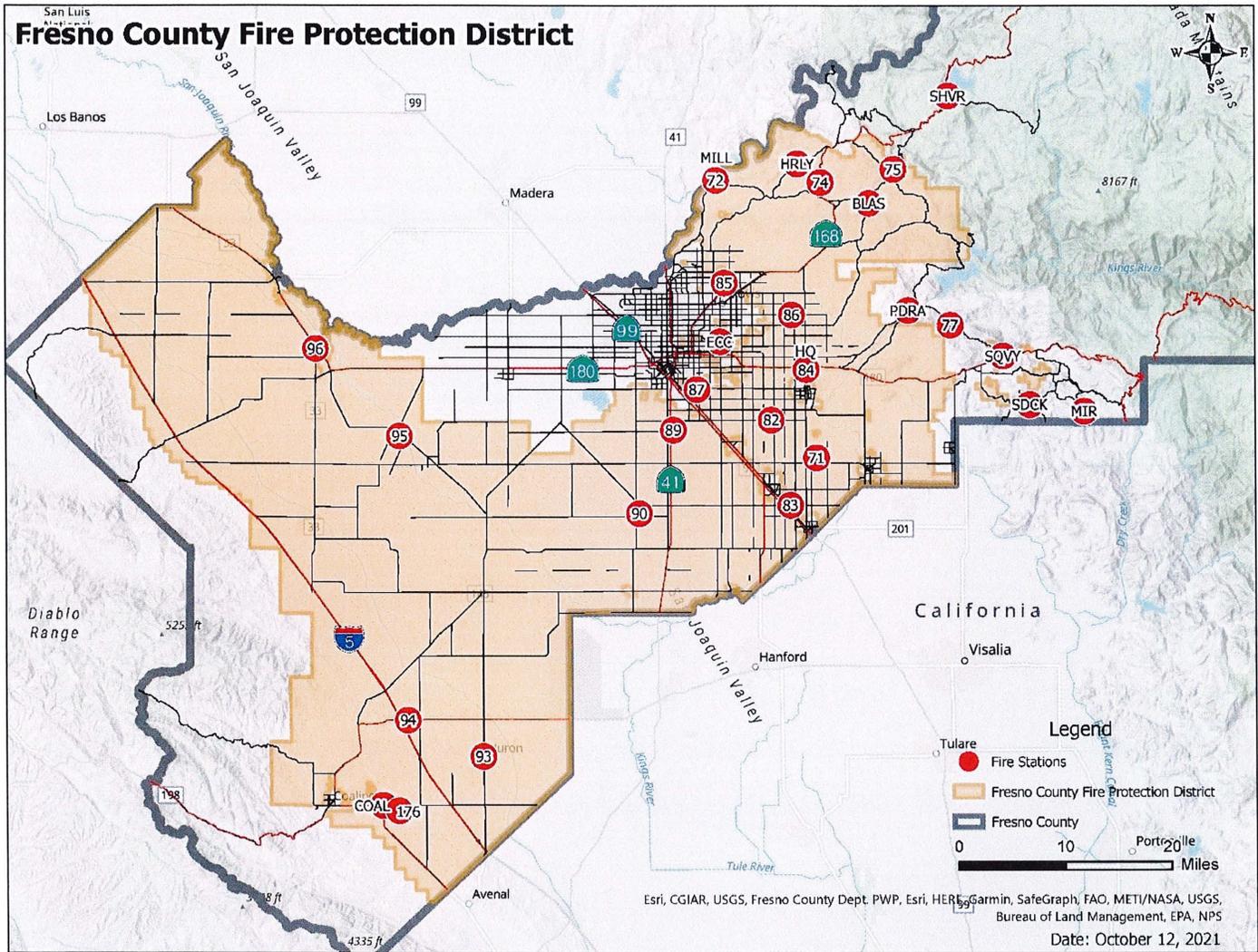


Exhibit 2 -Example Tax Allocation Rate Schedule

RO-22-02 West Manning Reorganization

This agreement is intended to execute the Transition Agreement entered into between the City of Reedley and the Fresno County Fire Protection District effective December 1, 2023. The agreement provides for a payment to the District for 100% of the Base Year Allocation (BYA) for a period of (10) years. BYA to include up to a 2% annual constitutional increase determined by the State Board of Equalization. The Total Assessed Value includes both Secured and Unsecured amount totals added together from the Fresno County Schedule of Levy's, from the Tax Roll at the date of recording. Year 1 payment is due to the District the fiscal year the City receives its allocation of property taxes from this annexation. Payments due the District for each fiscal year (July 1 - June 30) will be made no later than August 30 each year for the prior fiscal year. City and District agree that total payments for annexations over a ten-year period that are less than \$10,000, City will pay the District a one-time payment in total for that annexation.

Recording Date of: March 20, 2023

Tax Roll Used: 2023

Tax Rate Area (TRA) # 169-001

Total Assessed Value of all involved parcels at recording: \$1,190,337

Equivalent Tax Rate (ETR) = 0.00087130

Base Year Allocation (BYA) = \$1,037.14

	Year	BYA +	Annual Increase	Payment Due
Year 1 Payment	2022	\$1,037.14	-----	\$1,037.14
Year 2 Payment	2023	\$1,057.88	2.00%	\$1,057.88
Year 3 Payment	2024	\$1,079.04	2.00%	\$1,079.04
Year 4 Payment	2025	\$1,100.62	2.00%	\$1,100.62
Year 5 Payment	2026	\$1,122.63	2.00%	\$1,122.63
Year 6 Payment	2027	\$1,145.09	2.00%	\$1,145.09
Year 7 Payment	2028	\$1,167.99	2.00%	\$1,167.99
Year 8 Payment	2029	\$1,191.35	2.00%	\$1,191.35
Year 9 Payment	2030	\$1,215.17	2.00%	\$1,215.17
Year 10 Payment	2031	\$1,239.48	2.00%	\$1,239.48
Total Payments				\$11,356.39

 Dustin Hail, Fire Chief
 Fresno County Fire
 Protection District

 Nicole R. Zieba, City Manager
 City of Reedley

 Date

 Date



REEDLEY CITY COUNCIL

- Consent
- Regular Item
- Workshop
- Closed Session
- Public Hearing

ITEM NO: 7

DATE: December 12, 2023

TITLE: ADOPT RESOLUTION NO. 2023-086 AUTHORIZING SUBMITTAL OF INDIVIDUAL GRANT APPLICATIONS FOR ALL CALRECYCLE GRANT PROGRAMS FOR WHICH THE CITY OF REEDLEY IS ELIGIBLE

PREPARED BY: Heather Kredit, Senior Management Analyst *HK*

SUBMITTED: Russ Robertson, Public Works Director *RR*

APPROVED: Nicole R. Zieba, City Manager *NZ*

RECOMMENDATION

To authorize the City Manager, or designee, to submit applications for Payment Programs and related authorizations pertaining to CalRecycle Grants.

EXECUTIVE SUMMARY

The Department of Resources Recycling and Recovery (CalRecycle) offers a program to provide opportunities to assist with SB1383 procurement requirements.

Pursuant to SB1383, as of calendar year 2022, local entities are required to meet certain procurement levels of recycled organic material in order to divert it from the waste stream. Grant funds are available to assist with the purchase of the materials.

Local jurisdictions are required to adopt a Resolution authorizing the jurisdiction to participate in CalRecycle grant programs. The resolution will allow the City of Reedley to continue to apply for any and all grant payment programs offered by CalRecycle.

FISCAL IMPACT

No direct fiscal impact.

ATTACHMENTS

Resolution 2023-086

RESOLUTION NO. 2023-086

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY
AUTHORIZING SUBMITTAL OF INDIVIDUAL GRANT APPLICATIONS FOR ALL
CALRECYCLE GRANT PROGRAMS FOR WHICH THE CITY OF REEDLEY IS
ELIGIBLE**

WHEREAS, Public Resources Code sections 48000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various grant programs (grants) in furtherance of the State of California's (state) efforts to reduce, recycle and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

NOW, THEREFORE, BE IT RESOLVED that the City of Reedley authorizes the submittal of application(s) to CalRecycle for all grants for which City of Reedley is eligible; and

BE IT FURTHER RESOLVED that the City Manager, or his/her designee is hereby authorized and empowered to execute in the name of the City of Reedley all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project.

This forgoing resolution is hereby approved at a regular meeting of the City Council of the City of Reedley held on the 12th day of December, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Anita Betancourt, Mayor

ATTEST: _____
Ruthie Greenwood, City Clerk

REEDLEY PLANNING COMMISSION REGULAR MEETING – September 21, 2023

The regular meeting of the Reedley Planning Commission was held Thursday, September 21, 2023, in the City of Reedley Council Chambers, 845 "G" Street, Reedley. Chair Custodio called the meeting to order at 5:01 p.m.

Pledge of Allegiance - led by Chair Custodio.

ROLL CALL

Commissioners Present: Jayne Clark, Rosemary Luzania, Patrick Turner, Alberto Custodio.

Commissioners Excused: Pete Perez.

City Staff Present: Rodney L. Horton, Community Development Director, Ellen Moore, City Planner, Laura Friesen, Assistant Planner, Paul Melikian, Assistant City Manager.

PUBLIC COMMENT

Chair Custodio opened the public comment period at 5:03 p.m. and closed the public comment period at 5:04 p.m. after noting there was no public comment.

CONSENT AGENDA

- 1. Minutes of Regular Meeting September 7, 2023 - *Recommend Commission Approve*

Commissioner Turner moved, Commissioner Clark seconded, to approve the minutes of Regular Meeting, September 7, 2023, as amended. Motion carried by the following vote:

AYES: Turner, Clark, Luzania, Custodio.
NOES: None.
ABSTAIN: None.
ABSENT: Perez.

ADMINISTRATIVE BUSINESS

Due to living within 500 feet of the project site, Chair Custodio recused himself from administrative business items and exited the chambers at 5:08 p.m. Commissioner Turner will be Acting Chair.

- 2. Minutes of Regular Meeting, August 3, 2023– *Recommend Commission Approve*

Commissioner Clark moved, Commissioner Luzania seconded, approve the minutes of Regular Meeting, August 3, 2023, as amended. Motion carried by the following vote:

AYES: Clark, Luzania, Turner.
NOES: None.
ABSTAIN: Custodio.
ABSENT: Perez.

- 3. Consideration of a One-Year Extension of Time for Vesting Tentative Subdivision Map No. 6267
Through Resolution No. 2023-21, staff recommends that the Planning Commission take the following actions:

- a) APPROVE a One-Year Extension of Time for Vesting Tentative Subdivision Map No. 6267, for a 44-Lot Subdivision Located South of East Locke Avenue and East of North Frankwood Avenue

City Planner E. Moore presented the staff report to the Planning Commission. The Planning Commission asked question about the project. Staff responded to questions. Acting Chair Turner opened the public hearing at 5:12 p.m. Acting Chair Turner closed the public hearing at 5:12 p.m. after hearing no public comment.

REEDLEY PLANNING COMMISSION REGULAR MEETING – September 21, 2023

Commissioner Clark moved, Commissioner Luzania seconded, whereas the Planning Commission, using their independent judgement, approved the One-Year Extension of Time for Vesting Tentative Subdivision Map No. 6267, for a 44-Lot Subdivision Located South of East Locke Avenue and East of North Frankwood Avenue through Resolution No. 2023-21, Motion carried by the following vote:

AYES:	Clark, Luzania, Turner.
NOES:	None.
ABSTAIN:	Custodio.
ABSENT:	Perez.

Acting Chair Turner called Chair Custodio back into the chambers at 5:15 p.m.

PUBLIC HEARING

4. Conduct a Public Hearing and Consider Items Associated with Proposed Equipment on the Existing Downtown Reedley Twin Water Towers
Through Resolution No. 2023-23, staff recommends that the Planning Commission take the following actions:

- a) APPROVE Environmental Assessment No. 2023-18, determining that Conditional Use Permit Application No. 2023-08 is exempt from CEQA, pursuant to Section 15301 (Class 1/Existing Facilities) of the CEQA Guidelines
- b) APPROVE Conditional Use Permit Application No. 2023-08, authorizing the installation of two (2) microwave dish antennas, one (1) panel antenna, and two (2) radios with feedlines on the existing Downtown Reedley Twin Water Towers located at 1752 10th Street (APN 368-162-16T)

City Planner E. Moore presented the staff report to the Planning Commission. Chair Custodio opened the public hearing at 5:20 p.m. Chair Custodio closed the public hearing at 5:20 p.m. after hearing no public comment.

Commissioner Luzania moved, Commissioner Turner seconded, whereas the Planning Commission, using their independent judgement, approved Environmental Assessment No. 2023-18 and Conditional Use Permit Application No. 2023-08 through Resolution No. 2023-23, Motion carried by the following vote:

AYES:	Luzania, Turner, Clark, Custodio.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Perez.

5. Consideration of Environmental Assessment No. 2023-17 and Conditional Use Permit Application No. 2023-07
Through Resolution No. 2023-22, staff recommends that the Planning Commission take the following actions:

- a) APPROVE Environmental Assessment No. 2023-17, determining that Conditional Use Permit Application No. 2023-07 is exempt from CEQA, pursuant to Section 15303 (Class 1/Existing Facilities) of the CEQA Guidelines.
- b) APPROVE Conditional Use Permit Application No. 2023-07, authorizing the installation of one (1) microwave dish antenna and three (3) radios on the existing Reedley Sports Park Water Tower, located on the south side of East Dinuba Avenue, between Tobu Avenue and Zumwalt Avenue. During installation, one (1) existing radio will be removed.

Assistant Planner L. Friesen presented the staff report to the Planning Commission. The Planning Commission asked questions about the project. Assistant City Manager P. Melikian responded to questions. Chair Custodio opened the public hearing at 5:28 p.m. Chair Custodio closed the public hearing at 5:28 p.m. after hearing no public comment.

Commissioner Clark moved, Commissioner Luzania seconded, whereas the Planning Commission, using their independent judgement, approved Environmental Assessment No. 2023-17 and Conditional Use permit Application No. 2023-07 through Resolution No. 2023-22, Motion carried by the following vote:

REEDLEY PLANNING COMMISSION REGULAR MEETING – September 21, 2023

AYES: Clark, Luzania, Turner, Custodio.
NOES: None.
ABSTAIN: None.
ABSENT: Perez.

DIRECTOR'S REPORT

Director R. Horton provided an update on community development activity.

FUTURE AGENDA ITEMS

- October 5, 2023 – None at this time
- October 19, 2023 – None at this time
- November 2, 2023 – SPR and TPM
- November 16, 2023 – None at this time

ADJOURNMENT

Chair Custodio adjourned the meeting at 5:39 p.m.

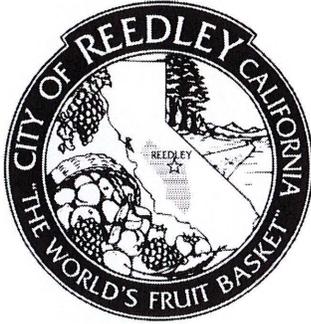
ATTEST:



Rodney L. Horton, Secretary



Alberto Custodio, Chair
Reedley Planning Commission



REEDLEY CITY COUNCIL

- Consent
- Regular Item
- Workshop
- Closed Session
- Public Hearing
- Receive/Review

ITEM NO: 10

DATE: December 12, 2023

TITLE: RECEIVE, REVIEW, AND FILE THE 2022-23 FISCAL YEAR ANNUAL DEVELOPMENT IMPACT FEE REPORT

SUBMITTED: Paul A. Melikian, Assistant City Manager *Paul*

APPROVED: Nicole R. Zieba, City Manager *NZ*

RECOMMENDATION

That the City Council receive, review, and file the attached FY 2022-23 Annual Developer Impact Fee Report, in compliance with Government Code Section 66006(a) and (b). No action is required other than to receive, review, and file the report, which will also be uploaded to the Financial Information page of the City's website.

BACKGROUND

A Development Impact Fee is a monetary exaction other than a tax or special assessment that is charged by a local governmental agency to an applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project. (Gov't Code § 66000(b).) Agencies that collect and utilize Developer Impact Fees are required to provide information on each fund or account established for the collection of impact fees. Within 180 days after the last day of each fiscal year, this information must be made available to the public for the period covered by that fiscal year. The information must provide the following:

1. A brief description of the type of fee in the fund.
2. The amount of the fee.
3. The beginning and ending balances of the fund.
4. The amount of fees collected and the interest earned.
5. An identification of each public improvement on which fees were expended and the amount of expenditures on each improvement, including the total percentage of the improvement that was funded with Impact fees.
6. An identification of an approximate date by which the construction of the public improvement will commence if the City determines that sufficient funds have been collected to complete financing on an incomplete public improvement.

7. A description of each inter-fund transfer or loan made from the fund, including the public improvement on which the transferred or loaned fees were expended; and in the case of an inter-fund loan, the date on which the loan will be repaid and the rate of interest that will be received on the loan.
8. The amount of refunds made per Government Code Section 66001(e).

Once the information is made available to the public, but not less than 15 days from the date it is made available, the City Council must review the information at its next regularly scheduled meeting. The 2022-23 Impact Fee Report provides information on the following infrastructure service types (funds):

- Fund 100 - Transportation Facilities
- Fund 102 - Law Enforcement Facilities
- Fund 103 - Fire Facilities
- Fund 104 – Storm Drainage Facilities
- Fund 105 – Wastewater Facilities
- Fund 109 - Park & Recreation Facilities
- Fund 110 – General Govt Facilities
- Fund 111 – Water Facilities

The attached report includes a summary for all funds and individual pages that provide detail of activity by infrastructure service type. Current Development Impact Fees are published in the Citywide Master Fee Schedule, and were comprehensively updated this year.

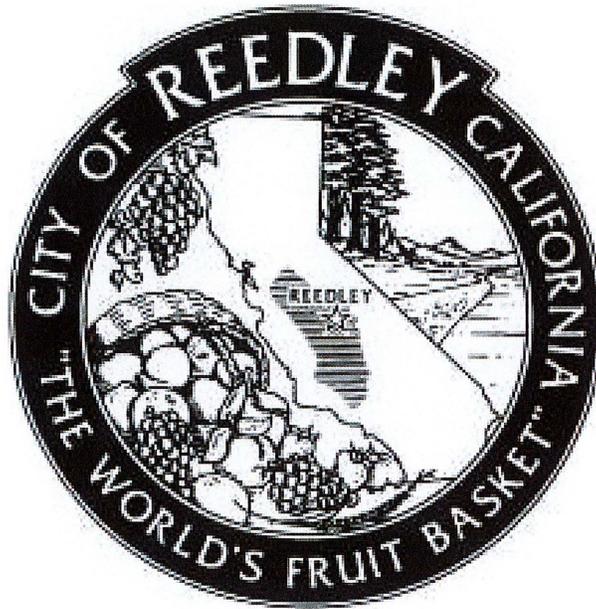
FISCAL IMPACT

There is no fiscal impact as a result of filing this annual report.

ATTACHMENTS

2022-23 Development Impact Fee Report

City of Reedley
Development Impact Fee
Annual Report



Fiscal Year 2022-23

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General Government Facilities	8
Water Facilities	9
Schedule of Development Impact Fees (Excerpt from Citywide Master Fee Schedule).....	10

Summary Annual Development Impact Fee Report for FY 2022-23

Fund - Infrastructure Service Type	Fund Balance June 30, 2022	2022-23 Revenue	2022-23 Expenditures	Fund Balance June 30, 2023	2023-24 Estimated Revenue	2023-24 Adopted Budget	Projected Ending Resources Available June 30, 2024
Fund 100 - Transportation Facilities	\$ 1,331,972	\$ 463,133	\$ 9,722	\$ 1,785,383	\$ 203,500	\$ 51,026	\$ 1,937,857
Fund 102 - Law Enforcement Facilities	\$ 27,931	\$ 11,546	\$ 221	\$ 39,256	\$ 5,249	\$ 45,487	\$ (982)
Fund 103 - Fire Facilities	\$ 161,456	\$ 90,257	\$ 594	\$ 251,119	\$ 51,500	\$ 117,564	\$ 185,055
Fund 104 - Storm Drain Facilities	\$ 1,194,931	\$ 318,363	\$ 6,350	\$ 1,506,944	\$ 129,500	\$ 436,725	\$ 1,199,719
Fund 105 - Wastewater Facilities	\$ 840,571	\$ 188,274	\$ 40,547	\$ 988,298	\$ 77,500	\$ 701,679	\$ 364,119
Fund 109 - Parks & Recreation Facilities	\$ 337,429	\$ 270,100	\$ 2,298	\$ 605,231	\$ 75,500	\$ 303,274	\$ 377,457
Fund 110 - General Government Facilitie	\$ 27,314	\$ 7,735	\$ 209	\$ 34,840	\$ 2,500	\$ 423	\$ 36,917
Fund 111 - Water Facilities	\$ 383,850	\$ 230,004	\$ 2,057	\$ 611,797	\$ 82,500	\$ 170,727	\$ 523,570
Total	\$ 4,305,453	\$ 1,579,412	\$ 61,998	\$ 5,822,867	\$ 627,749	\$ 1,826,905	\$ 4,623,711

Annual Development Impact Fee Report 2022-23

Fund 100 - Transportation Facilities

Beginning Fund Balance \$ **1,331,972**

Revenue 2022-23

Development Impact Fees \$ 451,897

Investment Interest \$ 11,236

\$ 463,133

Expenditures 2022-23

DIF Administration Services \$ 9,472

Prior Year POs \$ 250

\$ 9,722

Ending Fund Balance \$ **1,785,383**

Revenue 2023-24

Development Impact Fees \$ 200,000

Investment Interest \$ 3,500

\$ 203,500

Appropriations 2023-24

DIF Administration Services \$ 21,456

DIF Set Aside for Future Reimbursement \$ 29,570

\$ 51,026

Projected Ending Resources Available \$ **1,937,857**

Annual Development Impact Fee Report 2022-23

Fund 102 - Law Enforcement Facilities

Beginning Fund Balance \$ 27,931

Revenue 2022-23

Development Impact Fees \$ 11,297

Investment Interest \$ 249

\$ 11,546

Expenditures 2022-23

DIF Administration Services \$ 209

Prior Year POs \$ 12

\$ 221

Ending Fund Balance \$ 39,256

Revenue 2023-24

Development Impact Fees \$ 5,000

Investment Interest \$ 249

\$ 5,249

Appropriations 2023-24

DIF Administration Services \$ 487

Animal Shelter \$ 45,000

\$ 45,487

Projected Ending Resources Available \$ (982)

Annual Development Impact Fee Report 2022-23

Fund 103 - Fire Facilities

Beginning Fund Balance \$ **161,456**

Revenue 2022-23

Development Impact Fees \$ 88,574

Investment Interest \$ 1,683

\$ 90,257

Expenditures 2022-23

DIF Administration Services \$ 569

Prior Year POs \$ 25

\$ 594

Ending Fund Balance \$ **251,119**

Revenue 2023-24

Development Impact Fees \$ 50,000

Investment Interest \$ 1,500

\$ 51,500

Appropriations 2023-24

DIF Administration Services \$ 2,564

Cricket Hollow Storage Project \$ 115,000

\$ 117,564

Projected Ending Resources Available \$ **185,055**

Annual Development Impact Fee Report 2022-23

Fund 104 - Storm Drain Facilities

Beginning Fund Balance \$ **1,194,931**

Revenue 2022-23

Development Impact Fees \$ 309,370

Investment Interest \$ 8,993

\$ 318,363

Expenditures 2022-23

DIF Administration Services \$ 6,275

Prior Year POs \$ 75

\$ 6,350

Ending Fund Balance \$ **1,506,944**

Revenue 2023-24

Development Impact Fees \$ 125,000

Investment Interest \$ 4,500

\$ 129,500

Appropriations 2023-24

DIF Administration Services \$ 14,659

DIF Set Aside for Future Reimbursement \$ 22,066

Master Plan \$ 150,000

Olson Sewer Project \$ 250,000

\$ 436,725

Projected Ending Resources Available \$ **1,199,719**

Annual Development Impact Fee Report 2022-23**Fund 105 - Wastewater Facilities**

Beginning Fund Balance	\$	840,571
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Revenue 2022-23

Development Impact Fees	\$	182,509
Investment Interest	\$	5,765
	\$	<u>188,274</u>

Expenditures 2022-23

DIF Administration Services	\$	3,975
Prior Year POs	\$	75
Reed Lift Upsize Project	\$	36,497
	\$	<u>40,547</u>

Ending Fund Balance	\$	988,298
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Revenue 2023-24

Development Impact Fees	\$	75,000
Investment Interest	\$	2,500
	\$	<u>77,500</u>

Appropriations 2023-24

DIF Administration Services	\$	7,966
DIF Set Aside for Future Reimbursement	\$	93,713
Master Plan	\$	150,000
Manning Ave Phase 3 Project	\$	450,000
	\$	<u>701,679</u>

Projected Ending Resources Available	\$	364,119
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Annual Development Impact Fee Report 2022-23

Fund 109 - Parks & Recreation Facilities

Beginning Fund Balance \$ **337,429**

Revenue 2022-23

Development Impact Fees \$ 266,016

Investment Interest \$ 4,084

\$ 270,100

Expenditures 2022-23

DIF Administration Services \$ 2,273

Prior Year POs \$ 25

\$ 2,298

Ending Fund Balance \$ **605,231**

Revenue 2023-24

Development Impact Fees \$ 75,000

Investment Interest \$ 500

\$ 75,500

Appropriations 2023-24

DIF Administration Services \$ 3,274

Sports Park Construction Project \$ 300,000

\$ 303,274

Projected Ending Resources Available \$ **377,457**

Annual Development Impact Fee Report 2022-23

Fund 110 - General Government Facilities

Beginning Fund Balance \$ **27,314**

Revenue 2022-23

Development Impact Fees \$ 7,520

Investment Interest \$ 215

\$ 7,735

Expenditures 2022-23

DIF Administration Services \$ 197

Prior Year POs \$ 12

\$ 209

Ending Fund Balance \$ **34,840**

Revenue 2023-24

Development Impact Fees \$ 2,500

Investment Interest \$ 50

\$ 2,500

Appropriations 2023-24

DIF Administration Services \$ 423

\$ 423

Projected Ending Resources Available \$ **36,917**

Annual Development Impact Fee Report 2022-23

Fund 111 - Water Facilities

Beginning Fund Balance \$ **383,850**

Revenue 2022-23

Development Impact Fees \$ 226,281

Investment Interest \$ 3,723

\$ 230,004

Expenditures 2022-23

DIF Administration Services \$ 2,032

Prior Year POs \$ 25

\$ 2,057

Ending Fund Balance \$ **611,797**

Revenue 2023-24

Development Impact Fees \$ 80,000

Investment Interest \$ 2,500

\$ 82,500

Appropriations 2023-24

DIF Administration Services \$ 5,631

Prior Year POs \$ 65,096

Master Plan \$ 100,000

\$ 170,727

Projected Ending Resources Available \$ **523,570**

City of Reedley Master Fee Schedule

Community Development Department

Developer Impact Fee Detail by Infrastructure Service Type: Transportation

		Fee	Resolution No.
Expansion Area			
Single Family (per dwelling unit)	\$	5,863.52	2023-021
Multi-Family (per dwelling unit)		3,198.29	2023-021
Accessory Unit (per dwelling unit)		1,465.89	2023-021
Commercial/Retail (per 1,000 sq. ft.)		2,558.62	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		1,524.52	2023-021
Public/Institutional (per 1,000 sq. ft.)		1,492.53	2023-021
City Center			
Single Family (per dwelling unit)		2,931.76	2023-021
Multi-Family (per dwelling unit)		1,599.14	2023-021
Accessory Unit (per dwelling unit)		735.61	2023-021
Commercial/Retail (per 1,000 sq. ft.)		1,279.31	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		762.26	2023-021
Public/Institutional (per 1,000 sq. ft.)		746.26	2023-021
In-fill Area			
Single Family (per dwelling unit)		4,397.65	2023-021
Multi-Family (per dwelling unit)		2,398.71	2023-021
Accessory Unit (per dwelling unit)		1,099.41	2023-021
Commercial/Retail (per 1,000 sq. ft.)		1,918.97	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		1,143.38	2023-021
Public/Institutional (per 1,000 sq. ft.)		1,119.40	2023-021

Developer Impact Fee Detail by Infrastructure Service Type: Law Enforcement

Expansion Area			
Single Family (per dwelling unit)	\$	129.90	2023-021
Multi-Family (per dwelling unit)		124.77	2023-021
Accessory Unit (per dwelling unit)		32.47	2023-021
Commercial/Retail (per 1,000 sq. ft.)		29.86	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		8.21	2023-021
Public/Institutional (per 1,000 sq. ft.)		4.59	2023-021
City Center			
Single Family (per dwelling unit)		64.97	2023-021
Multi-Family (per dwelling unit)		62.40	2023-021
Accessory Unit (per dwelling unit)		16.24	2023-021
Commercial/Retail (per 1,000 sq. ft.)		14.95	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		4.11	2023-021
Public/Institutional (per 1,000 sq. ft.)		2.30	2023-021
In-fill Area			
Single Family (per dwelling unit)		97.43	2023-021
Multi-Family (per dwelling unit)		93.58	2023-021
Accessory Unit (per dwelling unit)		24.36	2023-021
Commercial/Retail (per 1,000 sq. ft.)		22.41	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		6.16	2023-021
Public/Institutional (per 1,000 sq. ft.)		3.44	2023-021

City of Reedley Master Fee Schedule

Community Development Department

Developer Impact Fee Detail by Infrastructure Service Type:

Fire Protection

Expansion Area

	\$	Fee	Resolution No.
Single Family (per dwelling unit)		1,138.99	2023-021
Multi-Family (per dwelling unit)		1,094.03	2023-021
Accessory Unit (per dwelling unit)		284.75	2023-021
Commercial/Retail (per 1,000 sq. ft.)		261.85	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		71.93	2023-021
Public/Institutional (per 1,000 sq. ft.)		40.29	2023-021

City Center

Single Family (per dwelling unit)		569.50	2023-021
Multi-Family (per dwelling unit)		547.02	2023-021
Accessory Unit (per dwelling unit)		142.37	2023-021
Commercial/Retail (per 1,000 sq. ft.)		130.92	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		35.97	2023-021
Public/Institutional (per 1,000 sq. ft.)		20.14	2023-021

In-fill Area

Single Family (per dwelling unit)		854.24	2023-021
Multi-Family (per dwelling unit)		820.52	2023-021
Accessory Unit (per dwelling unit)		213.57	2023-021
Commercial/Retail (per 1,000 sq. ft.)		196.38	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		53.95	2023-021
Public/Institutional (per 1,000 sq. ft.)		30.21	2023-021

Developer Impact Fee Detail by Infrastructure Service Type:

General Government

Expansion Area

	\$	Fee	Resolution No.
Single Family (per dwelling unit)		74.75	2023-021
Multi-Family (per dwelling unit)		71.81	2023-021
Accessory Unit (per dwelling unit)		18.69	2023-021
Commercial/Retail (per 1,000 sq. ft.)		17.18	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		4.72	2023-021
Public/Institutional (per 1,000 sq. ft.)		2.64	2023-021

City Center

Single Family (per dwelling unit)		37.36	2023-021
Multi-Family (per dwelling unit)		35.88	2023-021
Accessory Unit (per dwelling unit)		9.34	2023-021
Commercial/Retail (per 1,000 sq. ft.)		8.61	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		2.37	2023-021
Public/Institutional (per 1,000 sq. ft.)		1.32	2023-021

In-fill Area

Single Family (per dwelling unit)		56.06	2023-021
Multi-Family (per dwelling unit)		53.85	2023-021
Accessory Unit (per dwelling unit)		14.01	2023-021
Commercial/Retail (per 1,000 sq. ft.)		12.88	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		3.54	2023-021
Public/Institutional (per 1,000 sq. ft.)		1.99	2023-021

City of Reedley Master Fee Schedule

Community Development Department

Developer Impact Fee Detail by Infrastructure Service Type:		Fee	Resolution No.
Storm Drainage			

Expansion Area			
Single Family (per dwelling unit)	\$	3,637.66	2023-021
Multi-Family (per dwelling unit)		2,328.10	2023-021
Accessory Unit (per dwelling unit)		909.42	2023-021
Commercial/Retail (per 1,000 sq. ft.)		1,785.76	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		1,427.08	2023-021
Public/Institutional (per 1,000 sq. ft.)		363.77	2023-021
City Center			
Single Family (per dwelling unit)		1,818.83	2023-021
Multi-Family (per dwelling unit)		1,164.05	2023-021
Accessory Unit (per dwelling unit)		454.70	2023-021
Commercial/Retail (per 1,000 sq. ft.)		892.88	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		713.54	2023-021
Public/Institutional (per 1,000 sq. ft.)		181.89	2023-021
In-fill Area			
Single Family (per dwelling unit)		2,728.24	2023-021
Multi-Family (per dwelling unit)		1,746.07	2023-021
Accessory Unit (per dwelling unit)		682.06	2023-021
Commercial/Retail (per 1,000 sq. ft.)		1,339.31	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		1,070.31	2023-021
Public/Institutional (per 1,000 sq. ft.)		272.83	2023-021

Developer Impact Fee Detail by Infrastructure Service Type:			
Wastewater			

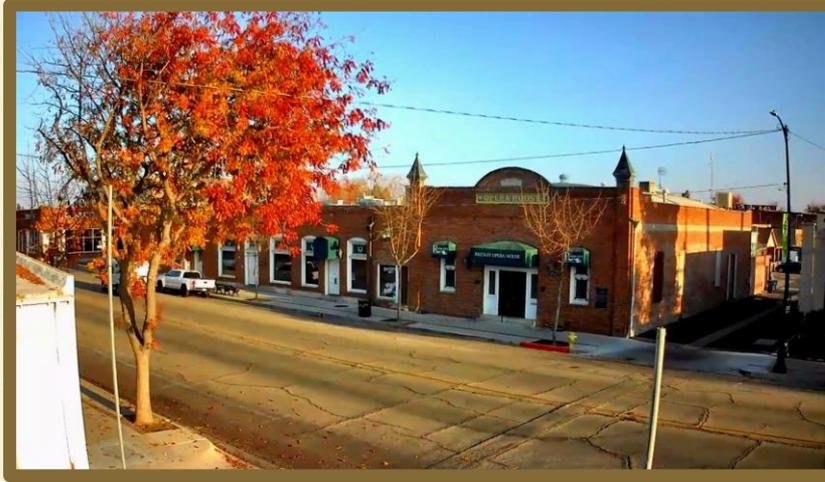
Expansion Area			
Single Family (per dwelling unit)	\$	2,527.23	2023-021
Multi-Family (per dwelling unit)		2,426.14	2023-021
Accessory Unit (per dwelling unit)		631.80	2023-021
Commercial/Retail (per 1,000 sq. ft.)		1,465.79	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		1,162.53	2023-021
Public/Institutional (per 1,000 sq. ft.)		960.35	2023-021
City Center			
Single Family (per dwelling unit)		1,263.62	2023-021
Multi-Family (per dwelling unit)		1,213.07	2023-021
Accessory Unit (per dwelling unit)		315.90	2023-021
Commercial/Retail (per 1,000 sq. ft.)		732.90	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		581.26	2023-021
Public/Institutional (per 1,000 sq. ft.)		480.17	2023-021
In-fill Area			
Single Family (per dwelling unit)		1,895.42	2022-060
Multi-Family (per dwelling unit)		1,819.60	2023-021
Accessory Unit (per dwelling unit)		473.86	2023-021
Commercial/Retail (per 1,000 sq. ft.)		1,099.35	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		871.90	2023-021
Public/Institutional (per 1,000 sq. ft.)		720.27	2023-021

City of Reedley Master Fee Schedule

Community Development Department

Developer Impact Fee Detail by Infrastructure Service Type:		Fee	Resolution No.
Water			
Expansion Area			
Single Family (per dwelling unit)	\$	2,648.69	2023-021
Multi-Family (per dwelling unit)		2,542.74	2023-021
Accessory Unit (per dwelling unit)		662.18	2023-021
Commercial/Retail (per 1,000 sq. ft.)		2,383.81	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		821.09	2023-021
Public/Institutional (per 1,000 sq. ft.)		211.90	2023-021
City Center			
Single Family (per dwelling unit)		1,324.34	2023-021
Multi-Family (per dwelling unit)		1,271.37	2023-021
Accessory Unit (per dwelling unit)		331.09	2023-021
Commercial/Retail (per 1,000 sq. ft.)		1,191.91	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		410.55	2023-021
Public/Institutional (per 1,000 sq. ft.)		105.95	2023-021
In-fill Area			
Single Family (per dwelling unit)		1,986.52	2023-021
Multi-Family (per dwelling unit)		1,907.05	2023-021
Accessory Unit (per dwelling unit)		496.63	2023-021
Commercial/Retail (per 1,000 sq. ft.)		1,787.86	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		615.82	2023-021
Public/Institutional (per 1,000 sq. ft.)		158.92	2023-021

Developer Impact Fee Detail by Infrastructure Service Type:		Fee	Resolution No.
Parks and Recreation			
Expansion Area			
Single Family (per dwelling unit)	\$	7,045.39	2023-021
Multi-Family (per dwelling unit)		6,767.28	2023-021
Accessory Unit (per dwelling unit)		1,761.34	2023-021
Commercial/Retail (per 1,000 sq. ft.)		1,619.70	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		444.98	2023-021
Public/Institutional (per 1,000 sq. ft.)		249.18	2023-021
City Center			
Single Family (per dwelling unit)		3,522.72	2023-021
Multi-Family (per dwelling unit)		3,383.67	2023-021
Accessory Unit (per dwelling unit)		880.68	2023-021
Commercial/Retail (per 1,000 sq. ft.)		809.86	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		222.49	2023-021
Public/Institutional (per 1,000 sq. ft.)		124.60	2023-021
In-fill Area			
Single Family (per dwelling unit)		5,284.06	2023-021
Multi-Family (per dwelling unit)		5,075.47	2023-021
Accessory Unit (per dwelling unit)		1,321.01	2023-021
Commercial/Retail (per 1,000 sq. ft.)		1,214.77	2023-021
Industrial/Warehouse (per 1,000 sq. ft.)		333.73	2023-021
Public/Institutional (per 1,000 sq. ft.)		186.89	2023-021



Historical Reedley Opera House

Presented by Sarah Reid, Community Services Director

History

- **May 2001** -The Opera House was donated to the City of Reedley with two conditions:
 1. *The principal use of the Opera House will be artistic, cultural, educational, entertainment, community and social events and activities for the benefit of the residents of the City of Reedley and surrounding community.*
 2. *All activities shall be suitable for families, adults, and children and no event shall be permitted which is obscene, lewd, or indecent.*
- **October 2004** -*The City enters into an agreement with River City Theatre Productions (River City Theatre Company) to be responsible for day-to-day operations and offer five (5) theatrical productions per year.*
- **November 2019** -*The current agreement with River City Theatre Company was approved by City Council.*
- **October 31, 2024** -*Current agreement is set to expire.*

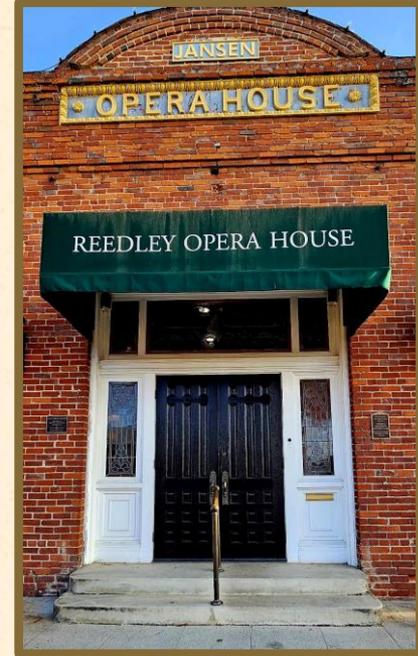
Recent Improvements



**Theater Chairs
Refurbished**



**Handrail
Refurbished**



**Front Doors
Refurbished**

Outstanding Items

- *Cutting board refurbish (FY 2023-24)*
- *Continue brick remove and replace (FY 2023-24)*
- *Roof repairs or replacement*
- *Stage refurbish or replace*
- *Carpet*





Peter Allwine, RCTC General Manager
RCTC Board of Directors



Beehive
July 2023



Matilda the Musical
December 2-17, 2023

Murder at the Opera House



REEDLEY'S
RIVER CITY
THEATRE COMPANY



2024 SEASON

TICKETS
AVAILABLE NOW
RCTCREEDLEY.COM
559-638-6500

12 ANGRY JURORS

MARCH 1 - MARCH 17

LITTLE SHOP OF HORRORS

JULY 12 - 28

THE LIGHTNING THIEF
THE PERCY JACKSON MUSICAL

SEPTEMBER 27 - OCTOBER 13

Winter Wonderettes
The Musical

DECEMBER 6 - 22



New City Hall Update

December 12, 2023

Strategic Planning focus

- Many City facilities were designed and built decades ago and are reaching capacity limits
- By 2035, the population of Reedley is projected to be 32,900, a growth of 6,813 residents over the 2021 level of 26,087
- Considered capital and facility needs for the City to continue providing service levels out to the year 2035



New City Hall

City of Reedley



Background

- ▶ City Hall and Police Headquarters have been in their current location since the year 1960 and 1978, respectively
 - ▶ Last expanded in 1996 – 26 years ago
- ▶ Police Department and departments in City Hall have dealt with space limitations for at least a decade, leading to evermore creative uses of remaining spaces and less than ideal work environments
 - ▶ A double-wide trailer was added to the parking lot in 2015, now at capacity (temporary structure)
- ▶ All facilities are at functional max capacity w/no room for additional workspaces



New City Hall

City of Reedley



Development Options

- ▶ Former County Courthouse explored
 - ▶ Fresno County retains fractional ownership and first right of refusal
 - ▶ Facility was found to require cost prohibitive rehabilitation
- ▶ New Police Facility was considered
 - ▶ Construction of jail, evidence storage, dispatch and other supporting facilities would be cost prohibitive
 - ▶ Significant remodel of Police headquarters would be required to convert to City Hall uses
- ▶ Vacant parcel set aside for future development
 - ▶ At the time of the parking lot construction, a 14,920 square foot 'pad' facing 8th Avenue was reserved for a future City facility



Development Options

- ▶ Development of a new City Hall would allow for Police Dept to expand into City Hall, restore pre-1996 access between the two 'sides'
- ▶ Additional space would allow removal of double-wide trailer to increase parking and future development of additional solar and EV chargers for City vehicles
- ▶ Former City Hall space is estimated to meet PD requirements for the same time horizon of 25-30 years
- ▶ Renovation of space could be done in phases without debt issuance



New City Hall

City of Reedley



Council & Staff Updates

- ▶ *November 2022:* City Council authorizes \$100K in American Rescue Plan Act of 2021 (ARPA) for initial planning and design work associated with a future City Hall facility
- ▶ *January 2023:* City Council authorizes a Professional Services Agreement with Integrated Designs by SOMAM, Inc. for Phase One initial design work associated with a future City Hall facility, not to exceed \$60K
- ▶ *To Present:* Staff have worked over the last 11 months to forecast needs for the next 25-30 years, working out hundreds of details of floor plan



New City Hall

City of Reedley



Goal of Preliminary Design

- ▶ Forecast workspace requirements as far into the future as possible, 25-30+ years
- ▶ Utilize parcel as efficiently as possible, single level not possible to meet future needs
- ▶ Enhance community access and use, address security needs
- ▶ Balance frugality with creating facility representative of Reedley
- ▶ Develop additional on street parking on 8th
- ▶ Council Chamber capacity, a true community space
- ▶ Design continuity with KCUSD buildings, aesthetics and cost

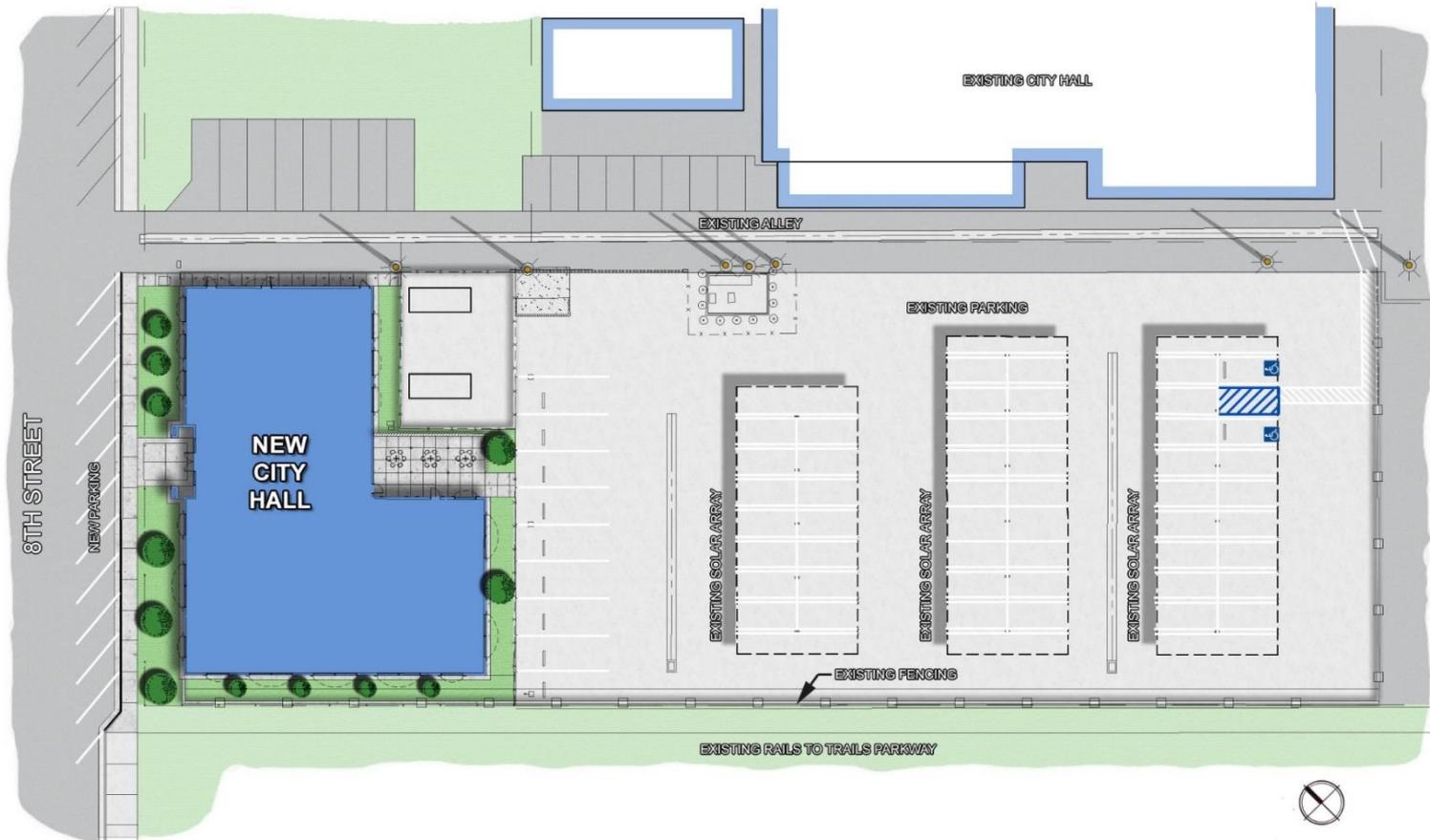


New City Hall

City of Reedley



Site Plan



New City Hall

City of Reedley



Floor Plan – Level One



WORKSPACE TABULATION		
1st Floor		
Space Type	Approx. Size	Total Staff
Director's Office	12' x 17'	2
Staff Office	10' x 12'	8
Work Station	8' x 8'	14
Utility Office	11'-6" x 16'-3"	1
Conference Room	12x23'	1
Total Staff		26
COUNCIL CHAMBERS		
Council Chambers	38'x48'	1
Conference Room	12x27'	1
Kitchenette	12'x11'	1
Total Staff		3

1st FLOOR: 9,972 S.F.

LEGEND	
	FURNITURE FURNISHED BY OWNER
	BUILT-IN FIXTURES / CABINETS



Scale: 1/16" = 1'-0"



New City Hall

City of Reedley



Floor Plan – Level Two



WORKSPACE TABULATION 2nd Floor		
Space Type	Approx. Size	Total Staff
City Manager	14' x 41'	1
Director's Office	12' x 17'	3
Staff Office	10' x 12'	8
Work Station	8' x 8'	10
Conf. Room	12' x 25'-8"	1
City Clerk	10' x 17'-6"	1
Building/Planning	12' x 18'	1
Work Room	12' x 15'	1
Total Staff		26

2nd FLOOR: 6,460 S.F.
 1st FLOOR: 9,972 S.F.
 TOTAL: 16,432 S.F.

LEGEND	
	FURNITURE FURNISHED BY OWNER
	BUILT-IN FIXTURES / CABINETS

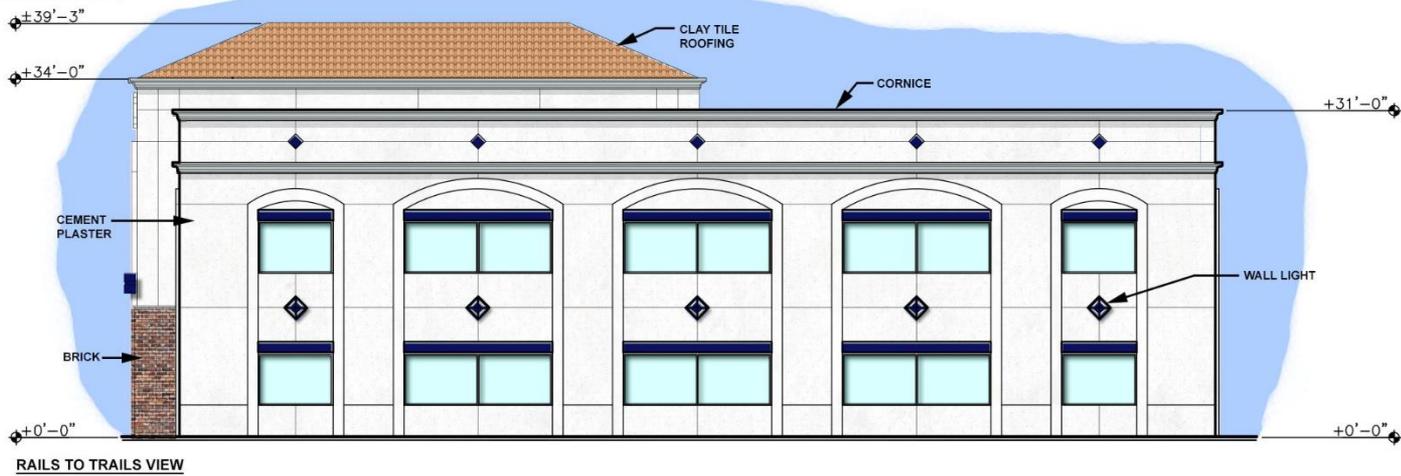


New City Hall

City of Reedley



Exterior Elevations



New City Hall

City of Reedley



Exterior Elevations



PARKING LOT VIEW



ALLEY VIEW

New City Hall

City of Reedley



Exterior View – 8th Street



New City Hall

City of Reedley



Exterior View – 8th Street



New City Hall

City of Reedley



Exterior View – Parking Lot



New City Hall

City of Reedley



Interior View – Main Lobby



New City Hall

City of Reedley



Interior View – Council Chamber



New City Hall

City of Reedley



Project Cost

- ▶ KCUSD Student Support Center is approx. \$804/square foot including estimated soft costs – single story construction
- ▶ New City Hall would have two-story construction, elevator and stairs
- ▶ Accounting for projected inflation, a ballpark estimate for construction and soft costs would be \$840 to \$960/square foot
- ▶ Total cost between \$13.8M to 15.8M
- ▶ General Obligation debt would be required, 30 year payback
- ▶ Estimated annual debt service = \$910,000 to \$1,040,000



Results

- ▶ **Clarity:** Better understanding of workspace requirements for the next generation
- ▶ Considerations for enhancing community access
- ▶ Newly constructed facility would:
 - ▶ meet all needs day one
 - ▶ be energy efficient for ongoing impact to the budget
 - ▶ have no deferred maintenance
 - ▶ require debt issuance due to all costs being incurred at once
- ▶ Debt has its place, Reedley Capital Financing & Debt Policy
 - ▶ Project would use most of City's General Obligation Debt capacity



New City Hall

City of Reedley



Alternatives

- ▶ Impact of no action
 - ▶ City Hall and Police Headquarters are at max capacity
- ▶ Development of new office space will take years
- ▶ Limited existing City Facilities available
 - ▶ Corp Yard already utilizes portables
 - ▶ WWTP offices are fully utilized
 - ▶ Community Center is at capacity
- ▶ Remaining ARPA funds must be spent by December 31, 2026



Next Steps

- ▶ Potential Purchase of existing commercial building(s)
- ▶ Lower initial cost but require extensive renovation
 - ▶ Renovations could be phased over several years
- ▶ May not meet needs long-term
 - ▶ Available properties may not be large enough to accommodate all City Hall functions, including a larger Council Chamber
- ▶ Staff to continue research and return to Council with ideas and timelines



New City Hall

City of Reedley





New City Hall

City of Reedley

