

**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, January 10, 2023**

**Meeting Held in the Council Chambers  
845 "G" Street, Reedley, California  
[www.reedley.ca.gov](http://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 webcast and accessed at: <http://www.reedley.com/livestream.php>**

**\*PLEASE SEE LAST PAGE OF AGENDA FOR ZOOM PARTICIPATION INSTRUCTIONS\***

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-** Pastor Virgil Miller, Christ Lutheran Church

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**AGENDA APPROVAL – ADDITIONS AND/OR DELETIONS**

**PRESENTATION**

1. PROCLAMATION FOR NATIONAL HUMAN TRAFFICKING PREVENTION MONTH

**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. Motions in favor of the **Consent Agenda** are deemed to include a motion to waive the full reading of any ordinance on the **Consent Agenda**. For adoption of ordinances, only those that have received a unanimous vote upon introduction are considered **Consent** items.

### CONSENT AGENDA (Item 2-6)

2. APPROVAL OF MINUTES OF THE REGULAR COUNCIL MEETING OF DECEMBER 13, 2022 – (City Clerk)  
Staff Recommendation: Approve
3. APPROVE A RECOMMENDATION BY THE COMMUNITY SERVICES COMMISSION TO AWARD COMMUNITY RECREATION GRANTS IN THE AMOUNT OF \$350 TO EACH OF THE SIX (6) QUALIFYING APPLICANTS – (Community Services)  
Staff Recommendation: Approve
4. APPROVE AND AUTHORIZE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH INTEGRATED DESIGNS BY SOMAM, INC. FOR INITIAL PLANNING & DESIGN WORK ASSOCIATED WITH A FUTURE CITY HALL FACILITY IN AN AMOUNT OF \$45,000 BUT NOT TO EXCEED \$60,000 – (Administrative Services)  
Staff Recommendation: Approve
5. SECOND READING AND ADOPTION OF ORDINANCE 2022-008, AMENDING VARIOUS PROVISIONS OF CHAPTER 2 OF TITLE 7 OF THE REEDLEY MUNICIPAL CODE PERTAINING TO TREES – (Public Works)  
Staff Recommendation: Approve

6. ADOPT RESOLUTION 2023-001 OF THE CITY COUNCIL OF THE CITY OF REEDLEY ADOPTING THE ANNUAL CITY STATEMENT OF INVESTMENT POLICY - (Administrative Services)  
Staff Recommendation: Approve

## **PUBLIC HEARING**

**ORDINANCES** - *With respect to the approval of ordinances, the reading of the title thereto shall be deemed a motion to waive a reading of the complete ordinance and unless there is a request by a Council Member that the ordinance be read in full, further reading of the ordinance shall be deemed waived by unanimous consent of the Council.*

7. ADOPT ORDINANCE NO. 2023-001, GRANTING AN EXTENSION AND RENEWAL OF AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REEDLEY, CALIFORNIA, TEMPORARILY PLACING A MORATORIUM ON THE ESTABLISHMENT OF ANY NEW SMOKE SHOPS/TOBACCO STORES WITHIN THE CITY- Report, discussion and/or other Council action to approve, modify, and/or take other action as appropriate. – (Community Development Department)  
Staff Recommendation: Approve
8. INTRODUCTION AND FIRST READING OF ORDINANCE 2023-002 REPEALING AND REPLACING TITLE 1, CHAPTER 5, ARTICLE A-2 OF THE REEDLEY MUNICIPAL CODE CONCERNING DISTRICT BOUNDARIES- Report, discussion and/or other Council action to approve, modify, and/or take other action as appropriate. – (City Clerk)  
Staff Recommendation: Approve

## **ADMINISTRATIVE BUSINESS**

9. CONFIRM APPOINTMENTS OF COUNCIL MEMBERS AND STAFF TO BOARDS AND COMMISSIONS FOR THE 2023 AND 2024 CALENDAR YEARS- Report, discussion and/or other Council action to approve, modify, and/or take other action as appropriate. – (City Manager)  
Staff Recommendation: Approve
10. APPROVE RESOLUTION NO 2023-002 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY TERMINATING THE DECLARED LOCAL EMERGENCY AND REPEALING RESOLUTION 2020-017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY PROCLAIMING THE EXISTENCE OR THREATENED EXISTENCE OF A LOCAL EMERGENCY (COVID-19). – (City Manager)  
Staff Recommendation: Approve

## **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.*

11. REEDLEY COMMUNITY SERVICES COMMISSION MINUTES OF REGULAR MEETING OF JULY 28, 2022- Community Services

## **COUNCIL REPORTS**

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

## STAFF REPORTS

### 13. UPDATES AND/OR REPORTS BY CITY MANAGER AND/OR STAFF MEMBERS.

## 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 5<sup>th</sup> day of January 2023.*

  
Ruthie Greenwood, City Clerk

### Zoom Participation:

The City Council is encouraging members of the public to observe and participate in the Council meeting virtually, to maximize the safety of all meeting participants. Reasonable efforts will be made to allow written and verbal comments from participants communicating with the host of the virtual meeting. To do so, participants may “raise their hand” during public comment portions of the meeting using the electronic feature on the zoom program, and the City Clerk will inform the Mayor of the participant’s desire to provide public comment. Due to the new, untested format of these meetings, the City cannot guarantee that participants who wish to provide public comment will occur as expected. The “chat” feature on Zoom will not be monitored or used during the meeting. 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](mailto: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.

PROCLAMATION  
of the  
CITY OF REEDLEY

#1

WHEREAS: Fresno Economic Opportunities Commission Sanctuary and Support Services “Central Valley Against Human Trafficking” project assisted and identified over 1,550 victims of human trafficking from our local communities: and

WHEREAS: the Central Valley Against Human Trafficking project provides resources to empower self-sufficiency, restore dignity, and support recovery from trauma for survivors: and

WHEREAS: the International Labor Organization recognizes there are an estimated 50 million people in modern slavery globally where one in three victims are children; and

WHEREAS: National Center for Missing and Exploited Children estimates one out of six endangered runaways were likely child sex trafficking victims; and

WHEREAS: the United States Department of Labor identified 158 goods from 77 countries made by forced and child labor; and

WHEREAS: The City of Reedley recognizes the need for greater awareness and accountability regarding the crime of human trafficking.

NOW, THEREFORE, we, Mayor Anita Betancourt and the Reedley City Council Members, do hereby proclaim January 2023 to be National Human Trafficking Prevention Month

DATE: January 10, 2023



Anita Betancourt, Mayor of the City of Reedley

**REEDLEY CITY COUNCIL MEETING – December 13, 2022**

*A complete audio record of the minutes is available at [www.reedley.ca.gov](http://www.reedley.ca.gov)*

The meeting of Reedley City Council called to order by Mayor Fast at 7:02 p.m. on Tuesday, December 13, 2022 in the City Hall Council Chambers, 845 “G” Street, Reedley, California.

Mayor Fast requested a moment of silence in memory of Mr. Robert Beck.

**INVOCATION** – Pastor Nick Jones, Redeemers Church

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Tuttle

**ROLL CALL**

Council Members

Present: Anita Betancourt, Suzanne Byers, Ray Soleno, Matthew Tuttle, Mary Fast

Absent: None.

**AGENDA APPROVAL – ADDITIONS AND/OR DELETIONS**

Council Member Byers moved, Council Member Betancourt seconded to accept and approve agenda.

Motion unanimously **carried**.

**ADMINISTRATIVE BUSINESS-COUNCIL ORGANIZATION**

- 1. ADOPT RESOLUTION NO. 2022-089, A RESOLUTION RECITING THE FACT OF THE CONSOLIDATED GENERAL MUNICIPAL ELECTION HELD IN SAID CITY OF REEDLEY ON THE 8TH DAY OF NOVEMBER 2022 AND DECLARING THE RESULT THEREOF AND SUCH OTHER MATTERS AS ARE PROVIDED BY LAW.

City Manager Nicole Zieba reported that the consolidated general municipal election was held on November 8, 2022, as required by the laws related to cities in the State of California. The official “Certificate of Elections” results received by Fresno County Clerk, James A. Kus indicated that Mary L. Fast, Candidate for District 2 was re-elected to a new four year term for City of Reedley. Scott Friesen Candidate for District 4 was elected to a four year term for City of Reedley.

Council Member Soleno moved, Council Member Betancourt seconded to accept and approve to ADOPT RESOLUTION NO. 2022-089, A RESOLUTION RECITING THE FACT OF THE CONSOLIDATED GENERAL MUNICIPAL ELECTION HELD IN SAID CITY OF REEDLEY ON THE 8TH DAY OF NOVEMBER 2022 AND DECLARING THE RESULT THEREOF AND SUCH OTHER MATTERS AS ARE PROVIDED BY LAW

- 2. PRESENTATION TO OUTGOING COUNCIL MEMBER RAY SOLENO

Mayor, Council and Staff thanked Mr. Soleno for his years on the council and his many contributions to the community.

- 3. ADMINISTRATION OF OATH OF OFFICE TO ELECTED COUNCIL MEMBERS, MARY FAST AND SCOTT FRIESEN.

A. OATH OF OFFICE TO BE ADMINISTERED BY CITY CLERK.

B. SEATING OF COUNCIL MEMBERS

Mary Fast and Scott Friesen received the Oath of Office, administered by City Clerk, Ruthie Greenwood.

**REEDLEY CITY COUNCIL MEETING – December 13, 2022**

**BREAK**

7:30PM-7:53PM

4. CITY COUNCIL REORGANIZATION-CONFIRMATION OF MAYOR AND MAYOR PRO TEMPORE PER RESOLUTION NO. 2015-004
  - A. CONFIRMATION OF ACCEPTANCE TO POSITION OF MAYOR BY ANITA BETANCOURT, DISTRICT 5
  - B. CONFIRMATION OF ACCEPTANCE TO POSITION OF MAYOR PRO TEMPORE BY MATTHEW TUTTLE, DISTRICT 1

Resolution No. 2015-004 established a policy and procedure for the selection of the Mayor and Mayor Pro Tempore. Beginning December 2012, the office of the Mayor and Mayor Pro Tempore rotate and are filled according to the Council District number order every two years and only a confirmation of acceptance is needed for the Mayor and Mayor Pro-Tempore positions.

Council Member Anita Betancourt accepted the position as Mayor.

Council Member Matthew Tuttle accepted the position as Mayor Pro Tempore.

5. CONFIRMATION OF MAYOR AND MAYOR PRO TEMPORE’S APPOINTMENT TO FRESNO COUNCIL OF GOVERNMENTS (COG) POSITIONS PER RESOLUTION 2013-005
  - A. COG BOARD MEMBER
  - B. COG ALTERNATE BOARD MEMBER

City Manager stated a confirmation of acceptance by Mayor and Mayor Pro Tempore was needed for the appointment to the Fresno Council of Governments for a COG Board Member and COG Alternate Board Members. Ms. Zieba stated traditionally the Mayor serves as the Board Member and the Mayor Pro-Tem serves as the Alternate Board Member. Ms. Zieba asked Mayor and Mayor Pro-Tem if they would be willing to serve.

Mayor, Anita Betancourt stated that she would like for Mary Fast to continue to be the primary board member for Council of Governments and for Matthew Tuttle Mayor Pro Tempore, to be the alternate. Mary Fast and Matthew Tuttle accepted and no further action was required.

**PUBLIC COMMENT**

None.

**CONSENT AGENDA (Item 6-9)**

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

6. APPROVAL OF MINUTES OF THE REGULAR AND SPECIAL COUNCIL MEETINGS OF NOVEMBER 8, 2022 - *Approved*
7. APPROVE MAYORS NOMINATION OF ABE ISAAK FOR REAPPOINTMENT TO THE CONSOLIDATED MOSQUITO ABATEMENT DISTRICT -*Approved*
8. 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*
9. ADOPT RESOLUTION NO. 2022-097 GRANTING AUTHORITY TO THE CITY ENGINEER OR PUBLIC WORKS DIRECTOR TO ACCEPT AND EXECUTE A MASTER AGREEMENT AND SUBSEQUENT

**REEDLEY CITY COUNCIL MEETING – December 13, 2022**

PROGRAM SUPPLEMENT AGREEMENTS FOR STATE-FUNDED TRANSPORTATION RELATED PROJECTS– *Approved*

**PUBLIC HEARING**

10. HOLD PUBLIC HEARING AND APPROVE ORDINANCE 2022-006 AMENDING CHAPTER 1 OF TITLE 9 OF THE REEDLEY CITY CODE RELATING TO BUILDING CODES

Fire Chief Isaak stated this item was introduced at the last City Council meeting on November 8, 2022. This is the second reading of this ordinance. Council approval is necessary to adopt the 2022 Building Codes.

***Public Hearing Opened: 8:00 p.m.***

***Public Hearing Closed: 8:01 p.m.***

Council Member Fast moved, Council Member Byers seconded to accept, and HOLD PUBLIC HEARING AND APPROVE ORDINANCE 2022-006 AMENDING CHAPTER 1 OF TITLE 9 OF THE REEDLEY CITY CODE RELATING TO BUILDING CODES

Motion unanimously **carried.**

11. INTRODUCTION AND FIRST READING OF ORDINANCE NO. 2022-008, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REEDLEY AMENDING VARIOUS PROVISIONS OF CHAPTER 2 OF TITLE 7 OF THE REEDLEY MUNICIPAL CODE PERTAINING TO TREES

Public Works Director, Russ Robertson discussed this is introduction and first reading of the proposed ordinance regarding trees. Mr. Robertson discussed the current tree ordinance which was last updated in 1968. The purpose of the update is to provide clarification of tree ownership and responsibilities of trees located within in the City’s right of way easement.

***Public Hearing Opened: 8:19 p.m.***

***Public Hearing Closed: 8:20 p.m.***

Council Member Tuttle moved, Council Member Byers seconded to accept and approve to INTRODUCTION AND FIRST READING OF ORDINANCE NO. 2022-008, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REEDLEY AMENDING VARIOUS PROVISIONS OF CHAPTER 2 OF TITLE 7 OF THE REEDLEY MUNICIPAL CODE PERTAINING TO TREES

Motion unanimously **carried.**

12. CONSIDER ACTION RELATED TO ANNEXATION OF TERRITORY (ANNEXATION NO. 20) TO THE CITY OF REEDLEY COMMUNITY FACILITIES DISTRICT 2005-1 (PUBLIC SERVICES) WHICH INCLUDES THE FOLLOWING:

- A. RESOLUTION 2022-098, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY ANNEXING OF TERRITORY TO A COMMUNITY FACILITIES DISTRICT, AUTHORIZING THE LEVY OF A SPECIAL TAX, AND SUBMITTING LEVY OF TAX TO QUALIFIED ELECTORS, CITY OF REEDLEY COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) ANNEXATION NO. 20
- B. RESOLUTION 2022-099, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY DECLARING RESULTS OF A SPECIAL ANNEXATION ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING RECORDING OF AMENDED NOTICE OF SPECIAL TAX LIEN, CITY OF REEDLEY COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) ANNEXATION NO. 20

**REEDLEY CITY COUNCIL MEETING – December 13, 2022**

Assistant City Manager Paul Melikian stated a condition to annex into the Community Facilities District was imposed on new developments being processed by the City in 2005. Since that time all properties must petition to be annexed to the existing community facilities district when development is proposed. To initiate the process for annexation of territory the City Council approved a resolution of intention on October 25, 2022. The resolution of intention set a public hearing for December 13, 2022.

**Public Hearing Opened: 8:23 p.m.**

City Clerk announced there were 8 ballots mailed with a total of 32 votes and 7 ballots with 29 votes were returned.

**Public Hearing Closed: 8:24 p.m.**

Council Member Tuttle moved, Council Member Fast seconded to accept and approve

- A. RESOLUTION 2022-098, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY ANNEXING OF TERRITORY TO A COMMUNITY FACILITIES DISTRICT, AUTHORIZING THE LEVY OF A SPECIAL TAX, AND SUBMITTING LEVY OF TAX TO QUALIFIED ELECTORS, CITY OF REEDLEY COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) ANNEXATION NO. 20

Motion unanimously **carried**.

Ballots were opened by City Clerk and she reported the following votes in favor:

**Yes Votes**

- Kenneth James & Janet Marilyn Enns Trust - 19 votes
- Immanuel Schools- 1 vote
- NS Manning LLC – 1 vote
- 1857 E. Main Street LLC Care of Sunny Ghai – 2 votes
- Epic Rentals-3 votes
- Maurice G. & Cindy June Donaldson-1 vote

**No Votes**

None

City Attorney Laurie Avedisian-Favini and City Manager Nicole Zieba stated that the Pena’s Disposal Inc ballot although it was in a signed envelope marked ballot the contents of the envelope was the initial petition to annex and is not a signed formal ballot so it did not count.

City Clerk stated that there was only 27 votes cast

**Summary**

Qualified Landowner Votes	Votes Cast	Yes Votes	No Votes
<u>32</u>	<u>27</u>	<u>27</u>	<u>0</u>

City Clerk announced that the 18 “Yes” votes were required in order to proceed with the adoption of Resolution 2022-99 and 27 had been received, therefore Council could proceed.

Council Member Byers moved, Council Member Tuttle seconded to accept and approve

- B. RESOLUTION 2022-099, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY DECLARING RESULTS OF A SPECIAL ANNEXATION ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING RECORDING OF AMENDED NOTICE OF SPECIAL TAX LIEN, CITY OF REEDLEY COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) ANNEXATION NO. 20

Motion unanimously **carried**.

**ADMINISTRATIVE BUSINESS**

13. CONSIDERATION OF ITEMS PERTAINING TO THE POLICE DEPARTMENT POSITIONS

## REEDLEY CITY COUNCIL MEETING – December 13, 2022

- A. ADOPT RESOLUTION NO. 2022-095 OF THE CITY COUNCIL OF THE CITY OF REEDLEY ADOPTING REVISED MASTER SALARY TABLES ADDING THE POLICE SUPPORT SERVICES SUPERVISOR CLASSIFICATION TO UNREPRESENTED RANGE 54-U
- B. ADOPT RESOLUTION NO. 2022-096 OF THE CITY COUNCIL OF THE CITY OF REEDLEY AMENDING THE SALARY AND BENEFIT SCHEDULE FOR UNREPRESENTED EMPLOYEES ADDING THE POLICE SUPPORT SERVICES SUPERVISOR CLASSIFICATION TO THE RECOGNIZED MID-MANAGEMENT POSITIONS
- C. APPROVE AND AUTHORIZED CITY MANAGER TO EXECUTE A SIDE LETTER OF AGREEMENT WITH THE REEDLEY POLICE OFFICERS ASSOCIATION REVISING ARTICLE 14 SPECIALTY PAY TO ADD ASSIGNMENT TO THE FRESNO COUNTY ADULT COMPLIANCE TEAM AS ELIGIBLE SPECIALTY PAY

Council Member Tuttle moved, Council Member Fast seconded to accept and approve

- A. ADOPT RESOLUTION NO. 2022-095 OF THE CITY COUNCIL OF THE CITY OF REEDLEY ADOPTING REVISED MASTER SALARY TABLES ADDING THE POLICE SUPPORT SERVICES SUPERVISOR CLASSIFICATION TO UNREPRESENTED RANGE 54-U
- B. ADOPT RESOLUTION NO. 2022-096 OF THE CITY COUNCIL OF THE CITY OF REEDLEY AMENDING THE SALARY AND BENEFIT SCHEDULE FOR UNREPRESENTED EMPLOYEES ADDING THE POLICE SUPPORT SERVICES SUPERVISOR CLASSIFICATION TO THE RECOGNIZED MID-MANAGEMENT POSITIONS

Motion unanimously **carried**.

Council Member Tuttle moved, Council Member Byers seconded to accept and approve

- C. APPROVE AND AUTHORIZED CITY MANAGER TO EXECUTE A SIDE LETTER OF AGREEMENT WITH THE REEDLEY POLICE OFFICERS ASSOCIATION REVISING ARTICLE 14 SPECIALTY PAY TO ADD ASSIGNMENT TO THE FRESNO COUNTY ADULT COMPLIANCE TEAM AS ELIGIBLE SPECIALTY PAY

Motion unanimously **carried**.

## 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.*

14. REEDLEY AIRPORT COMMISSION MINUTES OF REGULAR MEETING OF JULY 14, 2022 – Community Services Commission
15. RECEIVE, REVIEW & FILE 2021-22 AUDITED CITY FINANCIAL STATEMENTS – Administrative Services

## COUNCIL REPORTS

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

### Council Member Tuttle:

- Discussed the community night out event and shared what a success it was
- Mentioned the returning of the military banners ceremony
- Discussed the river clean up event
- Attended a meeting with Blue White Robotics and Reedley College and provided a brief update
- Shared that he attended the Senior lunch at the Community Center

### Council Member Byers:

- Attended the Mid Valley Disposal luncheon

## REEDLEY CITY COUNCIL MEETING – December 13, 2022

- Also attended the Senior luncheon at the Community Center

### Council Member Fast:

- Attended the police awards ceremony
- Discussed the Thanksgiving lunch
- Attended a Council of Governments meeting and provided a brief update
- Shared about the Tree lighting ceremony
- Also attended the Mid Valley Disposal lunch
- Mentioned the Senior luncheon she also attended
- Attended air board meeting and provided a brief update

### Mayor Betancourt:

- Thanked Officer Ramer for giving a good presentation to Jefferson School parents
- Shared she also attended the Senior luncheon
- Discussed the Thanksgiving luncheon

## STAFF REPORTS

### 17. UPDATES AND/OR REPORTS BY CITY MANAGER AND/OR STAFF MEMBERS.

#### City Manager, Nicole Zieba:

- Informed Council the Boards and Commissions will be discussed at the January 10, 2023 meeting.

#### Engineer, Marilu Morales:

- Provided an update on the active transportation plan

## ADJOURNMENT

Mayor Betancourt adjourned the regular meeting at 9:03 p.m.

---

Mayor Anita Betancourt

ATTEST:

---

Ruthie Greenwood, City Clerk



## REEDLEY CITY COUNCIL

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

ITEM NO: 3

**DATE:** January 10, 2023

**TITLE:** APPROVE A RECOMMENDATION BY THE COMMUNITY SERVICES COMMISSION TO AWARD COMMUNITY RECREATION GRANTS IN THE AMOUNT OF \$350 TO EACH OF THE SIX (6) 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 six (6) Community Recreation Grants in the amount of \$350 to each of qualifying applicants: Reedley High School (RHS) Pirates Band Boosters, T L Reed School Go Club, Reedley River City Theatre Company, Reedley Senior Commission, Inc., Reedley Parks and Recreation Foundation, and Reedley Little League.

### 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 was posted on the Community Services Department's Facebook page and the City's website announcing six (6) \$350 grants. The notice indicated that applications were available at the Reedley Community Center and on the City's website with a due date of October 27, 2022 by 5:00pm. Letters were mailed to past applicants announcing the grant opportunity as well. Six (6) applications were received by the deadline and met the requirement to apply.

A requirement in the grant guidelines is a representative of the organization needs to be present at the Community Services Commission meeting where the grants are reviewed and recommended. Staff made contact with each group to inform them of the Community Services Commission meeting scheduled for December 1, 2022. Representatives from Reedley High School (RHS) Pirates Band Boosters, T L Reed School Go Club, Reedley Senior Commission, Inc., Reedley Parks and Recreation Foundation, and Reedley Little League were present at the meeting and provided the reason for the request and answered questions as to how the funds will be spent. The only applicant not represented was Reedley River City Theatre Company.

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, T L Reed School Go Club to purchase material to create club shirts to wear when out in the community volunteering, Reedley River City Theatre Company to purchase the necessary materials to offer the annual kids camp during the summer months, Reedley Senior Commission, Inc. to support Reedley senior activities, Reedley Parks and Recreation Foundation for ongoing beautification and upkeep on the Reedley Parkway, and Reedley Little League to purchase baseball supplies for the 2023 season and provide scholarships for qualifying families.

**FISCAL IMPACT**

\$2,100 has been appropriated in the Fiscal Year 2022-23 Budget for six (6) grants.

**COMMITTEE/COMMISSION REVIEW/ACTIONS**

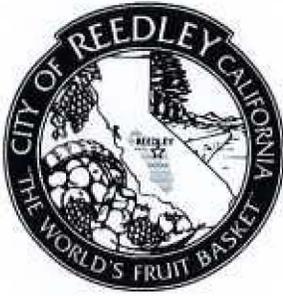
The Community Services Commission reviewed this item at the December 1, 2022 meeting and the recommendation is to fund Reedley High School Pirates, T L Reed School Go Club, Reedley River City Theatre Company, Reedley Senior Commission, Inc., Reedley Parks and Recreation Foundation, and Reedley Little League with the amount of \$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 4<sup>th</sup> Thursday in October by 5:00 p.m.** Grant proposals will be reviewed by the Community Services Commission at their meeting Thursday, December 1, 2022 at 4:30p.m.
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: 4

**DATE:** January 10, 2023

**TITLE:** APPROVE AND AUTHORIZE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH INTEGRATED DESIGNS BY SOMAM, INC. FOR INITIAL PLANNING & DESIGN WORK ASSOCIATED WITH A FUTURE CITY HALL FACILITY IN AN AMOUNT OF \$45,000 BUT NOT TO EXCEED \$60,000

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

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

### RECOMMENDATION

It is recommended that the City Council approve and authorize the City Manager to execute a Professional Services Agreement with Integrated Designs by SOMAM, Inc. for Phase One initial design work associated with a future City Hall facility, in an amount of \$45,000 but not to exceed \$60,000.

### EXECUTIVE SUMMARY

On November 8, 2022, the City Council authorized the use of up to \$100,000 of previously budgeted Coronavirus State and local Fiscal Recovery Funds under the American Rescue Plan Act of 2021 (ARPA) for initial planning and design work associated with a future City Hall facility located on the City-owned vacant parcel behind the former Fresno County courthouse. At the time, it was communicated that City staff would meet with an architect over the coming months to discuss space needs with the goal of developing a draft site plan, floor plan and building elevations for the Council's further consideration and input, which would occur sometime in mid-2023.

City staff reached out to officials at the Kings Canyon Unified School District (KCUSD) to find out who did the design and engineering work on their Educational Support Center (aka District Headquarters) located at 1801 10<sup>th</sup> Street, and soon to be constructed Student Support Center on the site of the former Wolters Co. building. To minimize design costs, City staff envisions using as much of the exterior design of the existing KCUSD headquarters and soon to be constructed Student Support Center as possible. If proven feasible, this idea also provides some design continuity in this part of the downtown. KCUSD uses an architectural and engineering firm based in Fresno by the name of Integrated Designs by SOMAM, Inc. (Integrated Designs). Integrated Designs has an extensive portfolio of design and engineering of government facilities with an emphasis on educational facilities, and comes highly recommended by KCUSD staff.

City staff met with representatives of Integrated Designs and received an architectural and engineering fee proposal, attached to this item. The work is separated into three phases, reflecting logical project milestones as the project progresses. Phase One, the item recommended for approval, authorizes Integrated Designs to proceed with work on the design of the site plan, floor plan, exterior and interior

elevations, 3D renderings and project cost estimates for the City's consideration and future approval. According to representatives at Integrated Designs, there are significant cost savings of up to \$15,000 during Phase One of utilizing the previous exterior design utilized by the KCUSD. Should the City be able to substantially use the previous KCUSD designs, the cost to develop the initial design work would be \$45,000. The not to exceed sum of \$60,000 would only be utilized should it become apparent to staff that some changes would be necessary to the KCUSD exterior design to best meet the needs of the City.

It is anticipated that it will take approximately four months to complete the deliverables under Phase One, which will then be brought forward to the City Council in late spring/summer 2023 for additional consideration and input. Should the site plan, floor plan and exterior and interior elevations be approved, and the project is authorized by the City Council to proceed to the next step, staff will bring a fee proposal forward to begin Phase Two, which would include the architectural and engineering work necessary to prepare construction documents and specifications for putting the project out to bid.

## **BACKGROUND**

Reedley's City Hall and Police Headquarters have been in their current location since the year 1960 and 1978, respectively, and were last expanded in 1996 – 26 years ago. In 2001, the City took possession of the Royal Valley Building property (behind City Hall) with an eye towards future expansion. In 2015, the City added a double-wide trailer to the parking lot next to the Police Department as a permitted temporary structure to accommodate immediate office space needs at that time. Both City Hall and Police Headquarters have been reconfigured several times over the years to maximize the use of available space. Each time office space is reconfigured, staff have to be ever more creative in finding space, which over the last few years has resulted in some unconventional working spaces that are not ideal in the long term.

City Hall and Police Headquarters are currently both at capacity, with no room to develop additional workspaces. Staff has begun the process of planning and initial design work of a new facility to accommodate current and future space needs for the next generation, to serve the City for the next 25-30 years.

A handful of options have been identified to accommodate future office and meeting room space. Staff have carefully weighed the pros and cons of each option; and at this time, the most cost-effective solution appears to be the construction of a new City Hall building and expanding the Police Department into the existing City Hall space. This is primarily due to the significant cost of constructing a new jail, evidence storage, and supporting facilities that are specific to law enforcement use that would not be necessary with a City Hall facility. The costs would be further magnified in that the existing special use spaces (jail, etc.) would need to be remodeled for non-law enforcement use to alleviate space needs of City Hall operations. All options considered include: 1) removing the double-wide mobile home currently used by the Police detective and crime analysis unit, as this structure was always intended to be temporary, and designed and constructed as such; and 2) development of additional electric vehicle charging spaces as the City fleet continues a steady transition to electric. There are still many considerations that must be carefully dealt with, and the planning and design process will assist in fleshing out these details.

## **FISCAL IMPACT**

The City previously allocated \$1M of its available ARPA funds towards the purchase and rehabilitation of the former County courthouse, which was itself a rough estimate of total cost. That project is no longer viable as the County is retaining ownership of the building.

At this time, staff will utilize a portion of the \$100,000 authorized on November 8, 2022 of the original \$1M allocation for initial design and planning work for this new facility. Throughout the ensuing process, staff will be looking for opportunities to minimize costs where possible.

It is important to begin planning now, as the planning, design, financing, bid/award, and construction process is estimated to take two to three years. In addition, ARPA funds must be spent by December 31, 2026.

Due to the scale of this project, the City of Reedley will likely have to secure long-term financing for a portion of the project cost. While local funds, such as General Fund, ARPA, and DIF funds will be used, the City will also be seeking any available grants or financial assistance from the State of California to complete the project budget. As defined in the City's debt policy, it is appropriate to issue long-term debt for a facility such as this, as it will serve residents and businesses for years to come, and staff have intentionally kept debt levels low to allow for capacity to take on important projects.

**ATTACHMENTS**

Professional Services Agreement with Integrated Designs by SOMAM, Inc.  
Architectural & Engineering Proposal dated December 20, 2022

## PROFESSIONAL SERVICES AGREEMENT

This Agreement, entered into this \_\_\_\_ day of January, 2023, by and between the City of Reedley, hereinafter referred to as the "CITY", and Integrated Designs by SOMAM, Inc. hereinafter referred to as the "CONSULTANT".

### WITNESSETH

**WHEREAS**, the CITY is authorized and empowered to employ consultants and specialists in the performance of its duties and functions, and

**WHEREAS**, the CITY has the desire to secure certain technical and professional services to assist in the preparation and completion of the items of work described as "Scope of Services" in Exhibit "A", for Architectural & Engineering work for a new City Hall facility hereinafter referred to as the "PROJECT"; and

**WHEREAS**, the CONSULTANT represents it is licensed, qualified and willing to provide such services pursuant to terms and conditions of this Agreement.

**NOW, THEREFORE**, CITY and CONSULTANT agree as follows:

### I. SERVICES TO BE PERFORMED BY THE CONSULTANT

- A. Authorized Scope of Services: The CONSULTANT agrees to perform all services necessary to complete in a manner satisfactory to the CITY those tasks described and for the cost identified in Exhibit "A" - Architectural & Engineering Proposal for New City Hall Facility, specifically Phase One – Design, which shall include design of site plan (including charging stations), floor plans, exterior elevations, roof plan, interior elevations, 3D renderings, and cost estimates.
- B. Future Phases:  
Fee proposals for future project phases two and three will be prepared by CONSULTANT and submitted to CITY for approval once Phase One is completed.
- C. Additional Services: Incidental work related to the PROJECT and not provided for in Exhibit "A" may be needed during the performance of this Agreement. The CONSULTANT agrees to provide any and all additional services at the rates identified in attached Exhibit "A". Such additional services shall not be performed by CONSULTANT without the written consent of CITY.

### II. COMPENSATION

- A. Total Compensation: For services performed pursuant to this Agreement, the CITY agrees to pay and the CONSULTANT agrees to accept, as payment in full, a sum not to exceed amounts stated in Exhibit "A". This amount shall constitute complete compensation, including document production and out-of-pocket expenses for the Scope of Services as identified in Exhibit "A".

- B. Payment of Compensation: The CONSULTANT shall be paid no later than thirty (30) days following submission of a written, verified billing to the CITY. Said billing shall include the percentage of each task completed to date and since the date of the preceding billing, if any. All billings shall be subject to verification and approval by the CITY. If the CONSULTANT fails to complete the Scope of Services, the CITY shall determine the percent of each work item completed and shall pay the CONSULTANT on that basis.

### III. TERMINATION

The right to terminate this Agreement, with or without cause, may be exercised by either party, without prejudice to any other right or remedy to which the terminating party may be entitled at law or under this Agreement.

- A. Termination By Either Party Without Cause: The CITY or CONSULTANT may terminate this Agreement at any time by giving written notice to the other of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination.
- B. Termination of Agreement for Cause: The CITY may by written notice to the CONSULTANT specifying the effective date thereof, immediately terminate the whole or any part of this Agreement if the CONSULTANT fails to perform the services called for by this Agreement.
- C. Post-Termination:
1. In the event the CITY terminates this Agreement with or without cause, the CITY may procure, upon such terms and such manner as it may determine appropriate, another party to complete the services under this Agreement.
  2. Except with respect to defaults of subconsultants, the CONSULTANT shall not be liable for any excess costs if the failure to perform this Agreement arises out of causes beyond the control and without the fault or negligence of the CONSULTANT. Such causes include, but are not limited to, acts of God or of the public enemy, floods, epidemics, quarantine restrictions, strikes, and unusually severe weather; but in the event of the failure to perform is caused by the default of a subconsultant, the CONSULTANT shall not be liable for failure to perform, unless the services to be furnished by the subconsultant were obtainable from other sources in sufficient time and within budgeted resources to permit the CONSULTANT to meet the required delivery schedule or other performance requirements.
  3. Should the Agreement be terminated with or without cause, the CONSULTANT shall provide the CITY with all finished and unfinished documents, data, studies, services, drawings, maps, models, photographs, reports, etc., prepared by the CONSULTANT pursuant to this Agreement. The use of all finished and unfinished work product shall be in accordance with Section V, Documents & Data.

4. Upon termination, with or without cause, CONSULTANT will be compensated for the services satisfactorily performed to the date of termination according to compensation provisions contained herein; provided that, upon termination for cause, the CITY may withhold such amount as the CITY deems appropriate to compensate the CITY for costs or damages incurred as a result of the CONSULTANT's default. In no event, shall the total compensation paid CONSULTANT exceed the total compensation agreed to in Exhibit "A".
5. If, after notice of termination of this Agreement for cause, as provided for in this article, it is determined for any reason that the CONSULTANT was not in default under the provisions of this article, then the rights and obligations of the parties shall be the same as if the Agreement was terminated without cause.
6. Termination of this Agreement shall not terminate any obligation to indemnify, to maintain and make available any records pertaining to the Agreement, to cooperate with any audit, to be subject to offset, or to make any reports of pre-termination activities.

#### IV. SUBCONTRACTING

The CONSULTANT shall not subcontract or otherwise assign any portion of the services to be performed under this Agreement without the prior written approval of the CITY.

#### V. DOCUMENTS & DATA

- A. Ownership of Documents: All original papers and documents, produced as a result of this Agreement, shall become the property of the CITY. In addition, CITY shall be provided with access and use of any other papers and documents consistent with the purpose and scope of services covered by this Agreement. Any additional copies, not otherwise provided for herein, shall be the responsibility of the CITY.

Documents, including drawings and specifications, prepared by CONSULTANT pursuant to this Agreement, are not intended or represented to be suitable for reuse by CITY or others on extensions of the PROJECT or on any other project. Any use of the completed documents for other projects and any use of incomplete documents without the specific written authorization from CONSULTANT will be at CITY's sole risk and without liability to CONSULTANT. Further, any and all liability arising out of changes made to CONSULTANT's deliverables under this Agreement by CITY or persons other than CONSULTANT is waived as against CONSULTANT, and the CITY assumes full responsibility for such changes made by the CITY or its agents unless the CITY has given CONSULTANT prior notice and has received from CONSULTANT written consent for such changes.

- B. Publication: No report, information, or other data given or prepared or assembled by the CONSULTANT pursuant to this Agreement, shall be made available to any individual or organization by the CONSULTANT without the prior written approval of the CITY.

Notwithstanding the foregoing, however, the CONSULTANT shall not be required to protect or hold in confidence and confidential information which (1) is or becomes available to the public with the prior written consent of the CITY; (2) must be disclosed to comply with law; or (3) must be disclosed in connection with any legal proceedings.

- C. Copyrights: The CONSULTANT shall be free to copyright material developed under this Agreement with the provision that the CITY be given a nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use the material for government or public purposes.

## VI. INDEMNIFICATION AND INSURANCE

- A. As respects acts, errors, or omissions in the performance of services, CONSULTANT shall indemnify and hold harmless CITY, its elected and appointed officers, employees, and CITY designated volunteers from and against any and all claims, demands, losses, defense costs, liability or damages arising directly out of CONSULTANT's negligent acts, errors or omissions in the performance of his/her services under the terms of this Agreement; except to the extent those arise out of the negligent acts of CITY.
- B. As respects all acts or omissions which do not arise directly out of the performance of services, including but not limited to those acts or omissions normally covered by general and automobile liability insurance, CONSULTANT shall indemnify, defend (at CITY's option), and hold harmless CITY, its elected and appointed officers, agents, employees, representatives, and designated volunteers from and against any and all claims, demands, defense costs, liability, or damages of any kind or nature arising out of or in connection with CONSULTANT (or CONSULTANT's subcontractors, if any) performance or failure to perform, under the terms of this Agreement; except to the extent those which arise out of the negligent acts of CITY.
- C. Without limiting CITY's right to indemnification, it is agreed that CONSULTANT shall secure prior to commencing any activities under this Agreement, and maintain during the term of this Agreement, insurance coverage as follows:
  - 1. Workers' Compensation insurance as required by California statutes, and Employer's Liability Insurance in an amount not less than One Million Dollars (\$1,000,000).
  - 2. Commercial general liability insurance with a combined single limit of not less than One Million Dollars (\$1,000,000) per occurrence. Such insurance shall include coverage for Premises and Operations, Contractual Liability, Personal Injury Liability, Products and Completed Operations Liability, Broad Form Property Damage (if applicable), Independent Contractor's Liability (if applicable).
  - 3. Professional liability insurance coverage, in an amount not less than One Million Dollars (\$1,000,000).

4. Comprehensive automobile liability insurance coverage, in an amount not less than One Million Dollars (\$1,000,000) per occurrence. Such insurance shall include coverage for owned, hired, and non-owned automobiles and shall be provided by a business automobile policy.

D. CITY is authorized to reduce or modify the requirements set forth above in the event that such reduction is in the CITY's best interest.

E. Each insurance policy required by this Agreement shall contain the following clause:

"This insurance shall not be canceled, any change in scope or coverage, or non-renewed until after thirty (30) days prior written notice has been given to the City Clerk, City of Reedley, 845 G Street, Reedley, CA 93654." The clause shall not contain "shall endeavor," best efforts or similar qualifiers.

In addition, the Commercial general liability and comprehensive automobile liability policies required by this Agreement shall contain the following clauses:

"It is agreed that any insurance maintained by the City of Reedley shall apply in excess of and not contribute with insurance provided by this policy."

For the general liability and automobile policies only, the City of Reedley, its officers, agents, employees, representatives and designated volunteers are added as additional insured's as respects operations and activities of, or on behalf of the named insured, performed under contract with the City of Reedley.

F. Prior to commencing any work under this Agreement, CONSULTANT shall deliver to CITY insurance certificates confirming the existence of the insurance required by this Agreement, and including the applicable clauses referenced above. Within thirty (30) days of the execution date of this Agreement, CONSULTANT shall provide to CITY endorsements to the above-required policies, which add to these policies the applicable clauses referenced above. Said endorsements shall be signed by an authorized representative of the insurance company and shall include the signatory's company affiliation and title. Should it be deemed necessary by CITY, it shall be CONSULTANT's responsibility to see that CITY receives documentation acceptable to CITY which sustains that the individual signing said endorsements is indeed authorized to do so by the insurance company. CITY has the right to demand and to receive within a reasonable time period, copies of any insurance policies required under this Agreement.

G. In addition to any other remedies CITY may have if CONSULTANT fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, CITY, may, at its sole option:

1. Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement; or
2. Order CONSULTANT to stop work under this Agreement and/or withhold any

payment(s) which become due to CONSULTANT hereunder until CONSULTANT demonstrates compliance with the requirements hereof; or

3. Terminate this Agreement.

Exercise of any of the above remedies, however, is an alternative to other remedies CITY may have and is not the exclusive remedy for CONSULTANT's failure to maintain insurance or secure appropriate endorsements.

Nothing herein contained shall be construed as limiting in any way the extent to which CONSULTANT may be held responsible for payments of damages to persons or property resulting from CONSULTANT's or its subcontractor's performance of the work covered under this Agreement.

## VII. MISCELLANEOUS PROVISIONS

- A. Asbestos and Hazardous Materials: In providing its services hereunder, CONSULTANT shall not be responsible for identification, handling, containment, abatement, or in any other respect, for any asbestos or hazardous material if such is present in connection with the PROJECT. In the event the CITY becomes aware of the presence of asbestos or hazardous material at the jobsite, CITY shall be responsible for complying with all applicable federal and state rules and regulations, and shall immediately notify CONSULTANT, who shall then be entitled to cease any of its services that may be affected by such presence, without liability to CONSULTANT arising therefrom.
- B. Successors and Assigns: This Agreement shall be binding upon and shall inure to the benefit of any successors to or assigns of the parties.
- C. Prohibition of Assignment: Neither the CITY nor CONSULTANT shall assign, delegate or transfer their rights and duties of this Agreement without the written consent of the other party.
- D. Dispute/Governing Law: Any dispute not resolvable by informal arbitration between the parties to this Agreement shall be adjudicated in a Court of Law under the laws of the State of California.
- E. Notices: Notice shall be sufficient hereunder if personally served upon the City Clerk of the CITY or an officer or principal of the CONSULTANT, or if sent via the United State Postal Service, postage prepaid, addressed as follows:
- |                    |                                   |
|--------------------|-----------------------------------|
| City of Reedley    | Integrated Designs by SOMAM, Inc. |
| 1733 Ninth Street  | 6011 N. Fresno St., Suite 130     |
| Reedley, CA 93654  | Fresno, CA 93710                  |
| Attn: City Manager | Attn: Vice President              |
- F. Jurisdiction/Venue/Waiver of Removal: This Agreement shall be administered and interpreted under the laws of the State of California. Jurisdiction of litigation arising from

this Agreement shall be in that State. Any action brought to interpret or enforce this Agreement, or any of the terms or conditions hereof, shall be brought in Fresno County, California. The CONSULTANT hereby expressly waives any right to move any action to a county other than Fresno County as permitted pursuant to Section 394 of the California Code of Civil Procedure.

- G. Integration/Modification: This Agreement and each of the exhibits referenced herein, which are incorporated by reference, represents the entire understanding of the CITY and the CONSULTANT as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may not be modified or altered except in writing signed by the CITY and the CONSULTANT.
- H. Conflict with Law: If any part of this Agreement is found to be in conflict with applicable laws, such part shall be inoperative, null and void insofar as it is in conflict with said law, but the remainder of the Agreement shall be in full force and effect.
- I. Attorney's Fees: In the event either party commences any action, arbitration or legal proceedings for the enforcement of this Agreement, the prevailing party, as determined by the court or arbitrator, shall be entitled to recovery of its reasonable attorney's fees and court costs incurred in the action brought thereon.
- J. Construction: This Agreement is the product of negotiation and compromise on the part of each party and the parties agree, notwithstanding Civil Code Section 1654, that in the event of uncertainty the language will not be construed against the party causing the uncertainty to exist.
- K. Authority: Each signatory to this Agreement represents that it is authorized to enter into this Agreement and to bind the party to which its signature represents.
- L. Headings: Section headings are provided for organizational purposes only and do not in any manner affect the scope or intent of the provisions thereunder.

**IN WITNESS WHEREOF**, this Agreement is executed on the day and year first above written.

**INTEGRATED DESIGNS BY SOMAM, INC.,**  
a California corporation

**CITY OF REEDLEY,**  
a California municipal corporation

BY: \_\_\_\_\_  
Curtis Flynn, Vice President

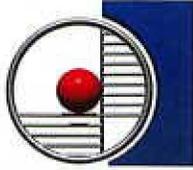
BY: \_\_\_\_\_  
Nicole R. Zieba, City Manager

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

Attachments:  
Exhibit "A": Architectural & Engineering Proposal for New City Hall Facility Dated December 20, 2022

Exhibit "A"



## integrated designs by SOMAM, Inc.

Architecture • Engineering • Interior Design • Project Management

6011 N. Fresno St. Suite 130 ▪ Fresno, California 93710

Phone (559) 436-0881 ▪ Fax (559) 436-0887

E-Mail: design@somam.com

---

### PROPOSAL

**DATE:** December 20, 2022

**TO:** Paul Melikian  
City of Reedley

**FROM:** Curtis Flynn

**RE:** A&E fee proposal for the new City Hall for the City of Reedley

---

Our Architectural/Engineering fee proposal for the new City Hall for the City of Reedley is as follows:

#### Scope of work

The project scope of work consists of a new two-story city hall approximately 11,500 sf with city council chambers, offices for the city manager and department heads, offices and work areas for staff, conference rooms, restrooms, and related spaces to support the facility. Also, all site improvements including site utilities and landscaping.

#### Preliminary estimate

We estimate the construction cost for the project to be approximately \$700 sf for a total of \$8,050,000.

We estimate the soft cost for this project to be approximately 20% of the construction cost to be \$1,610,000.

The soft cost is allocated for architectural fees, city fees, inspection and testing fees, topographic surveys, soils reports, furniture, and equipment, etc.

The total project cost for this project is approximately \$ 9,660,000.

#### Phases of work

Our fee will be separated into three phases as follows:

##### **Phase One – Design**

Design of site plan (including charging stations), floor plans, exterior elevations, roof plan, interior elevations, 3D renderings, and cost estimates for city approval.

**Phase Two – Construction documents/ plan approval/ bidding**

Prepare construction documents and specifications including architectural, civil engineering, structural engineering, plumbing engineering, mechanical engineering, electrical engineering, fire protection engineering, and landscaping and irrigation. Update cost estimates. Obtain city agency department approvals. Assist the city with bidding the project

**Phase Three – Construction administration**

Construction administration service including construction meetings, processing RFI's, submittals, change orders, punch lists, and close out documents.

**Fees:**

**Phase One**

- Option One: \$60,000 (new and unique design)
- Option Two: \$45,000 (utilize a previous design, similar to KCUSD District office building)

**Phase Two**

The fee will be prepared and submitted to the city for approval once Phase One is completed and approved by the city.

**Phase Three**

The fee will be prepared and submitted to the city for approval once Phase Two has been completed and the bid has been awarded.

**Additional services**

Additional services will be per the city standard agreement and our hourly rates as follows:

**HOURLY TIME**

Principal	\$185.00/Hour
Professional	\$150.00/Hour
Sub-Professional	\$ 90.00/Hour
Clerical	\$ 60.00/Hour

**Schedule:**

It is anticipated that it will take approximately 2 to 4 months to complete Phase One once the notice to proceed is given.

**Items to be furnished by the city**

- Topo Survey
- Soils Report
- Testing labs
- Title report
- As-Built Drawings
- City Fees
- Fire Hydrant Tests

We would be happy to meet with you to discuss the fees in more detail and to answer any questions you may have.

Thank you for considering our firm

Curtis Flynn



# REEDLEY CITY COUNCIL

---

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

ITEM NO: 5

**DATE:** January 10, 2023

**TITLE:** SECOND READING AND ADOPTION OF ORDINANCE 2022-008, AMENDING VARIOUS PROVISIONS OF CHAPTER 2 OF TITLE 7 OF THE REEDLEY MUNICIPAL CODE PERTAINING TO TREES.

**SUBMITTED:** Russ Robertson, Public Works Director 

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

---

## RECOMMENDATION

Staff recommends that the City Council approve the second reading and adoption of Ordinance 2022-008, amending various provisions of Chapter 2 of Title 7 of the Reedley Municipal Code pertaining to trees.

## BACKGROUND

On December 13, 2022, a public hearing was held during a regularly scheduled City Council meeting to provide a first reading and introduction of Ordinance 2022-008 and to hear public comment. A presentation of the proposed changes to the Reedley Municipal Code was provided by staff.

Title 7, Chapter 2, of the Reedley Municipal Code pertaining to Trees was last updated in 1968. The purpose of the proposed ordinance amendment is to provide clarification of tree ownership and responsibilities pertaining to trees specifically located within the City's right of way or "Parkstrip Area". The Parkstrip Area is defined as the area between the street curb and the public sidewalk. Many members of the public have the mistaken understanding that any and all trees located within the parkstrip are the responsibility of the City and the City is responsible for any and all maintenance of the trees. Many years ago the City would send crews out to trim the trees hanging over the street so that the street sweeper would have clearance to pass under them. This resulted in some of the public having the misconception that the trees were the responsibility of the City, which has never been the case. Due to liability concerns the practice of trimming privately owned trees hanging over the street ceased around 2005, however the City continues to get calls requesting the City to trim privately owned trees because the City trimmed them in the "past".

The City requires that before any trees are planted within the parkstrip area the property owner must obtain an encroachment permit so that the City can ensure that only trees that are on the City's master tree list are planted. Trees on the master tree list are medium sized trees and have root

systems that are non-intrusive so that the City's infrastructure such as sidewalk and curb and gutter are protected from damage caused by tree roots. This also helps the property owner by providing a list of trees that are far less likely to cause damage and associated repair costs and liability issues in the future.

Attached to this staff report is Exhibit "A" which shows the proposed additions and deletions to the Reedley Municipal code sections as proposed in Ordinance 2022-008. To follow is a brief summary of the changes.

In Section 7-2-2, the definition of a "Parkstrip Area" has been added for clarification.

In Section 7-2-4, language was changed so that updates to the Master Tree list would only need to be approved by the City Council and not the Planning Commission and City Council.

In Section 7-2-5, clarifying language pertaining to unlawful plantings was added including language that private property trees shall not be planted within 5' of a public sidewalk

In Section 7-2-6, clarifying language was added to define responsibilities of trees located within public streets, public property, and parkstrip areas.

In Section 7-2-7, clarifying language was added pertaining to permit requirements before a tree can be removed from a park strip or public right of way.

## **ATTACHMENTS**

1. Exhibit "A"
2. Ordinance 2022-008

## Exhibit "A"

Proposed changes to The Reedley Municipal code sections as proposed in Ordinance 2022-008. Language crossed out is proposed to be deleted and language in red is proposed to be added.

### 7-2-2: **DEFINITIONS**

**DIRECTOR:** The Public Works Director, ~~or designee,~~ of the City.

**PARKSTRIP AREA:** ~~The area between the street curb and the public sidewalk.~~

7-2-4: **MASTER TREE LIST AND MASTER PLAN:** The resolution of the city planning commission dated November 21, 1968, which sets forth a master tree list and policies and objectives of a program of tree planting and control is hereby adopted as a master plan and master tree list for the purposes of this chapter and is incorporated into this chapter by reference the same as if fully stated herein. Revisions or changes in said master tree list and master plan may be made from time to time by the Director after submission of any such revisions or changes to the ~~City Council~~ **City Council** ~~planning commission~~ for its approval. ~~and the approval of the City Council.~~

7-2-5: **UNLAWFUL PLANTINGS:** No person shall plant any tree in any public street, ~~nor within a public utility easement or parkstrip,~~ nor shall any tree be planted by any property owner which may overhang any public street, ~~without written approval from the Director.~~ ~~unless: a) such tree is listed on the master tree list, or b) a written permit from the director shall have been first obtained to plant a tree not on said list.~~ **Trees planted on private property shall not be planted within 5' of a public sidewalk.**

7-2-6: **RESPONSIBILITY JURISDICTION AND CONTROL:** The director shall be responsible for the administration of the chapter ~~and shall supervise, direct and control the planting, setting out, locating and placing of all trees in the public streets, and shall supervise, direct and control the care, trimming, removing, the relocating, planting, trimming, and replacing of all trees located within the public streets or on public property.~~ ~~overhanging the public streets. (Ord. 428, 12-17-1968)~~

~~Trees located on private property, or within the parkstrip area, which is defined as the area between the street curb and the public sidewalk, are the sole responsibility of the property owner and the property owner shall be responsible for proper maintenance and care of the tree including irrigation and removal should the tree die or become a hazard. The property owner shall be responsible and liable for any and all damages to City property caused by the tree including damaged sidewalk, curb and gutter, etc.~~

~~In Landscape and Lighting Maintenance Districts (LLMD); trees located within the park strip area, which is defined as the area between the street curb and the public sidewalk, and which were originally planted and permitted by the City or planted by the property owner with written permission from the City shall be maintained by the City. The property owner shall be responsible for proper irrigation of the tree (s) and maintenance of all associated irrigation piping. No tree shall be planted, trimmed, altered, or removed from the parkstrip area without written permission from the City.~~

7-2-7: **TREE CARE, PLANTING, REMOVING AND REPLACEMENT:** It shall be unlawful for any person other than the director ~~or his duly authorized agent or deputy~~ to cut, trim, prune, spray, brace, plant, move or replace any tree in any public street within the city, or to cause same to be done, unless and until ~~a written permit is obtained from the Director so to do shall have first been obtained from the director.~~ Any such permit may be declared void by the director if any of the provisions of this chapter are violated or if any condition of the permit is violated. Whenever it is necessary to remove a tree ~~within a parkstrip area or a public right of way, to prevent damage to sidewalks or curbs or for the approved street construction or to remove a dying, decayed, diseased, hazardous or dead tree, or for any other public improvement or necessity,~~ the abutting property owner of that portion of the public right of way ~~or parkstrip area~~ where the tree is located, shall first secure a written permit from the director ~~and provide~~

sufficient reason as to why tree must be removed. Upon removal of such tree (or trees) The owner shall replace the tree with a tree of a variety given in the master tree list and/or master tree plan unless a written request to not replace the tree is provided to the Director and approved. Tree replacement may not be required when the location would be in conflict with drives, walks or other construction permitted in public rights of way or is not suitable for planting. A written release signed by the director, stating the reason for the requiring a replacement, shall be required.

Nothing in this section shall preclude the removal by city forces of any tree without the request of the owner. (Ord. 428, 12-17-1968)

**ORDINANCE NO. 2022-008**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REEDLEY  
AMENDING VARIOUS PROVISIONS OF CHAPTER 2 OF TITLE 7 OF THE  
REEDLEY MUNICIPAL CODE PERTAINING TO TREES**

THE CITY COUNCIL OF THE CITY OF REEDLEY DOES ORDAIN AS FOLLOWS:

**SECTION 1:** Sections 7-2-2, 7-2-4, 7-2-5, 7-2-6, and 7-2-7 of Chapter 2 of Title 7 of the Reedley Municipal Code are hereby amended, respectively, to read as follows:

7-2-2:           **DEFINITIONS:**

CITY:                 The City of Reedley.

OWNER:             The legal owner of real property and shall not include a lessee or other person occupying such property with the consent of the owner.

PERSON:            As used in this chapter shall be broadly construed to include an individual, a firm, and association, a corporation, a copartnership, and the lessees, trustees, receivers, agents, servants and employees of such person.

DIRECTOR:         The Public Works Director, or designee, of the City.

PUBLIC STREETS OR STREETS:   Shall include all roads, streets, avenues, boulevards, alleys, parkways, public places and public right of way, or any portion thereof, of the City.

PARKSTRIP AREA:  The area between the street curb and the public sidewalk.

7-2-4:           **MASTER TREE LIST AND MASTER PLAN:** The resolution of the city planning commission dated November 21, 1968, which sets forth a master tree list and policies and objectives of a program of tree planting and control is hereby adopted as a master plan and master tree list for the purposes of this chapter and is incorporated into this chapter by reference the same as if fully stated herein. Revisions or changes in said master tree list and master plan may be made from time to time by the Director after submission of any such revisions or changes to the City Council for its approval.

7-2-5:           **UNLAWFUL PLANTINGS:** No person shall plant any tree in any public street, nor within a public utility easement or parkstrip, nor shall any tree be planted by any property owner which may overhang any public street, without written approval from the Director. Trees planted on private property shall not be planted within 5' of a public sidewalk.

7-2-6:       **RESPONSIBILITY AND CONTROL:** The director shall be responsible for the administration of the chapter and the relocating, planting, trimming, and replacing of all trees located within the public streets or on public property.

Trees located on private property, or within the parkstrip area, which is defined as the area between the street curb and the public sidewalk, are the sole responsibility of the property owner and the property owner shall be responsible for proper maintenance and care of the tree including irrigation and removal should the tree die or become a hazard. The property owner shall be responsible and liable for any and all damages to City property caused by the tree including damaged sidewalk, curb and gutter, etc.

In Landscape and Lighting Maintenance Districts (LLMD); trees located within the park strip area, which is defined as the area between the street curb and the public sidewalk, and which were originally planted and permitted by the City or planted by the property owner with written permission from the City shall be maintained by the City. The property owner shall be responsible for proper irrigation of the tree (s) and maintenance of all associated irrigation piping. No tree shall be planted, trimmed, altered, or removed from the parkstrip area without written permission from the City.

7-2-7:       **TREE CARE, PLANTING, REMOVING AND REPLACEMENT:** It shall be unlawful for any person other than the director to cut, trim, prune, spray, brace, plant, move or replace any tree in any public street within the city, or to cause same to be done, unless and until a written permit is obtained from the Director. Any such permit may be declared void by the director if any of the provisions of this chapter are violated or if any condition of the permit is violated. Whenever it is necessary to remove a tree within a parkstrip area or a public right of way, the abutting property owner of that portion of the public right of way or parkstrip area where the tree is located, shall first secure a written permit from the director and provide sufficient reason as to why tree must be removed. The owner shall replace the tree with a tree on the master tree list and/or master tree plan unless a written request to not replace the tree is provided to the Director and approved.

Nothing in this section shall preclude the removal by city forces of any tree without the request of the owner.

**SECTION 2:** If any article, section, subsection, sentence, clause, or phrase of this ordinance is held by a court of competent jurisdiction to be invalid, such decision shall not affect the remaining portions this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each article, section, subsection, sentence, clause, and phrase hereof, irrespective of the fact that one or more articles, sections, subsections, sentences, clauses, and phrases be declared invalid.

**SECTION 3:** The City Clerk is hereby directed to cause this ordinance or a summary thereof to be published in a newspaper of general circulation in accordance with the provisions of Government Code Section 36933.

**SECTION 4:** The City Clerk is further directed to cause this ordinance to be codified after its adoption.

**SECTION 5:** This ordinance shall take effect and be in full force thirty (30) days after its final passage and adoption.

The foregoing Ordinance No. 2022-008 was introduced at a regular meeting of the City Council of the City of Reedley held on December 13, 2022, and was thereafter duly adopted at a regular meeting of said City Council held on January 10, 2023, by the following vote:

AYES:

NOES:

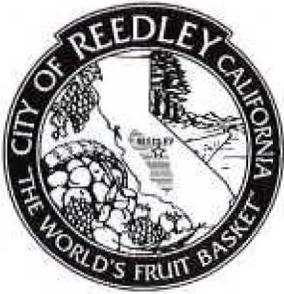
ABSTAIN:

ABSENT:

\_\_\_\_\_  
Anita Betancourt, Mayor

ATTEST:

\_\_\_\_\_  
Ruthie Greenwood, City Clerk



## REEDLEY CITY COUNCIL

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

ITEM NO: 6

DATE: January 10, 2023

TITLE: ADOPT RESOLUTION 2023-001 OF THE CITY COUNCIL OF THE CITY OF REEDLEY ADOPTING THE ANNUAL CITY STATEMENT OF INVESTMENT POLICY

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

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

### RECOMMENDATION

That the City Council Adopt Resolution No. 2023-001 approving the annual submittal of the City's Investment Policy, last reviewed and adopted by the City Council on March 22, 2022.

### BACKGROUND

Government Code Section 53646(a) requires that a public entity's investment policy be reviewed annually by the governing body or an investment committee. The City's present Investment Policy, Attachment "A", was last reviewed in 2022. An investment policy should identify the parameters of the investment function with the primary objectives being safety, liquidity and yield, in that order. These features are satisfied by the City's present policy, including a section on periodic reporting of portfolio performance. After reviewing the existing policy, staff has one recommended change to add shares of beneficial interest issued by a Joint Powers Authority and the California Asset Management Program as permissible investment options for idle City funds.

#### California Asset Management Program

The City's current options to invest idle funds do not have a good solution to take full advantage of rising interest rates. As rates continue to rise, many of the City's current investments can take a year or more to reflect these changes, which reduces overall interest revenue. Staff has researched available options and recommend that the California Asset Management Program ("CAMP"), a California Joint Powers Authority, become an authorized investment vehicle for a portion of the City's idle funds.

CAMP was established in 1989 to provide California public agencies with professional investment services. The CAMP Pool is a permitted investment for all local agencies under California Government Code Section 53601(p) which invests in obligations of the United States Government and its agencies, high-quality, short-term debt obligations of U.S. companies and financial institutions. CAMP is directed by a Board of Trustees, which is made up of experienced local government finance directors and treasurers, and currently has about 228 participating public agencies. The CAMP yield as of December 10, 2022 is 4.10%, compared to the City's highest yielding money market account of 3.25%.

#### Portfolio Monitoring & Compliance

The Government Finance Officers Association (GFOA) recommends that an agency's investment policy explicitly require periodic reporting. Consistent with GFOA best practices, the Administrative Services Department will continue to prepare quarterly summary investment reports within 45 days after the close of

each quarter, with an Annual Investment Report prepared and filed within 60 days of year end. Quarterly and annual reports have been, and will continue to be, presented to City Council as a 'Receive, Review and File' item. The City's Assistant City Manager position is identified in the attached resolution as authorized to invest funds and otherwise do all things necessary to implement the Statement of Investment Policy.

All financial investment instruments are constantly monitored and assessed for safety, liquidity and yield. The City's idle funds have historically been in principal safe investments that protect its pooled cash, such as money market accounts, rolling Certificates of Deposit through Multi-Bank Securities in various FDIC insured accounts, the State of California's Local Agency Investment Fund (LAIF), and the Central San Joaquin Valley Risk Management Authority (CSJVRMA) investment pool. Adoption of this annual policy will allow staff to continue to ensure continued compliance, safety of principal, sufficient portfolio liquidity, and an acceptable yield for the City's idle cash balances.

**ATTACHMENTS**

Resolution 2023-001

Exhibit "A" - Statement of Investment Policy

**RESOLUTION NO 2023-001**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY  
ADOPTING THE ANNUAL CITY OF REEDLEY STATEMENT OF  
INVESTMENT POLICY**

**WHEREAS**, the authority governing investments for California local agencies is set forth in the California Government Code, Sections 53601 et. seq.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Reedley as follows:

1. Pursuant to Government Code Sections 53601 et. seq., the City of Reedley City Council hereby authorizes and directs the City Treasurer/Finance Officer (Assistant City Manager) to invest funds not required for the immediate necessities of the City in accordance with the attached Statement of Investment Policy which is hereby adopted and incorporated by reference as Exhibit "A".

2. The City Treasurer/Finance Officer (Assistant City Manager) is hereby directed and authorized to do all things necessary to implement said Statement of Investment Policy.

This foregoing resolution was duly passed, approved and adopted by the City Council of the City of Reedley this 10<sup>th</sup> day of January, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Anita Betancourt, Mayor

ATTEST:

\_\_\_\_\_  
Ruthie Greenwood, City Clerk

Attachment

1. Exhibit A - City of Reedley Statement of Investment Policy

## Exhibit A

### CITY OF REEDLEY STATEMENT OF INVESTMENT POLICY

#### PURPOSE

This Statement is intended to provide guidelines for the prudent investment of the City's temporary idle cash, and outline the policies for maximizing the efficiency of the City's cash management system. The ultimate goal is to enhance the economic status of the City while protecting its pooled cash.

#### OBJECTIVE

The City's cash management system is designed to accurately monitor and forecast expenditures and revenues, thus enabling the City to invest funds to the fullest extent possible. The City attempts to obtain the highest yield obtainable as long as the investments meet the criteria established for safety and liquidity.

#### POLICY

The City of Reedley operates its temporary pooled idle cash investments under the Uniform Prudent Investor Act (Act) as generally described in California Probate Code section 16045, et. seq. The Act states, in essence, that "in investing ... property for the benefit of another, a trustee shall exercise the judgment and care, under the circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs ...". This affords the City a broad spectrum of investment opportunities as long as the investment is deemed prudent and is allowable under current legislation of the State of California. Government Code (Section 53601) restricts the City from purchasing investment securities with a maturity length greater than five years unless prior legislative approval is given.

Investments may be made in the following media and as specifically outlined under Government Code Section 53601:

- U.S. Treasury issues
- Federal Agency issues
- Supranational Securities as identified & defined by AB 1933 (effective January 1, 2015)
- Bonds, Notes
- Commercial Paper
- Bankers Acceptances
- Certificates of Deposits
- Repurchase Agreements and Reverse Repurchase Agreements
- Local Agency Invest Fund Demand Deposits (State Pool)
- Passbook Savings Account Demand Deposits
- Central San Joaquin Valley Risk Management Pooled Investment Fund
- ***Shares of beneficial interest issued by a Joint Powers Authority***
- ***California Asset Management Program***

Criteria for selecting investments and the order of priority are:

1. Safety. The safety and risk associated with an investment refers to the potential loss of principal, interest or a combination of these amounts. The City only operates in those investments that are considered very safe.
2. Liquidity. This refers to the ability to "cash in" at any moment in time with a minimal chance of losing some portion of principal or interest. Liquidity is an important investment quality especially when the need for unexpected funds occurs occasionally.

3. Yield. Yield is the potential dollar earnings an investment can provide, and sometimes is described as the rate of return.

Safekeeping. Securities purchased from brokers/dealers shall be held in third party safekeeping by the trust department of the local agency's bank or other designated third-party trust, in local agency's name and control, whenever possible.

Investment Objective. The cash management system of the City of Reedley is designed to accurately monitor and forecast expenditures and revenues, thus insuring the investment of monies to the fullest extent possible. Attempts to obtain highest interest yields possible as long as investments meet the criteria required for safety and liquidity. The City strives to maintain the level of investment of all idle funds as near 100% as possible, through daily and projected cash flow determinations. Idle cash management and investment transactions are the responsibility of the City Treasurer/Finance Officer (Assistant City Manager).

Prudence. As it pertains to its pooled cash investments, the City adheres to the guidance provided by the "prudent investor standard," as set forth in Government Code section 53600.3, which specifically addresses public investing, as follows:

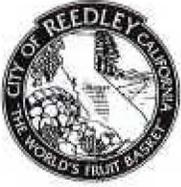
"Except as provided in subdivision (a) of Section 27000.3, all governing bodies of local agencies or persons authorized to make investment decisions on behalf of those local agencies investing public funds pursuant to this chapter are trustees and therefore fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law".

The basic premise underlying the City's investment philosophy is, and will continue to be, to insure that money is always safe and available when needed.

Public Trust. All participants in the investment process shall act as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of the public trust. In a diversified portfolio it must be recognized that occasional measured losses are inevitable, and must be considered within the context of the overall portfolio investment return, provided that adequate diversification has been implemented.

Ethics and Conflicts of Interest. Employees and officials involved in the investment process shall refrain from personal business activities that create a conflict of interest or the appearance of a conflict with proper execution of the investment program, or impairs their ability to make impartial investment decisions.

Reporting. Consistent with industry best practices, the City Treasurer/Finance Officer (Assistant City Manager) will prepare quarterly summary investment reports within 45 days after the close of each quarter, with an Annual Investment Report prepared and filed within 60 days of year end. Quarterly and annual reports will be presented to City Council as a Receive, Review and File item.



## REEDLEY CITY COUNCIL

---

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

ITEM NO: 7

**DATE:** January 10, 2023

**TITLE:** ADOPT ORDINANCE NO. 2023-001, GRANTING AN EXTENSION AND RENEWAL OF AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REEDLEY, CALIFORNIA, TEMPORARILY PLACING A MORATORIUM ON THE ESTABLISHMENT OF ANY NEW SMOKE SHOPS/TOBACCO STORES WITHIN THE CITY

**SUBMITTED:** Rodney L. Horton   
Community Development Director

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

---

### **RECOMMENDATION**

That the City Council hold a public hearing to receive public comment, then subsequently adopt Urgency Ordinance No. 2023-001, granting an extension and renewal of an Urgency Ordinance placing a moratorium on the establishment of any new smoke shops/tobacco stores within the City limits, while the City's Zoning Code is under review.

### **BACKGROUND**

Government Code section 65858 allows a city that is in the process of updating its zoning code to pass an urgency measure to protect the public safety, health, and welfare while the zoning code update is being contemplated. As an Urgency Ordinance under the provisions of California Government Code section 65858, these temporary regulations would take effect immediately. Urgency Ordinances are valid for forty-five (45) days from their adoption. On February 8, 2022, City Council approved Ordinance No. 2022-001, temporarily placing a moratorium on the establishment of any new Smoke Shops/Tobacco Stores within City limits.

Government Code section 65858 also permits the City to extend and renew the Urgency Ordinance twice, both times by a four-fifths supermajority vote of the councilmembers, for a total of two years. The first renewal may be for up to ten (10) months and fifteen (15) days, the remainder of one year after the first 45-day period has passed. The first renewal was approved by City Council on March 22, 2022; the first renewal currently expires on February 6, 2023. The second renewal may be for up to one year. The Urgency Ordinance will expire on January 10, 2024 should the second renewal be approved by City Council. This timeline will give the Council ample time to ensure that any potential land use regulations regarding smoke shops/tobacco stores are considered in the new zoning code.

In 2021, the City Council of Reedley requested that staff begin to research land use restrictions and licensing requirements related to smoke shops/tobacco stores, in response to the data presented to the City Council during a public presentation by Unidos Por Salud and the Health Collaborative about the increase in youth tobacco use and vaping. Unidos Por Salud and Health Collaborative specifically requested the City Council consider the proximity of smoke shops to schools, parks, and health facilities.

According to the federal Centers for Disease Control and Prevention (CDC), 9 in 10 adult smokers in the United States begin smoking by the age of 18 and nearly all (99%) of smokers first try smoking by the age of 26. On average, every day in the United States approximately 1,600 youths smoke their first cigarette. Youth use of tobacco products in any form is unsafe, irrespective of whether it is smoked, smokeless, or electronic.

Concerns have been raised in the community that allowing smoke shops/tobacco stores near schools or other areas where youth congregate increases the visibility of such products to youth, essentially allowing the existence of such stores to serve as advertising for tobacco products.

The Adopted City of Reedley 2030 General Plan, Section 2.9 Community Health, requires that the City protect the public health, safety, and welfare of its citizens, and specifically sets goals and policies relating to utilizing its land use decisions to promote community health and discourage land uses that lead to poor community health outcomes. Smoke shops/tobacco stores are currently allowed under the City of Reedley Zoning Ordinance. There is no restriction in the Zoning Code governing the location of smoke shops/tobacco stores in relation to sensitive uses. In recent years, the City of Reedley has seen an increase in the number of smoke shops/tobacco stores opening within the City limits. The City currently has three (3) stores operating within City limits. The increase in smoke shops/tobacco stores has raised concerns of whether a proliferation of such types of uses could increase the rate of youth smoking and vaping within the City of Reedley.

On January 25, 2022, the City Council held a public “kick off” workshop to begin the process of a comprehensive Zoning Ordinance update. Allowing additional smoke shops/tobacco stores to open within the City of Reedley, whether near a sensitive use or not, while this update is being worked on may potentially be in conflict with regulations and land use updates that may be adopted in a new Zoning Ordinance. Therefore, staff is recommending that the City Council make certain findings and adopt regulations in Urgency Ordinance No. 2023-001 that will direct staff not to issue any new business licenses for smoke shops/tobacco stores wishing to establish business in the City of Reedley. The Ordinance also restricts existing smoke shops/tobacco stores to relocate to a site that would create an over-concentration in one area. Over concentration shall be presumed to apply when a relocating smoke shops/tobacco store is sought to be opened within 1,000-feet of the property boundary of a currently permitted and operating smoke shops/tobacco store. And existing smoke shops/tobacco stores are not permitted to relocate to any site within 1,000-feet of the property boundary of a sensitive use, such as a school or park.

Prior to City Council considering adoption of the second renewal of the Urgency Ordinance, a public hearing is required. The public hearing has been noticed within the Mid Valley Times newspaper at least ten days before the hearing date.

### **FISCAL IMPACT**

There is no immediate fiscal impact to the City by adopting this Urgency Ordinance.

### **ATTACHMENTS**

Urgency Ordinance No. 2023-001

Map of existing smoke shops/tobacco stores

**ORDINANCE NO. 2023-001**

**GRANTING AN EXTENSION AND RENEWAL OF AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REEDLEY, CALIFORNIA, TEMPORARILY PLACING A MORATORIUM ON THE ESTABLISHMENT OF ANY NEW SMOKE SHOPS/TOBACCO STORES WITHIN THE CITY**

THE CITY COUNCIL OF THE CITY OF REEDLEY DOES ORDAIN AS FOLLOWS:

**SECTION 1.** Consistent with its control over municipal affairs and authority to take urgency measures prohibiting a use that may be in conflict with a contemplated general plan, specific plan, or zoning proposal. Through the powers vested in the City of Reedley pursuant to California Constitution Article XI, Section 7 and Government Code section 65858, the City of Reedley is authorized to secure and promote the public health, safety, and welfare of its citizenry. The City Council of the City of Reedley hereby makes the following findings:

- A. For the purpose of this Ordinance, “Smoke Shop” and/or “Tobacco Store” shall be defined as “A business with sales of tobacco and/or nicotine, either loose, prepared as cigarettes or other packaged presentation, and/or formulated for smoking or vaping in any form (smoked, smokeless, electronic, etc.); where such products constitute more than twenty (20) percent of gross sales and/or twenty (20) percent of net lease area”.
- B. For the purpose of this Ordinance, “Sensitive Uses” shall be defined as “religious institution, school, regularly established boys’ club or girls’ club or public building regularly frequented by children, public park, public trail or public building; or within six hundred feet of any residential zone.”
- C. The Adopted City of Reedley 2030 General Plan, Section 2.9 Community Health, requires that the City protect the public health, safety, and welfare of its citizens, and specifically sets goals and policies relating to utilizing its land use decisions to promote community health and discourage land uses that lead to poor community health outcomes.
- D. The City of Reedley Zoning Ordinance considers certain land uses, as defined in Section 1 A, to be Sensitive Uses, and restricts some types of activities within specified distance of Sensitive Uses.
- E. In recent years, the City of Reedley has seen an increase in the number of Smoke Shops and/or Tobacco Stores opening within the City limits. The increase in Smoke Shops and/or Tobacco Stores has raised concerns of whether a proliferation of such types of stores could increase the rate of youth smoking and vaping within the City of Reedley.
- F. Smoke Shops and/or Tobacco Stores are currently allowed under the City of Reedley Zoning Ordinance. There is currently no restriction governing the location of Smoke Shop and/or Tobacco Stores in relation to Sensitive Uses.
- G. The City of Reedley City Council has previously directed City staff to research issues relating to zoning ordinance regulations over location and concentration of Smoke Shops and/or Tobacco Stores near Sensitive Uses and in proximity to one another that could be

permanently adopted to balance the concerns of public health and safety, particularly of youth, while allowing the sale of legal products. However, such modifications take time to research and prepare.

- H. The City of Reedley City Council, on January 25<sup>th</sup> 2022, at a regularly scheduled Council meeting, held a “kick off” workshop to begin the process of a comprehensive Zoning Ordinance update. The City Council now finds and declares that allowing additional Smoke Shops and/or Tobacco Stores to open within the City of Reedley, whether near a Sensitive Use or not, may potentially be in conflict with regulations and land use updates that may be adopted in a new Zoning Ordinance.
- I. According to the federal Centers for Disease Control and Prevention (CDC), 9 in 10 adult smokers in the United States begin smoking by the age of 18 and nearly all (99%) of smokers first try smoking by the age of 26. On average, every day in the United States approximately 1,600 youths smoke their first cigarette. Youth use of tobacco products in any form is unsafe, irrespective of whether it is smoked, smokeless, or electronic.
- J. Concerns have been raised in the community that allowing Smoke Shops and/or Tobacco Stores near schools or other areas where youth congregate increases the visibility of such products to youth, essentially allowing the existence of such stores to serve as advertising for tobacco products.
- K. Concerns have been raised that allowing multiple Smoke Shops and/or Tobacco Stores to congregate in proximity of one another would also increase their visibility within the community and make tobacco products appear popular and cause less consideration of potential health risks.
- L. The CDC has determined that social and physical environments, such as mass media portrayals of tobacco products, seeing other youth use tobacco products, or seeing parents use tobacco products, can make youth more likely to try such products. In addition, access, availability, and visibility of tobacco products can increase the likelihood of youths using tobacco. Allowing stores near locations where youth congregate, such as those included in Sensitive Uses, increases the visibility of such products and creates a greater likelihood of youth seeing persons use tobacco products and consider such usage as favorable or desirable.
- M. The City Council finds and declares that there is a current and immediate threat to public health, safety, and welfare, caused by youths using tobacco products that requires the adoption of the proposed interim zoning ordinance while a more specific amendment to the Zoning Ordinance is reviewed in the normal process by the City.
- N. Further the City Council finds and declares that approving additional City business licenses to allow additional Smoke Shops and/or Tobacco Stores near specified Sensitive Uses or within close proximity of an existing Smoke Shop and/or Tobacco Store would be in conflict with the stated goals of the City of Reedley General Plan and Zoning Ordinance to preserve and promote the public health, safety, and welfare of the city by creating

conditions that would increase the visibility and usage of tobacco products within the community making it more likely that youth might utilize tobacco products.

- O. This Urgency Ordinance is necessary to promote the immediate preservation of the health, safety, and welfare of the public against the potential detrimental health impacts of tobacco smoking, particularly as concerns youths, in order to allow the City an opportunity to study this issue and develop and adopt additional appropriate regulations for the location of Smoke Shop and/Tobacco Stores.
- P. The City Council finds and declares that the zoning regulations on Smoke Shops and/or Tobacco Stores shall be adopted on an interim and immediate basis to protect the public health, safety, and welfare of the community while the more permanent regulations are reviewed in additional detail.
- Q. City Council adopted Ordinance No. 2022-001 temporarily prohibiting the issuance of a business license for any new Smoke Shop and/or Tobacco Store wishing to establish business in the City of Reedley. Additionally, the Urgency Ordinance temporarily prohibits the relocation of existing Smoke Shop and/or Tobacco Stores to a site that would create an over-concentration in one area and/or near sensitive uses, as defined in Section 1 B.
- R. In accordance with Government Code section 65858, Urgency Ordinances are valid for forty-five (45) days from their adoption. The City Council may renew the Urgency Ordinance twice, by a four-fifths supermajority of the City Council. The first renewal expires after ten (10) months and fifteen (15) days, the remainder of one year after the first 45-day period. The second renewal may be in place for up to one year.
- S. On March 22, 2022, City Council adopted Ordinance No. 2022-002 renewing the Urgency Ordinance. The current renewal expires on February 6, 2023.

**SECTION 2.** While this interim ordinance is in effect the following regulatory standards shall apply as additional limitations under the Reedley Zoning Ordinance on the permissible location of a “Smoke Shop and/or Tobacco Store” as that term is defined in Section 1 A. Businesses that are already operating with a valid City of Reedley Business License that has been issued prior to the date of this interim ordinance may continue to operate outside these regulatory limitations as they would constitute legal non-conforming use.

- A. There shall be no City of Reedley Business License issued for any new Smoke Shop and/or Tobacco Store wishing to establish business in the City of Reedley.
- B. Existing Smoke Shops and/or Tobacco Stores shall not be permitted to relocate to a site that would create an over-concentration in one area. Over concentration shall be presumed to apply when a relocating Smoke Shop and/or Tobacco Store is sought to be opened within 1,000-feet of the property boundary of a currently permitted and operating Smoke Shop and/or Tobacco Store.
- C. Existing Smoke Shops and/or Tobacco Stores shall not be permitted to relocate and seek to be opened within 1,000-feet of the property boundary of a Sensitive Use.

**SECTION 3.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstances, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivision, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of Reedley hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases hereof be declared invalid or unenforceable.

**SECTION 4.** This Ordinance shall take effect immediately as an interim ordinance under the provisions of California Government Code section 65858. It shall be of no further force and effect ten (10) months and fifteen (15) days from its adoption unless it is extended for a second and final time pursuant to Government Code section 65858(a).

**SECTION 5.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted as required by law.

\*\*\*\*

I hereby certify that the foregoing Urgency Ordinance No. 2023-001 was introduced and adopted at a regular meeting of the City Council of the City of Reedley held on January 10, 2023.

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Anita Betancourt, Mayor

ATTEST:

---

Ruthie Greenwood, City Clerk



No Limit Smoke Shop

Reedley Smoke Shop

Downtown Smoke Shop



## REEDLEY CITY COUNCIL

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

ITEM NO: 8

**DATE:** January 10, 2023

**TITLE:** INTRODUCTION AND FIRST READING OF ORDINANCE 2023-002  
REPEALING AND REPLACING TITLE 1 CHAPTER 5, ARTICLE A-2  
OF THE REEDLEY MUNICIPAL CODE CONCERNING DISTRICT  
BOUNDARIES

**SUBMITTED:** Ruthie Greenwood, City Clerk *RH*

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

---

### RECOMMENDATION

Staff recommends that the City Council hold a Public Hearing on the introduction and first reading of Ordinance No. 2023-002, pertaining to Title 1 Chapter 5 of Article A-2 of the Reedley Municipal Code concerning district boundaries

### BACKGROUND

State Elections Code and the Federal Voting Rights Act require the City to review the status of Council districts after each decennial census to determine if the census data calls for changes in the alignment of Council district boundaries.

On March 9, 2021 Council authorized the City Manager to execute a contract with National Demographics Corporation. The first phase of the project called for NDC to review and compare the census data with current demographic data to determine if redistricting would be necessary. The statistical demographic information reviewed by NDC does support the need to adjust the existing Council district boundaries. Staff held public meetings on October 20, 2021, November 5, 2021, January 27, 2021 to obtain community input regarding the redistricting process. On March 8, 2022 City Council adopted Resolution 2022-015 and the final map was recorded with County of Fresno Registrar of Voters.

Due to the change in the laws from the State of California, the final adoption of boundaries is now done with a Resolution. The City's current municipal code still contains the old district boundaries. Since the district boundaries changed, the Reedley City Ordinance needs to be

amended to remove the previous boundaries.

## **ATTACHMENTS**

1. Ordinance No. 2023-002, An Ordinance of the City Council of the City of Reedley Repealing and Replacing Title 1 Chapter 5 of Article A-2 of the Reedley Municipal Code concerning District Boundaries.

**ORDINANCE NO. 2023-002**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REEDLEY  
REPEALING AND REPLACING TITLE 1 CHAPTER 5 ARTICLE A-2 OF THE  
REEDLEY MUNICIPAL CODE CONCERNING DISTRICT BOUNDARIES**

The City Council of the City of Reedley does ordain as follows:

**SECTION 1.** Title 1 Chapter 5 Article A-2 of the Reedley Municipal Code is hereby repealed in its entirety and replaced with the following:

**1-5A-2  
BOUNDARIES:**

Following each federal decennial census, the Council shall, by resolution, adopt boundaries for all of the Council districts of the City so that the Council districts shall be substantially equal in population as required by the United States Constitution and California elections Code section 21500, et seq., as may be amended

**SECTION 2.** This Ordinance shall take effect thirty (30) days after its adoption.

**SECTION 3.** The City Clerk is directed to cause this ordinance or a summary of this ordinance to be published once in a newspaper of general circulation published and circulated within the City of Reedley, within fifteen (15) days after its adoption. If a summary of the ordinance is published, the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least five (5) days prior to the Council meeting at which the ordinance is adopted and again after the meeting at which the ordinance is adopted. The summary shall be approved by the City Attorney.

The foregoing ordinance was introduced at a regular meeting of the City Council held on January 10, 2023, by the following vote, to wit:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Anita Betancourt, Mayor

ATTEST:

\_\_\_\_\_  
Ruthie Greenwood, City Clerk



## REEDLEY CITY COUNCIL

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

ITEM NO: 10

**DATE:** January 10, 2023

**TITLE:** APPROVE RESOLUTION NO 2023-002 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY TERMINATING THE DECLARED LOCAL EMERGENCY AND REPEALING RESOLUTION 2020-017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY PROCLAIMING THE EXISTENCE OR THREATENED EXISTENCE OF A LOCAL EMERGENCY (COVID-19)

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

### RECOMMENDATION

That the City Council approve Resolution 2023-002, terminating the declaration of local emergency and repealing Resolution 2020-017.

### BACKGROUND

At the onset of the COVID-19 pandemic in March of 2020, the City approved Resolution No. 2020-017, declaring a local emergency. Under State Government Code Sections 8610 and 8634, and under Reedley Municipal Code section 2-8-04, the declaration of a local emergency allows the City's Director of Emergency Services to issue Executive Orders, regulations, policies, and protocols quickly to protect life and property, as the situation unfolds. Issuing a declaration of local emergency also allows the City to accept emergency funding from the State and federal governments.

On March 30, 2020, the Director of Emergency Services did issue Order 2020-01, related to employee leave and pay during the emergency. This Order was necessary to respond to the U.S. H.R. 6201 law, the "Families First Coronavirus Response Act" (FFCRA), which required workplaces to grant certain leaves and benefits to employees. The City of Reedley Order 2020-01 defined how those leaves and benefits applied to the employees of the City of Reedley, and the Disaster Service Workers and First Responders of the City. This Order 2020-01 was the only order issued directly by the City's Director of Emergency Services.

During the course of the pandemic, the City Council of the City of Reedley took proactive steps to safeguard the health of the community and to try to assist businesses who were directly impacted by

the pandemic. In addition to constructing parklets for businesses, and relaxing regulations for private business developments to allow outdoor dining and shopping, as well as working with the County on Community Development Block Grant Funding for senior meals and fruit boxes, among other programs, the City Council passed the following Resolutions over the course of 2020-2021 that benefitted businesses, community members, and City essential workers:

- 2020-017-A RESOLUTION PROCLAIMING THE EXISTENCE OR THREATENED EXISTENCE OF A LOCAL EMERGENCY (COVID-19)
- 2020-025-A RESOLUTION AMENDING THE 2019-20 BUDGET TO PROVIDE AN EMERGENCY PAYMENT TO THE GREATER REEDLEY CHAMBER OF COMMERCE FOR ADDITIONAL SERVICES RENDERED TO THE CITY AND COMMUNITY SURROUNDING THE RESPONSE TO THE COVID-19 PANDEMIC.
- 2020-045-A RESOLUTION ADOPTING A TEMPORARY BUSINESS UTILITY BILL FORGIVENESS PROGRAM.
- 2020-046-A RESOLUTION ADOPTING THE BUDGET 2019-20 TO PROVIDE FUNDING FOR A TEMPORARY UTILITY FORGIVENESS TO REEDLEY BUSINESSES THAT WERE FORCED TO CLOSE DUE TO THE SHELTER IN PLACE ORDER.
- 2020-056-A RESOLUTION AMENDING THE TEMPORARY BUSINESS UTILITY BILL FORGIVENESS PROGRAM.
- 2020-057-A RESOLUTION AMENDING THE 2019-20 BUDGET TO PROVIDE ADDITIONAL FUNDING FOR A TEMPORARY UTILITY FORGIVENESS PROGRAM TO REEDLEY BUSINESSES.
- 2020-069-A RESOLUTION ADOPTING A TEMPORARY BUSINESS UTILITY BILL & STREETScape ASSESSMENT DISTRICT FORGIVENESS PROGRAM FOR BARBERSHOPS, SALONS AND OTHER PERSONAL CARE BUSINESSES
- 2020-074-A RESOLUTION AMENDING THE 2020-21 BUDGET TO ALLOCATE REMAINING CARES ACT FUNDING FOR VARIOUS PUBLIC HEALTH, SAFETY AND ECONOMIC RELIEF ACTIVITIES.
- 2020-090-A RESOLUTION AMENDING THE 2020-2021 BUDGET CARES ACT FUNDING FROM FRESNO COUNTY
- 2020-100 A RESOLUTION AMENDING THE 2020-21 BUDGET TO ALLOCATE REMAINING CARES ACT FUNDING FOR VARIOUS PUBLIC HEALTH, SAFETY AND ECONOMIC RELIEF ACTIVITIES.
- 2020-101 BUDGET AMENDMENT TO ALLOCATE CARES ACT FUNDING FROM FRESNO COUNTY FOR A TEMPORARY BUSINESS ASSISTANCE PROGRAM
- 2021-083 PARTIAL ALLOCATION OF AMERICAN RESCUE PLAN ACT OF 2021. FISCAL RECOVERY FUNDS TO PROJECTS AS IDENTIFIED AND DISCUSSED IN THE AUGUST 10, 2021 STAFF REPORT TO CITY COUNCIL.
- 2021-084 AUTHORIZING A ONE TIME PREMIUM PAYMENT TO ELIGIBLE CITY EMPLOYEES PERFORMING ESSENTIAL WORK, WHO HAVE BEEN AND CONTINUE TO BE RELIED UPON TO MAINTAIN CONTINUITY OF CITY OPERATIONS DURING THE COVID-19 PUBLIC HEALTH EMERGENCY.
- 2021-127 BUDGET AMENDMENT TO APPROPRIATE \$150,000 IN CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS FOR A FAÇADE IMPROVEMENT PROGRAM

The City's Director of Emergency Services finds that the pandemic has subsided to an extent that a local declaration of emergency is no longer necessary and that the City should resume all customary practices for enacting regulations, policies, and protocols.

In February 2023, the Governor will terminate his Executive Order declaring a State of Emergency for the State of California.

**FISCAL IMPACT:**

There is no fiscal impact to the City in terminating the declaration of local emergency and rescinding all emergency orders related to the Covid-19 emergency.

**ATTACHMENT**

Resolution No. 2023-002

Resolution No. 2020-017

**RESOLUTION NO. 2023-002**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY  
TERMINATING THE DECLARED LOCAL EMERGENCY AND REPEALING  
RESOLUTION 2020-017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF REEDLEY PROCLAIMING THE EXISTENCE OR THREATENED  
EXISTENCE OF A LOCAL EMERGENCY (COVID-19)**

WHEREAS, on March 17, 2020 with the approval of Resolution No. 2020-017, the City Council of the City of Reedley declared a local emergency as a result of the threatened spread of COVID-19 in the City, surrounding areas, and the State; and

WHEREAS, under the authority of Government Code sections 8610 and 8634, and Reedley Municipal Code Section 2-8-4(B), the Director of Emergency Services is empowered, upon declaration of local emergency, to make and issue regulations on matters reasonably related to the protection of life and property as affected by such emergency; and

WHEREAS, following approval of Resolution 2020-017 and the declared local emergency, the Director of Emergency Services issued Emergency Orders; and

WHEREAS, due to the improved conditions surrounding the COVID-19 pandemic in the City of Reedley, County Of Fresno, State of California, and the United States of America, the City Council finds that the declaration of a local emergency is no longer necessary.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REEDLEY, CALIFORNIA, RESOLVE AS FOLLOWS:

IT IS HEREBY ORDERED, effective immediately upon adoption of this Resolution that:

SECTION 1: Resolution 2020-017, approved by Reedley City Council on March 17, 2020, proclaiming the existence or threatened existence of a local emergency (COVID-19), is hereby repealed and the declared local emergency is terminated for the City of Reedley.

SECTION 2: Any Orders issued by the Director of Emergency Services following the declared local emergency (COVID-19), including without limitation order Emergency Services Direct Order 2020-01 are hereby repealed.

The foregoing resolution was approved and adopted at a regular meeting of the City Council of the City of Reedley held on the 10th day of January, 2023.

AYES:

NOES:

ABSTAIN:

ABSENT:

---

Mayor Anita Betancourt

ATTEST:

---

Ruthie Greenwood, City Clerk

**CITY OF REEDLEY**

**RESOLUTION NO. 2020-017**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY  
PROCLAIMING THE EXISTENCE OR THREATENED EXISTENCE  
OF A LOCAL EMERGENCY (COVID-19)**

**WHEREAS**, California Government Code section 8630 and Reedley Municipal Code section 2-8-4(B) empowers the City Council to proclaim a local emergency when the City of Reedley is affected or likely to be affected by the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons within the City; and

**WHEREAS**, as empowered by Reedley Municipal Code section 2-8-4(B), the City's Director of Emergency Services has requested that the City Council proclaim the existence or threatened existence of a local emergency as a result of the COVID-19 pandemic and the resulting public health emergency; and

**WHEREAS**, the City Council has reviewed and considered the request from the Director of Emergency Services, dated March 16, 2020, and the findings stated therein, which request is incorporated herein by reference as though set forth in full; and

**WHEREAS**, conditions of disaster or of extreme peril to the safety of persons within the City have arisen within the City of Reedley caused by the threatened spread of COVID-19, and the conditions warrant and necessitate proclaiming the existence or threatened existence of a local emergency.

**NOW, THEREFORE**, the City Council of the City of Reedley resolves as follows:

1. Proclaims that a local emergency now exists throughout the City.
2. During the existence of this local emergency, the powers, functions, and duties of the Director of Emergency Services and the Emergency Organization of the City shall be those prescribed by state law, ordinances and resolutions of the City.
3. The need for continuing this local emergency shall be reviewed as required by Government Code section 8630, and the City Council shall proclaim the termination of this local emergency at the earliest possible date that conditions warrant.

The foregoing resolution was introduced and adopted at a special meeting of the City Council of the City of Reedley held on March 17, 2020, by the following vote, to wit:

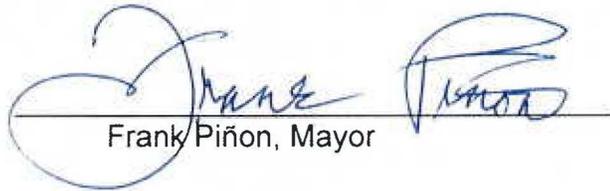
AYES: Beck, Betancourt, Fast, Soleno, Pinon.

NOES: None.

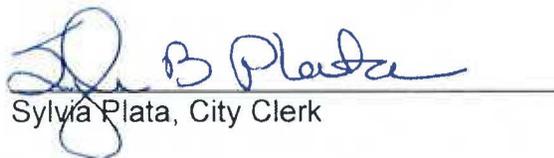
ABSENT: None.

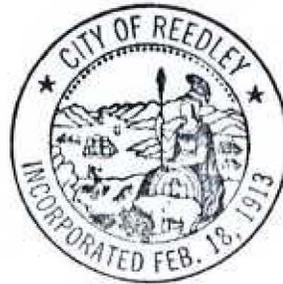
ABSTAIN: None.

Date: March 17, 2020.

  
Frank Piñon, Mayor

Attest:

  
Sylvia Plata, City Clerk



Resolution No. 2020-017

#11

Minutes  
**COMMUNITY SERVICES COMMISSION**  
Thursday, July 28, 2022

A regular meeting of the Community Services Commission was called to order at 4:32 p.m. by Stephen Penner, Chairperson, in the Redwood Room at the Reedley Community 100 N. East Ave, Reedley, California 93654.

- 1. ROLL CALL AND INTRODUCTION OF GUESTS
  - A. Commissioners Present: Stephen Penner, Chairperson; Darren Minami, Vice Chairperson; Maria Hernandez, Shirley Ito,
  - B. Commissioners Absent: Maria Rodriguez, Jenny Peters, Angelina Rodriguez
  - C. Youth Representatives: Present – Roman Ramos, Emily Medina Delgado
  - D. Staff Present: Sarah Reid, Community Services Director; Kayla Cheney, Administrative Assistant; Madison Mitchell, Recreation Supervisor
  - E. Others: Raven Hinojosa, Evelyn Carreon – Gil, Adam Applegate, Leo Rojas, Roman Ramos

- 2. APPROVAL OF MINUTES

It was moved by Commissioner Ito, seconded by Commissioner Minami that the minutes of May 26, 2022 be approved. The motion carried.

- 3. PUBLIC DISCUSSION – None.

- 4. ORAL AND WRITTEN COMMUNICATIONS

Reid shared with the Commission an email was received from the State Grant Office asking for more information in regards to the trail project. Its always a good sign when the state does a follow up to confirm details. This project is to light the unlit portion of the Parkway from Dinuba to the back of the sports park.

- 5. NEW BUSINESS
  - A. Recognition of Outgoing Youth Representatives-**

Commissioner Penner expressed his appreciation for outgoing youth representatives on behalf of the Community Services Commission to Emily Medina Delgado and Roman Ramos for serving on the Community Services Commission this past year. Reid shared her gratitude to Medina and Ramos for their time well spent as Youth Representatives for the 2021-22 year. Commissioner Penner passed out a coffee mug and Starbucks gift card to recognize Medina and Ramos efforts throughout the year.

- B. Review of Applications and Selection of 2022-23 Youth Representatives**

Five applications for the 2022-23 Youth Representatives were received. Commissioners called each application one by one allowing each applicant a chance to speak about their application. Roman Ramos is a senior this year, a part of the Reedley High School band, on the water polo team and swim team. Ramos is also apart of the sports medicine club. Raven Hinojosa is a Junior at Reedley High School and apart of the marching band as well as a mentor in the student transition program. Hinojosa has participated in several

Minutes  
**COMMUNITY SERVICES COMMISSION**  
Thursday, July 28, 2022

events within the City including the Halloween and Easter carnival, Toys for Tots and the airport fly-in. Leo Rojas is a Senior at Reedley High School and a tennis player who has been playing for the past three years in high school. Rojas is the elected president for the Academic Decathlon club, as well as a junior board member for the Reedley Chamber of Commerce. Evelyn Carreon is a senior at Reedley High School and involved in ASB, Mentors for Success, as well as a member for the Chamber of Commerce. Adam Applegate is a Junior at Reedley High School and has participated in the Halloween event, Toys for Tots and the Easter event held at the Community Services Department. Commissioners were impressed by all five applications, and expressed what a hard decision it is to select only two Youth Representative. Commissioner M. Rodriguez makes motion to select Roman Ramos and Leo Rojas, Commissioner M. Rodriguez shares that Leo has great communication skills, networking, and would really grow in the opportunity as a youth representative. Rojas and Ramos would both be great assets to the community services commission. This decision was moved by Commissioner Ito to move forward with Roman Ramos and Leo Rojas as the 2022-23 youth representative. The motion carried.

6. YOUTH REPRESENTATIVE'S REPORTS

- A. Emily Medina Delgado – Medina has been busy working with the Chamber of Commerce, as well as volunteering at the Opera House. Medina is now apart of the Lions Club.
- B. Roman Ramos – Ramos shared he finished up his season working for the City as a lifeguard. Ramos was elected as the president of the sports medicine club, which Ramos is excited about.

7. STAFF REPORT

Reid shared Jesus Rodriguez gave his two weeks' notice, the Recreation Coordinator so staff will be recruiting to fill this position. Reid stated the funding received for the after-school program has increased going from \$20,000 per site to \$300,000 per site to spend on experiences, fieldtrips and supplies. T-K, transitional Kindergarten will be added to this program, in 2024 all four-year old's will be in T-K program. Currently staff is hiring a Recreation Coordinator specifically to coordinate with the two after school sites as well as an additional clerical employee to help with the increase in purchases.

Reid stated the rubber surface will be fully replaced at the Sports Park and Citizens Park sometime in the upcoming months.

The second phase at the Sports park went out to bid and unfortunately one bid was received double the price which was expected. Staff has elected to wait and go out to bid at a later time.

The Senior Center has received almost \$100,00.00 to serve senior meals. The meals served on Mondays and Fridays are funded by those dollars. Reid shared staff is enhancing events that the senior center already does, the money has to

Minutes  
**COMMUNITY SERVICES COMMISSION**  
Thursday, July 28, 2022

be spent by May of 2023. The FMAAA is predicted to be back sometime in September.

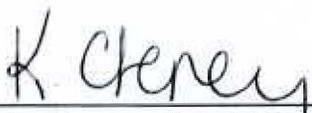
8. **COMMISSIONER COMMENTS**

Commissioner M. Rodriguez has been following up on the public service announcements on the river safety at Reedley Beach. Commissioner M. Rodriguez calls every Thursday in hopes the public announcements go out on Thursday or Friday before the weekend begins. Commissioner Ito has been busy playing pickle ball in Dinuba, and enjoys the sport. Commissioner Penner stated there is currently a new lead sponsor Gnardog Crossfit for this year's Reedley Fiesta. The Reedley parkway has vacant sections available to maintain for anyone interested. A few important plaques have been missing for about 10 years, but now have been repurchased and will be reinstalled in the upcoming months.

9. **ADJOURNMENT**

As there was no further business to discuss, the meeting was adjourned at 6:20p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Kayla Cheney, Administrative Assistant

  
\_\_\_\_\_  
Sarah Reid, Community Services Director

  
\_\_\_\_\_  
Stephen Penner, Chairperson