

MEMORANDUM OF UNDERSTANDING
(BETWEEN REEDLEY LIONS CLUB AND THE CITY OF REEDLEY)

This MEMORANDUM OF UNDERSTANDING is made and entered into on this 28th day of February, 2017, by and between the City of Reedley, a municipal corporation, hereinafter referred to as the "City," and the Reedley Lions Club, Inc., a California non-profit corporation, hereinafter referred to as "Club." The City and Club are sometimes collectively referred to herein as the "Parties" and individually, as a "Party."

RECITALS

WHEREAS, the City owns, operates and maintains Mueller Park; and

WHEREAS, the Club desires to help construct a dog park in Reedley; and

WHEREAS, the Parties desire to formalize this arrangement and outline each Party's responsibility with respect to the dog park ("Project").

AGREEMENT

NOW, THEREFORE, the Parties agree as follows:

I. City Responsibilities for the Dog Park Project:

- A. Provide all applicable review, permit and inspection services for the Project at no cost to the Club.
- B. Allow appropriate signage recognizing the Club to be placed at the Project site, subject to the City's sign ordinance and staff approval.
- C. Accept donation of the completed Project as City property and provide for the ongoing maintenance of the completed dog park as financial resources allow.

II. Club Responsibilities for the Dog Park Project:

- A. Select and contract with a licensed contractor to construct and complete the Project, which shall include installing fencing with gates and entry, a decomposed granite walkway, concrete at the entry to the dog park, and a park bench located inside the fenced dog park.
- B. Require the contractor to satisfy all applicable City review, permit, and inspection requirements for Project, including without limitation obtaining City review and approval of applicable Project plans and improvements, obtaining applicable City permits to construct the Project, and City inspection of Project improvements.
- C. Provide the City with evidence, upon City's request, that the licensed contractor satisfies the following insurance requirements:

1. Commercial General Liability policy covering the Project with limits of no less than \$1 million per occurrence and a \$2 million aggregate.
2. Written endorsement(s) naming the City and Club as Additional Insureds.
3. "Products/Completed Operations" coverage for liability coverage for a minimum of three years after the Project is completed.
4. Workers' Compensation insurance to the extent required by the law, maintain Workers Compensation Insurance and other insurance as required by law for its employees coverage for its employees of statutory limits as required by California law.

D. Include the following language/provision in the agreement between the Club and the selected licensed contractor:

"Contractor will defend, indemnify and hold the City of Reedley and the Reedley Lions Club, Inc., harmless from any and all claims for bodily injury or property damage arising out of the work being performed under this agreement including reasonable attorneys' fees and costs to defend the City and Reedley Lions Club.

III. Term

This MOU shall be in effect for a term of six (6) months from the date hereof and shall automatically renew for one additional six (6) month period if the Project is not completed within the initial six month term.

WHEREFORE, the Parties have entered into this MOU on the date and year first above referenced in Reedley, California.

City of Reedley, a Municipal Corporation

By: _____

Nicole R. Zieba, City Manager

Reedley Lions Club, Inc.

By: _____

_____, President

Attest: _____

Sylvia B. Plata, City Clerk



REEDLEY CITY COUNCIL

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

ITEM NO: _____

DATE: February 28, 2017

TITLE: ITEMS RELATED TO ENHANCEMENTS IN MUELLER PARK:

- A. APPROVE LOCATION AND AUTHORIZE CITY MANAGER TO SIGN A MEMO OF UNDERSTANDING WITH THE REEDLEY LIONS CLUB TO BUILD A DOG PARK.
- B. APPROVE LOCATION OF FUTURE COMMUNITY GARDEN.

SUBMITTED: Joel Glick 
Community Services Director

APPROVED: Nicole R. Zieba
City Manager

RECOMMENDATION

Items related to enhancements in Mueller Park:

- A. Approve location and authorize City Manager to sign a Memo of Understanding with the Reedley Lions Club to build a dog park.
- B. Approve location of future Community Garden.

BACKGROUND

City staff has looked into providing the community with a dog park. Various sites have been considered over the past few years, including Cricket Hollow, Reedley Sports Park, and Citizens Park. For a variety of reasons none of these locations seemed appropriate. City staff has recently identified an area in Mueller Park as a good location. The site selected is on the north side of Mueller Park, just east of the basketball court. The area is approximately 111.5 feet by 214.5 feet.

In May 2016, staff was approached by Pete Perez, First Vice President of the Reedley Lions Club. The Club is interested in helping the City fund a dog park in Reedley. Representatives from the Lions Club were in attendance at the Parks and Recreation Commission meeting on January 12, 2017 when this item was discussed. The Commission thought it was a great idea and made a recommendation to move forward with this project.

Due to the close proximity of the proposed dog park to General Grant School, staff met with a representative from Kings Canyon Unified School District. Two concerns were brought up - the smell of the waste and a gap in the fence that separates the park from the school.

City staff doesn't believe that smell will be an issue - dog park users normally do a good job of policing themselves. Staff will also monitor the site to make sure that trash and waste is picked up.

The other issue mentioned was the gap at the bottom of the fence. The district is concerned that it might allow a small dog to get through or school kids could stick their hands under the fence. Staff assured the school district that the fence will be extended to prevent these issues. Overall, the school district felt that this is a good project and location.

In the agreement with the Reedley Lions Club, the project scope includes fencing, gates, 2-way entry, decomposed granite walkway, cement slab at the 2-way entry, and a park bench. The Reedley Lions Club will hire a contractor to construct this part of the project. The City will provide all applicable review, permit and inspection services, as well as a water line connection. If approved, City staff will come back at a later date to adopt the rules and regulations, as well as the name of the dog park.

Staff has also been working on providing a community garden that would be connected to the dog park. During the Sports Park Master Plan process, the public addressed a need for a community garden in Reedley. Due to the closure of the community garden at the College, staff was asked by Champions for Change and several individuals, to provide a community garden location in Reedley. In the attached site map, the proposed site is indicated. Staff feels that this is a great location and it makes sense to fence in the community garden site during the dog park construction. This item was brought to the Parks and Recreation Commission on March 31, 2016. A recommendation was made to move forward with the project at this location. Community Services staff will continue to work with Champions for Change, pursue grant opportunities and discuss design details. When a more definite plan is in place, staff will bring this item for Council approval.

FISCAL IMPACT

If approved, the City will be responsible for the Community Garden Fencing. The estimated at \$4,000 will be paid from the General Fund.

COMMITTEE/COMMISSION REVIEW/ACTIONS

Parks and Recreation Commission recommended approval of Dog Park location at their meeting on January 12, 2017.

Parks and Recreation Commission recommended approval for the location of the Community Garden at the meeting on March 31, 2016.

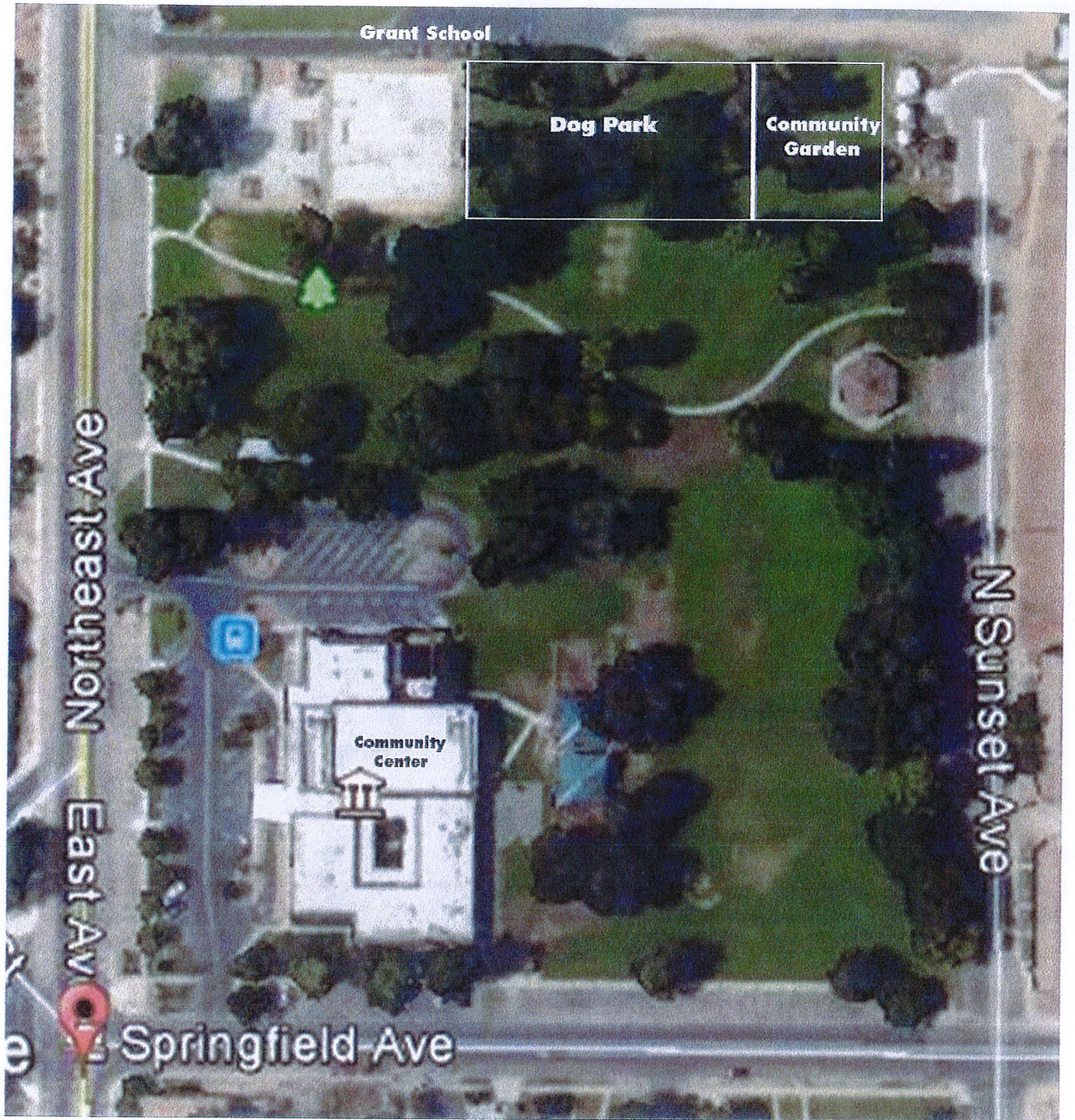
ATTACHMENTS

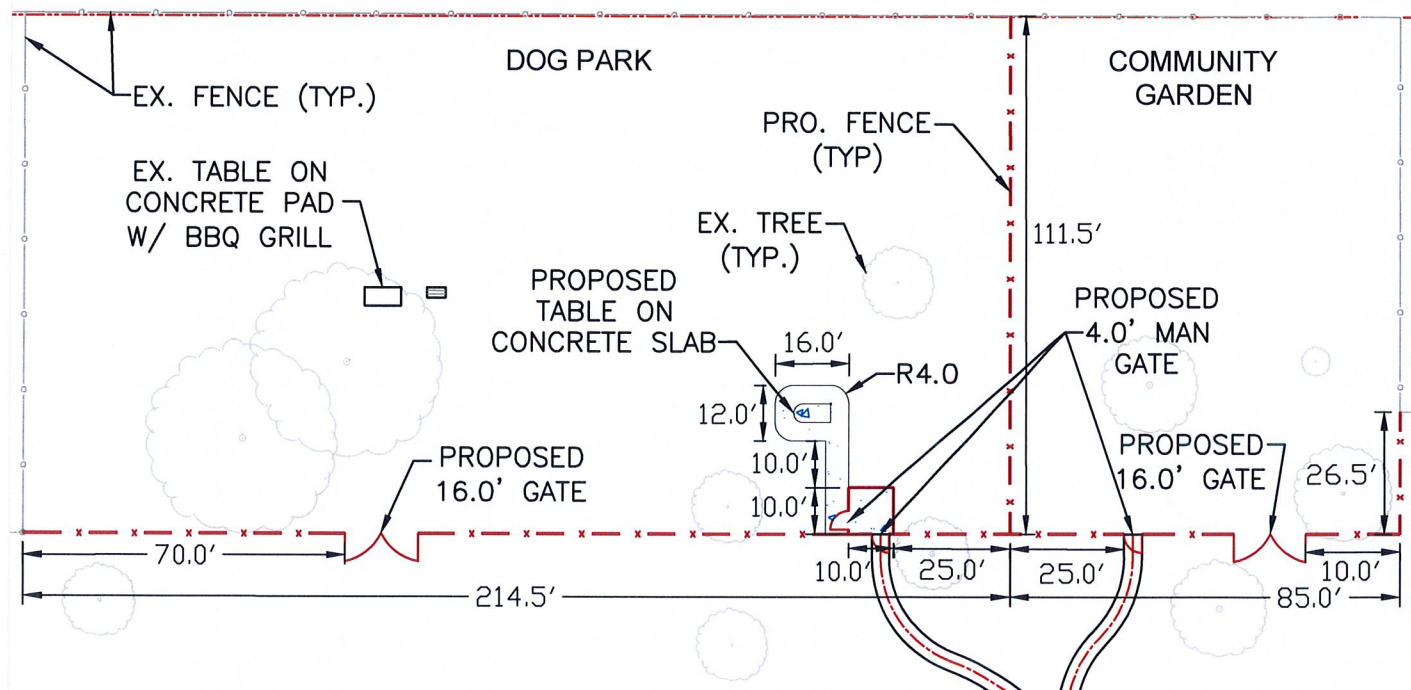
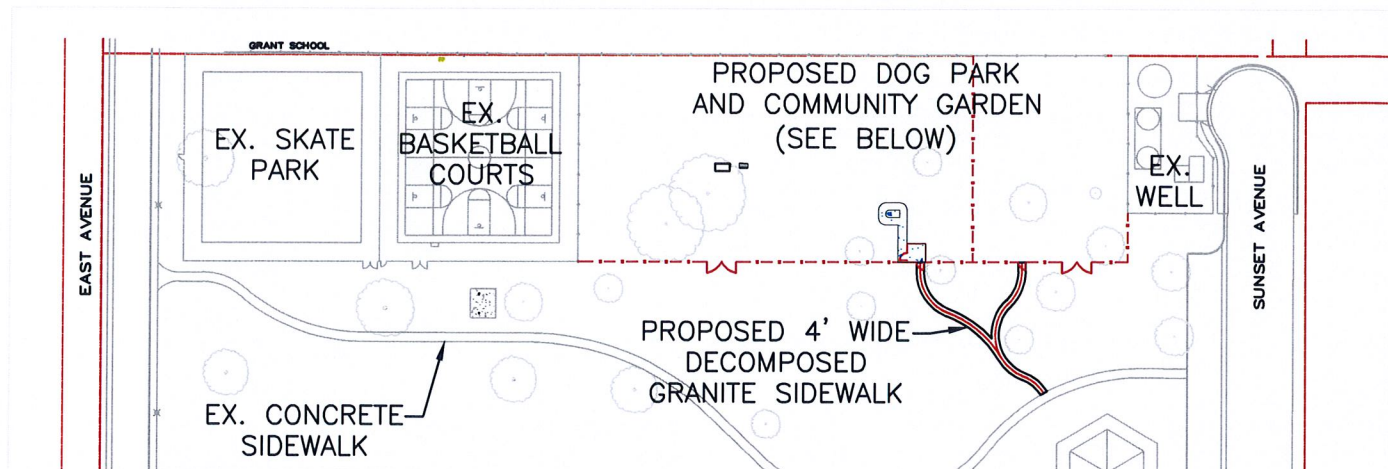
1. Memorandum of Understanding between Reedley Lions Club and the City of Reedley
2. Exhibit "A" - Diagram of Mueller Park – Dog Park and Community Garden
3. Exhibit "B" – Aerial map of Mueller Park showing proposed locations for Dog Park and Community Garden.

Motion: _____

Second: _____

EXHIBIT "B"





QUANTITIES

CONCRETE = 382 SQ. FT.
 DECOMPOSED GRANITE = 604 SQ. FT.
 FENCE = 423.5 LF.

EXHIBIT "A"

PREPARED BY:

CITY OF REEDLEY

ENGINEERING DEPARTMENT

1733 9th STREET

REEDLEY, CA 93654

Phone: (559)637-4200, ext. 295

Fax: (559)637-2139

DIAGRAM OF

MUELLER PARK - DOG PARK AND COMMUNITY GARDEN

DATE:

JAN. 11, 2017

SCALE

1" = 100'

DRAWN BY:

LTHAO

SHEET NO. 1 OF 1