

**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, March 28, 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-** Rev. Denny Joseph, St. Anthony of Padua Catholic Church

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

**PRESENTATION**

1. UPDATE BY THE FRESNO COUNTY ECONOMIC DEVELOPMENT CORPORATION (EDC)/FIVE CITIES JOINT POWERS AUTHORITY FOR ECONOMIC DEVELOPMENT

**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 2-4)**

2. APPROVAL OF MINUTES OF THE REGULAR AND SPECIAL COUNCIL MEETING OF MARCH 14, 2023 - (City Clerk)  
Staff Recommendation: Approve
3. RECOMMENDATION OF REJECTION OF CLAIM-AYUNGUA, MARLENE– (Administrative Services)  
Staff Recommendation: Approve Claim Rejection
4. RECOMMENDATION OF REJECTION OF CLAIM-SASAKI, GLORIA -(Administrative Services)  
Staff Recommendation: Approve Claim Rejection

## **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.*

5. INTRODUCTION AND FIRST READING OF ORDINANCE 2023-004 REPEALING AND REPLACING CHAPTER 2 OF TITLE 2 OF THE REEDLEY MUNICIPAL CODE CONCERNING COMMUNITY SERVICES COMMISSION-Report, discussion and/or other

Council action to approve, modify, and/or take other action as appropriate. – (Community Services)

Staff Recommendation: Approve

## WORKSHOP

6. ZONING CODE UPDATE-Community Development Department

## COUNCIL REPORTS

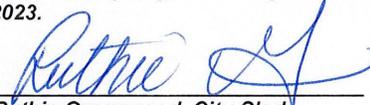
7. BRIEF REPORT BY COUNCIL MEMBERS ON CITY RELATED ACTIVITIES AS AUTHORIZED BY THE BROWN ACT AND REQUESTS FOR FUTURE AGENDA ITEMS.

## STAFF REPORTS

8. 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 22nd day of March 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.

#### Dates to Remember:

April 11, 2023 – Regular Council Meeting

April 25, 2023 – Regular Council Meeting

**REEDLEY CITY COUNCIL SPECIAL MEETING – March 14, 2023**

#2

The special meeting of the Reedley City Council was called to order by Mayor Betancourt at 6:30p.m. on Tuesday, March 14, 2023 in the City Hall Council Chambers, 845 “G” Street, Reedley, California.

**ROLL CALL**

Council Members

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

Absent: None.

**PUBLIC COMMENT REGARDING AGENDIZED MATTERS ONLY**

None.

**CLOSED SESSION**

1. Government Code Section 54956.8  
CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Property: Assessor’s Parcel Number 365-181-35T  
Agency Negotiator: City Manager and Assistant City Manager  
Under Negotiation: Price and Terms

**RECONVENE TO OPEN SESSION**

City Attorney, Laurie Avedisian-Favini reported out that no action was taken in closed session.

**ADJOURNMENT**

Mayor Betancourt adjourned the special meeting at 7:00 p.m.

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

ATTEST:

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

## **REEDLEY CITY COUNCIL MEETING – March 14, 2023**

*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 Betancourt at 7:00 p.m. on Tuesday, March 14, 2023 in the City Hall Council Chambers, 845 “G” Street, Reedley, California.

**INVOCATION** – Pastor Mike Schellenberg, Reedley Mennonite Brethren Church

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Byers

### **ROLL CALL**

Council Members

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

Absent: None.

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

City Manager, Nicole Zieba asked to add one subsequent need item for consideration that will be considered item 7.5 and will go between item #7 and item #8. This item would be consideration of adopting resolution 2023-017. This would be a declaration of local emergency which is a result of the recent high winds and rain.

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

Motion unanimously **carried**.

### **PUBLIC COMMENT**

None.

### **PRESENTATION**

1. MARJAREE PRESENTATION TO RANDY RIOS-SOFTBALL UMPIRE  
Community Services Director, Sarah Reid thanked Mr. Rios for his many years of service to the community.

### **CONSENT AGENDA (Item 2-6)**

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

2. APPROVAL OF MINUTES OF THE REGULAR COUNCIL MEETING OF FEBRUARY 28, 2023 - *Approved*
3. APPROVE AND AUTHORIZE THE CITY MANAGER TO SIGN A FIVE-YEAR SUCCESSOR SERVICES AGREEMENT WITH AN OPTIONAL TWO-YEAR EXTENSION WITH UNITY IT, LLC BEGINNING APRIL 1, 2023 FOR ONGOING CITYWIDE INFORMATION TECHNOLOGY SERVICES – *Approved*
4. APPROVE AND AUTHORIZE THE CITY MANAGER TO SIGN A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF REEDLEY AND THE FAMILY HEALING CENTER TO CONDUCT FORENSIC INTERVIEWS WITH VICTIMS AND WITNESSES OF SEXUAL ASSAULTS– *Approved*
5. ADOPT RESOLUTION NO. 2023-007, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY APPROVING DESTRUCTION OF SPECIFIED CITY RECORDS AS LISTED ON EXHIBIT A– *Approved*

**REEDLEY CITY COUNCIL MEETING – March 14, 2023**

6. APPROVE THE FOLLOWING ACTIONS ASSOCIATED WITH THE EXPANDED LEARNING PROGRAMS (ELP) AT T L REED AND WASHINGTON SCHOOL SITES:

- A. APPROVE AND AUTHORIZE CITY MANAGER TO SIGN AN AMENDMENT 1 TO THE MEMORANDUM OF UNDERSTANDING (MOU) WITH KINGS CANYON UNIFIED SCHOOL DISTRICT (KCUSD) FOR THE REEDLEY HIGH SCHOOL (RHS) INTERNSHIP PROGRAM
- B. APPROVE AND AUTHORIZE CITY MANAGER TO SIGN A SUMMER WORK EXPERIENCE PROGRAM (SWEP) AGREEMENT FORM WITH VALLEY REGIONAL OCCUPATIONAL PROGRAM (VALLEY ROP) AND KINGS CANYON UNIFIED SCHOOL DISTRICT (KCUSD) TO PROVIDE SUMMER INTERNS TO WORK FOR THE CITY OF REEDLEY
- C. APPROVE AND AUTHORIZE CITY MANAGER TO SIGN SITE CONTRACTS WITH FRESNO COUNTY SUPERINTENDENT OF SCHOOLS (FCSS) FOR THE ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF (ESSER) FUNDING TO PAY FOR EXPANDED LEARNING PROGRAM (ELP) STAFF TO WORK SUMMER PROGRAMS
- D. ADOPT RESOLUTION NO. 2023-014 AMENDING THE 2022-23 ADOPTED BUDGET APPROPRIATING \$107,108 IN THE GENERAL FUND TO COVER COSTS ASSOCIATED WITH THE REEDLEY HIGH SCHOOL (RHS) INTERNSHIP PROGRAM AND THE ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF (ESSER) FUNDING

– *Approved*

**ADMINISTRATIVE BUSINESS**

7. ADOPT RESOLUTION NO. 2023-015 ESTABLISHING THE FISCAL YEAR 2023-24 RATES FOR COMMUNITY FACILITY DISTRICT 2005-01, INCREASING RATES FROM CURRENT LEVELS BY CPI, AND SETTING DEPARTMENT ALLOCATIONS

Assistant City Manager, Paul Melikian provided a presentation regarding the rates for the Community Facility District.

Council Member Friesen moved, Council Member Fast seconded to ADOPT RESOLUTION NO. 2023-015 ESTABLISHING THE FISCAL YEAR 2023-24 RATES FOR COMMUNITY FACILITY DISTRICT 2005-01, INCREASING RATES FROM CURRENT LEVELS BY CPI, AND SETTING DEPARTMENT ALLOCATIONS  
Motion unanimously **carried**.

7.5 CONSIDER REQUEST FROM DIRECTOR OF EMERGENCY SERVICES FOR THE CITY COUNCIL OF THE CITY OF REEDLEY TO PROCLAIM THE EXISTENCE OR THREATENED EXISTENCE OF A LOCAL EMERGENCY, AND ADOPT RESOLUTION NO. 2023-017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY PROCLAIMING THE EXISTENCE OR THREATENED EXISTENCE OF A LOCAL EMERGENCY.

City Manager, Nicole Zieba stated that the City of Reedley has been in flood protocol since last Friday. It is possible that with the expected weather that the City will continue to have flooding until Spring. That means that there are certain costs associated with the floods including sand, sand bags and staff time. There are costs associated with the destruction from the storms including the boat dock located at Cricket Hollow. If Cities and counties declare a local emergency, decisions can be made much quicker and can be made immediately. Those decisions are later brought before Council for ratification, so Council ultimately is aware of what decisions were made. This allows the City of Reedley to apply for funding through Federal Emergency Management Agency and state funds for any damages and costs associated with the emergency. Currently the City has brought in 110 tons of sand for sand bags. More 6,900 bags for sand bags and with the declaration of emergency it potentially could be reimbursed.

Council Member Byers moved, Mayor Betancourt seconded CONSIDER REQUEST FROM DIRECTOR OF EMERGENCY SERVICES FOR THE CITY COUNCIL OF THE CITY OF REEDLEY TO PROCLAIM THE EXISTENCE OR THREATENED EXISTENCE OF A LOCAL EMERGENCY, AND ADOPT RESOLUTION NO.

## REEDLEY CITY COUNCIL MEETING – March 14, 2023

2023-017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY PROCLAIMING THE EXISTENCE OR THREATENED EXISTENCE OF A LOCAL EMERGENCY.

Motion unanimously **carried**.

### WORKSHOP

#### 8. CONTINUATION OF STRATEGIC CAPITAL PLANNING

City Manager, Nicole Zieba continued the discussion on this item which included planning for future needs of the city.

Pete Perez stated that he is concerned about the lack of pickleball courts in Reedley

Susan Johnson asked questions about the Sports Park.

### RECEIVE INFORMATION & REPORTS

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

#### 9. REEDLEY COMMUNITY SERVICES COMMISSION MINUTES OF REGULAR MEETING OF DECEMBER 1, 2022

### COUNCIL REPORTS

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

##### Council Member Tuttle:

- Shared regarding Read Across America event he participated in

##### Council Member Byers:

- Mentioned the Read Across America event she participated in

##### Council Member Friesen:

- Discussed the storms that happened last weekend and how he participated in a ride along with Fire

##### Council Member Fast:

- Discussed the Air Board meeting she attended
- Mentioned the water leadership training that is coming up
- Thanked staff for all of their hard work during the most recent storms

##### Mayor Betancourt:

- Discussed how happy she was that staff was prepared for the recent storms

### STAFF REPORTS

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

##### City Manager Nicole Zieba:

- Discussed the Fresno County Rural Transit Authority meeting that is coming up
- Mentioned the upcoming Economic Development Corporation Real Estate Forecast

##### City Engineer, Marilu Morales:

- Shared about the Active Parkway Master Plan

### ADJOURNMENT

**REEDLEY CITY COUNCIL MEETING – March 14, 2023**

Mayor Betancourt adjourned the regular meeting at 8:23 p.m.

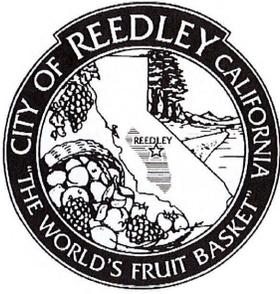
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Mayor Anita Betancourt

ATTEST:

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Ruthie Greenwood, City Clerk



# REEDLEY CITY COUNCIL

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

ITEM NO: 3

DATE: March 28, 2023

TITLE: RECOMMENDATION OF REJECTION OF CLAIM – AYUNGUA, MARLENE

SUBMITTED: Amar Bains, Accountant *AB*

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

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

## RECOMMENDATION

That the City Council reject a claim received from Marlene Ayungua on March 6, 2023. The claim has referred to Acclamation Insurance Management Services (AIMS) for further investigation and recommendation to the City.

## BACKGROUND

According to the Claim Form, on February 24 through February 25, 2023, the claimant sustained flooding damage to their vehicle that was parked in front of their property at 760 S. Carolyn Lane in Reedley, CA. The claimant alleged that the City was negligent because of their lack of immediate action and for not having an emergency flood plan in place that resulted in water damage to their vehicle. The claimant is seeking \$9,999.99 in damages from the City for the loss of their vehicle and emotional distress because of the City's negligence. No repair estimate for the vehicle was provided. The claimant included photos of the flooded streets.

Based upon their investigation, AIMS found no evidence of negligence and/or liability on the part of the City of Reedley. Staff took all immediately available measures to manage stormwater in this neighborhood during an extraordinarily severe rainfall event that occurred in a short time period. AIMS has therefore recommended that the claim be rejected.

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

## ATTACHMENTS

1. Letter from Claimant

### CLAIM FORM

(Please Type Or Print)

CLAIM AGAINST City of Reedley  
(Name of Entity)

Claimant's name: Marlene Ayungua

SS#: \_\_\_\_\_ DOB: \_\_\_\_\_ Gender: Male \_\_\_\_\_ Female

Claimant's address: \_\_\_\_\_

Address where notices about claim are to be sent, if different from above: \_\_\_\_\_

Date of incident/accident: 2/24/2023 - 2/25/2023

Date injuries, damages, or losses were discovered: Damages on vehicle, 2016 Chevy Cruze

Location of incident/accident: 760 S. Carolyn Lane

What did entity or employee do to cause this loss, damage, or injury? Negligence of Basin, overflow  
(Attached)

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)? City of Reedley

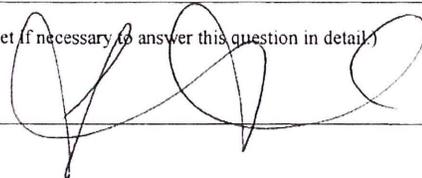
What specific injuries, damages, or losses did claimant receive? Carpets, electrical damage  
Lights on dash appearing, Check engine, Airbags. pictures Available  
Upon request.

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)] 10000

How was this amount calculated (please itemize)? \_\_\_\_\_

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: 2/28/2023 Signature: 

If signed by representative:  
Representative's Name \_\_\_\_\_ Address \_\_\_\_\_  
Telephone # \_\_\_\_\_  
Relationship to Claimant \_\_\_\_\_

To the City of Reedley:

On February 24<sup>th</sup> at 4:55pm flooding occurred in front of our property in Reedley, CA. We noticed city employees blocking a portion of the street in front of basin and by the duplex/ mailboxes, but they did not block our alley way next to my home and traffic proceeded to drive through the street. When we approached city employee and asked what actions were going to be taken to help with flooding, we were told that they would return the following day, 2/25/23 at 07:00 to pump down basin knowing the storm was yet to continue heavily no actions were taken immediately! Negligence to the basin and not having an emergency flood plan caused our 2016 Chevy Cruze to receive severe damage.

1. Mechanical Damage
  - a. Turning on and off of the vehicle
  - b. Not starting at times
2. Electrical Damage
  - a. Lights flickering
  - b. Service Airbags light on dashboard
  - c. Check engine light on dashboard
3. Interior damage
  - a. Water on seats creating mildew
  - b. Carpets soaked in water causing odor
  - c. Condensation inside vehicle creating odor, mold, and mildew
  - d. Ruining of the tint

**\*Pictures attached**

On February 27,2023 a certified mechanic came to our home to assess vehicle . He advised that vehicle would be declared a loss due to the damage cost being higher than the value of the vehicle. Also stated that the vehicle would continuously have electronical and mechanical issues.

I, Marlene Ayungua, am seeking \$9999.99 for the loss of my vehicle, emotional distress and suffering due to the city's negligence. My vehicle was used on a daily basis to commute to and from work. I also transported my children around and now I am having to use taxis, family and borrow vehicles to get around. If you need further information, please contact me at (559) 974-0109.

Best,

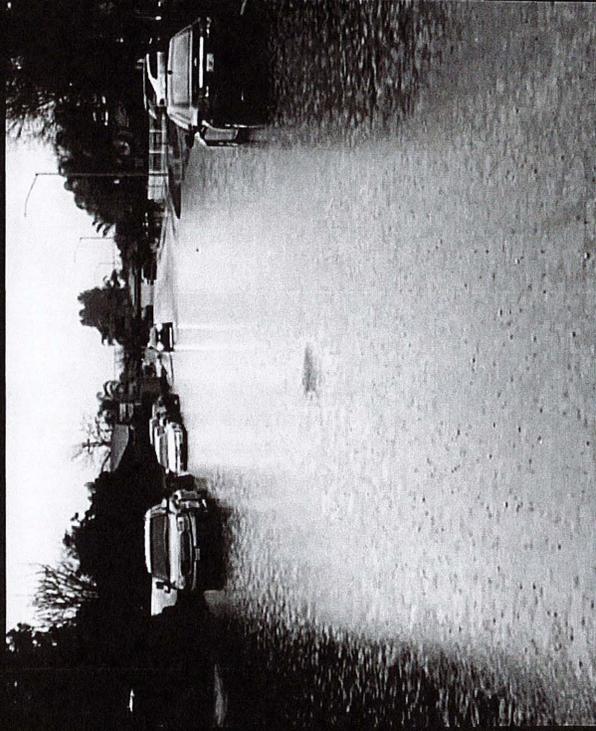


Marlene Ayungua

February 24  
4:55 PM

Edit

LIVE

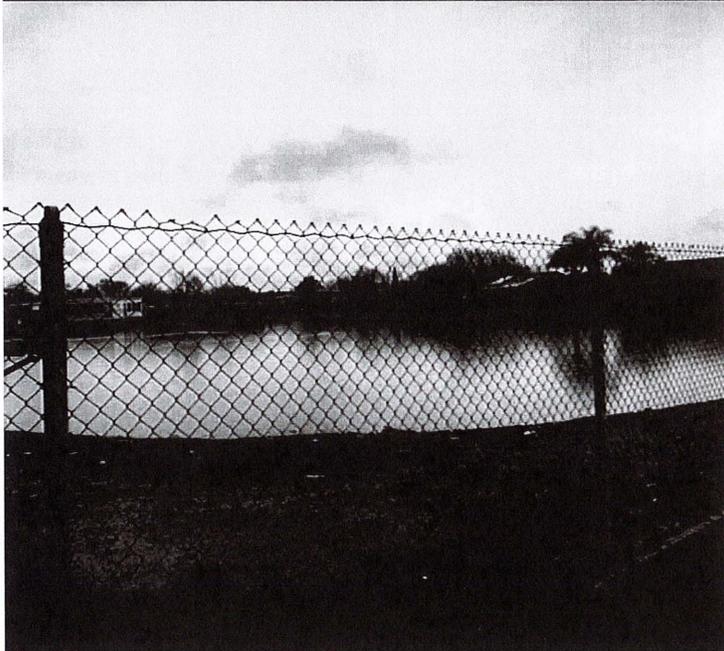


February 25

12:45 PM

Edit

LIVE



👉 From Me



📷 From Me



February 24  
11:26 PM

Edit





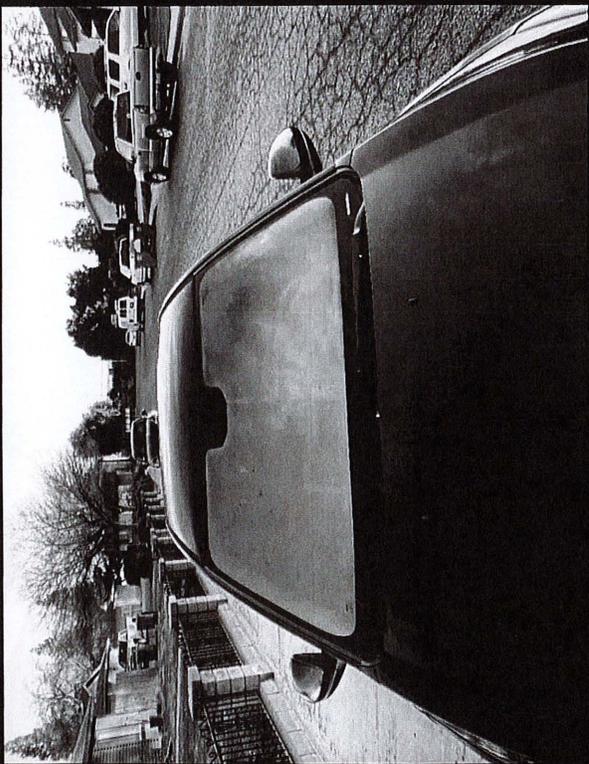
3:00 PM



February 25  
8:05 AM

Edit

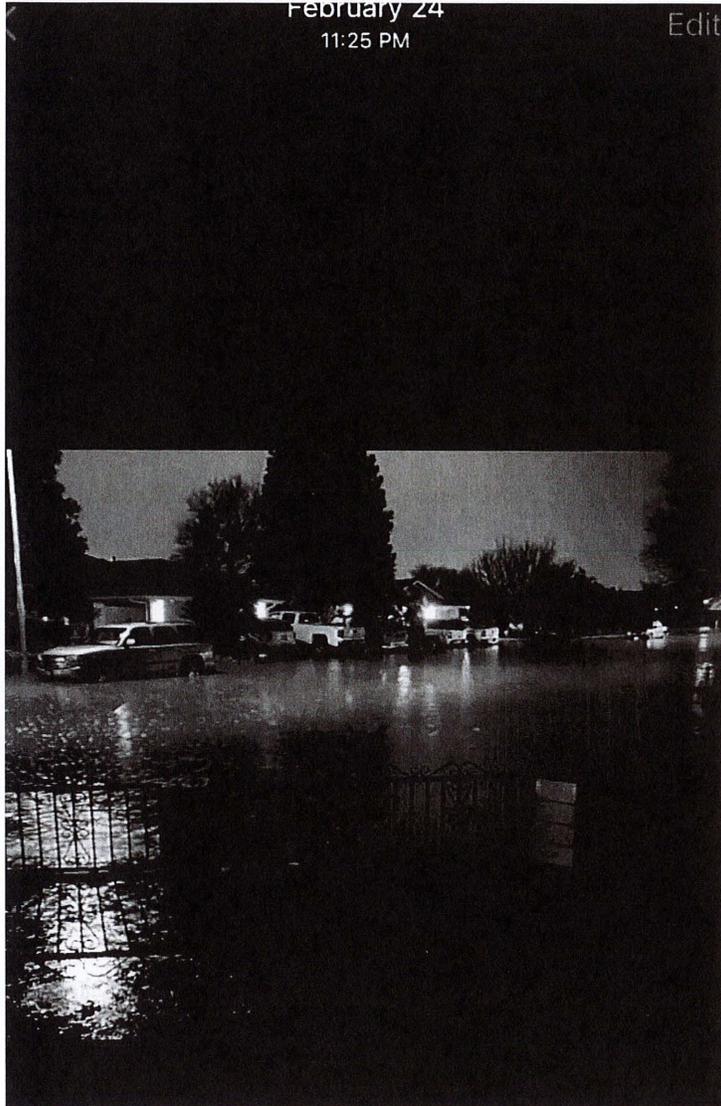


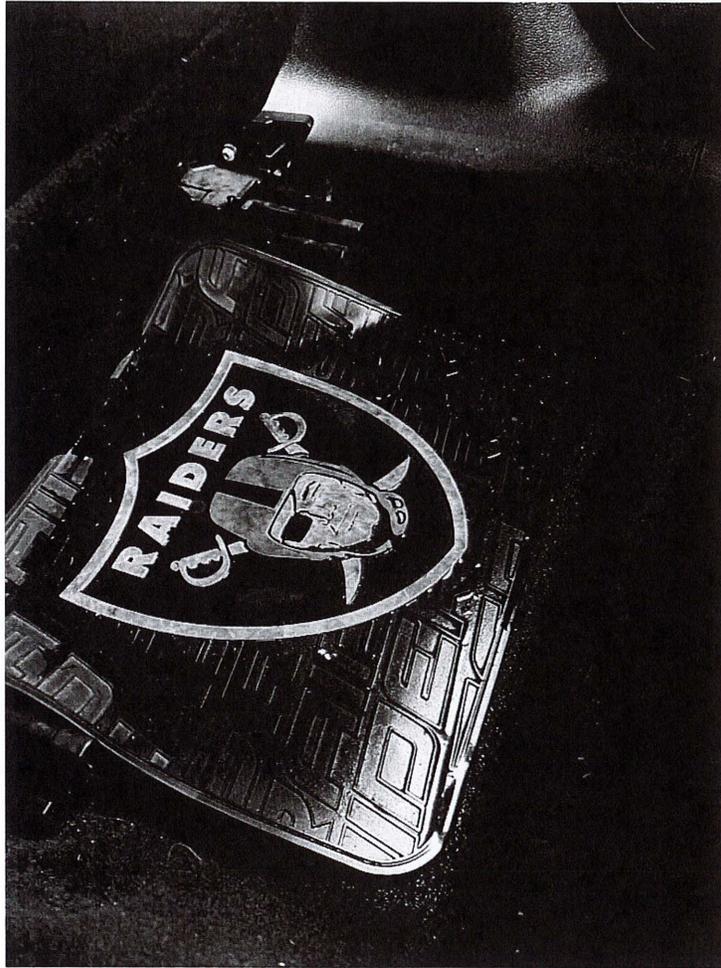


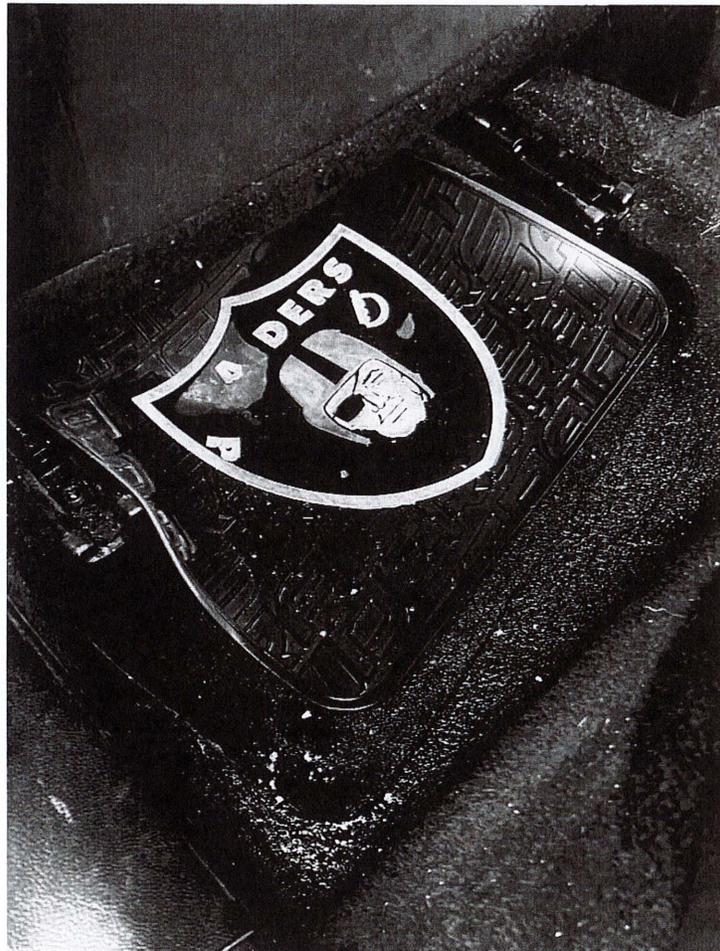


February 24  
11:25 PM

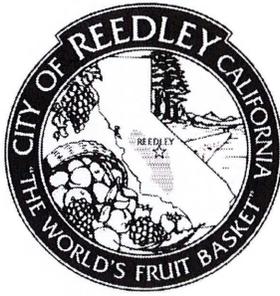
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# REEDLEY CITY COUNCIL

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

ITEM NO: 4

**DATE:** March 28, 2023

**TITLE:** RECOMMENDATION OF REJECTION OF CLAIM – SASAKI, GLORIA A.

**SUBMITTED:** Amar Bains, Accountant *AB*

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

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

## RECOMMENDATION

That the City Council deny a claim received from Gloria Sasaki on March 10, 2023. The claim has been forwarded to AIMS for further investigation.

## BACKGROUND

The Claim Form for Gloria Sasaki alleges that on March 10, 2023, Ms. Sasaki was walking on the sidewalk near 731 S. Carolyn Lane in Reedley when she tripped on an uneven pavement and fell. The claimant alleges that the fall caused injury to her wrists, left hand, and a patella fracture. Reference was made to no known witnesses to this incident.

As part of the initial investigation, the Public Works staff provided information about the ownership of the sidewalk and its maintenance. Although, the sidewalks are the City's property, the Streets and Highways Code 5610 states that the owners of property fronting a public street shall maintain any sidewalk in such a condition that it does not endanger person or property and does not interfere with the public convenience.

According to Public Works staff, heavy irrigation practices by the adjoining property owner washed out dirt underneath the sidewalk causing it to sink. The City had no prior knowledge of any hazards in this location. After the complaint was received, an asphalt patch was placed to remove the trip hazard.

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

## ATTACHMENTS

1. Letter from Claimant

# AMENDED

CITY OF REEDLEY

## CLAIM FORM

PHR18 '23 2:00PM

(Please Type Or Print)

CLAIM AGAINST City of Reedley

Claimant's name: Gloria A. Sasaki (Name of Entity)

SS#: \_\_\_\_\_ DOB: \_\_\_\_\_ Gender: Male \_\_\_\_\_ Female

Claimant's address: \_\_\_\_\_

Address where notices about claim are to be sent, if different from above: Mariam Danielyan, Jacoby & Meyers, LLP  
10900 Wilshire Blvd., 15th Floor, Los Angeles, CA 90024

Date of incident/accident: 9/14/2022

Date injuries, damages, or losses were discovered: 9/14/2022

Location of incident/accident: Sidewalk near 731 S. Carolyn Lane, Reedley, CA 93654. Please see attached photograph.

What did entity or employee do to cause this loss, damage, or injury? Please see Attachment "A".

Investigation is pending and Claimant's treatment is ongoing.  
(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)? Names of any  
employee(s) who were involved are unknown to claimant at this time. Investigation is pending.

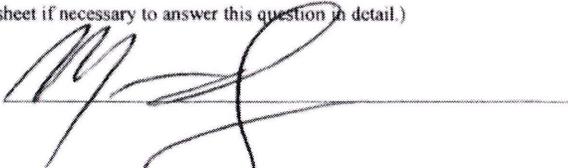
What specific injuries, damages, or losses did claimant receive? Please see Attachment "A". Investigation is pending  
and Claimant's treatment is ongoing.  
(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)] TBD, but exceeds \$25,000.00. Investigation is pending and Claimant's treatment is ongoing.

This is not a limited civil case. This is an unlimited civil case with jurisdiction in the Superior Court.

How was this amount calculated (please itemize)? TBD, but exceeds \$25,000.00. Investigation is pending  
and Claimant's treatment is ongoing. Please see Attachment "A".

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: 3-8-2023 Signature: 

If signed by representative: \_\_\_\_\_

Representative's Name Mariam Danielyan Address 10900 Wilshire Blvd. 15th Floor, Los Angeles, CA 90024

Telephone # (310) 312-3300

Relationship to Claimant Attorney for Claimant

Attachment "A"

On September 14, 2022, at approximately 5:49 a.m., Claimant, Gloria A. Sasaki, was walking south near [redacted] on Carolyn Lane in Reedley, CA 93654, when she tripped on an uneven pavement found on the sidewalk on Carolyn Lane near [redacted] and fell, sustaining bodily injuries and other damages. Please see attached photo of the location of the subject incident.

The City of Reedley, County of Fresno, and/or State of California, by and through their employees and/or independent contractors are responsible for the dangerous condition found at the subject premises where Claimant fell, i.e., the uneven pavement found on the sidewalk near [redacted].

The City of Reedley, County of Fresno, and/or State of California, owned, controlled, operated, maintained, managed, and/or were responsible for maintaining the subject premises where Claimant fell and ensuring that it was free and clear of any hazards and dangerous conditions, including, but not limited to, the uneven pavement near [redacted] in Reedley, CA, which Claimant tripped and fell on. The City of Reedley, County of Fresno, and/or State of California, owed a duty to persons accessing its public sidewalks, including Claimant, and were responsible for conducting reasonable inspections of the subject premises, making any necessary repairs, and otherwise maintaining the subject premises in a reasonably safe condition in order to ensure the subject premises were safe for persons to use and access, including Claimant.

On the date of this incident, the City of Reedley, County of Fresno, and/or State of California, failed to provide any warnings or signs to Claimant regarding the risks, hazards, and/or the dangerous condition found on the sidewalk near [redacted] in Reedley, CA 93654.

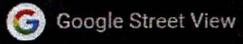
As a result of this incident, Claimant sustained bodily injuries and other damages, including, but not limited to, a patella fracture, injuries to her wrists and left hand. Treatment for Claimant's injuries is ongoing.

Claimant has sustained past and future economic and non-economic damages as a result of this incident and the negligence of the City of Reedley, County of Fresno, and/or State of California.

There are no known witnesses to the subject incident at this time. Investigation is pending.

731 S Carolyn Ln

Reedley, California



Sep 2011 See more dates



Google



# REEDLEY CITY COUNCIL

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

ITEM NO: 5

**DATE:** March 28, 2023

**TITLE:** INTRODUCTION AND FIRST READING OF ORDINANCE 2023-004  
REPEALING AND REPLACING CHAPTER 2 OF TITLE 2 OF THE  
REEDLEY MUNICIPAL CODE CONCERNING COMMUNITY  
SERVICES COMMISSION

**SUBMITTED:** Sarah Reid, Community Services Director

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

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## **RECOMMENDATION**

Staff recommends that the City Council hold a Public Hearing on the introduction and first reading of Ordinance No. 2023-004, pertaining to Chapter 2 of Title 2 of the Reedley Municipal Code concerning Community Services Commission.

## **BACKGROUND**

In 2017, there was a change to this section of the Reedley Municipal Code which allowed for two commissioners to live outside of the city limits but within the city's sphere of influence. At that time the change allowed for a wider net to be cast to find commissioners. Even with this revision, at times, staff have found it challenging to find individuals who are willing to serve on the commission who have a passion for parks and recreation and are willing to volunteer their time to attend meetings and get involved with Community Services activities. Staff knows there are individuals who work in Reedley and consider Reedley their home town even if they live in the outskirts of the city or in one of the surrounding cities. Staff is recommending to revise the current ordinance language to include individuals who hold a position with an established government, non-profit, or similar type of organization within the city's sphere of influence which supports City of Reedley parks and recreation activities and the duties and responsibilities of the Community Services Commission. The number of individuals who live within the sphere of influence or work for an organization within the sphere of influence will be limited to two (2) members.

**FISCAL IMPACT**

None.

**PRIOR COMMISSION ACTIONS**

On February 23, 2023, the Community Services Commission discussed the revisions to the Reedley Municipal Code Title 2 Boards & Commissioners Chapter 2 Community Services Commission. There was a majority vote from Commissioners in favor of the recommended change.

**ATTACHMENTS**

1. Ordinance No. 2023-004, An Ordinance of the City Council of the City of Reedley Repealing and Replacing Chapter 2 of Title 2 of the Reedley Municipal Code concerning Community Services Commission.

**ORDINANCE NO. 2023-004**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REEDLEY  
AMENDING CHAPTER 2 OF TITLE 2 OF THE REEDLEY MUNICIPAL CODE  
CONCERNING THE COMMUNITY SERVICES COMMISSION**

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

**SECTION 1.** Section 2-2-2(A) of the Reedley Municipal Code is hereby repealed in its entirety and replaced with the following:

**2-2-2: MEMBERSHIP:**

A. Number of Members; Appointment: The commission shall consist of seven (7) members. The commissioners shall be appointed by the mayor subject to approval of the city council. All commissioners shall be permanent residents of the city, provided that up to two commissioners may reside outside the city limits but within the city's sphere of influence or holds a position with an established government, non-profit, or similar type organization within the city's sphere of influence which supports City of Reedley parks and recreation activities and the duties and responsibilities of the Community Services Commission. Each commissioner shall hold office until his or her successor is appointed and qualified.

**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.

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**ATTEST:**

The foregoing ordinance was introduced at a regular meeting of the City Council held on March 28, 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Anita Betancourt, Mayor

**ATTEST:**

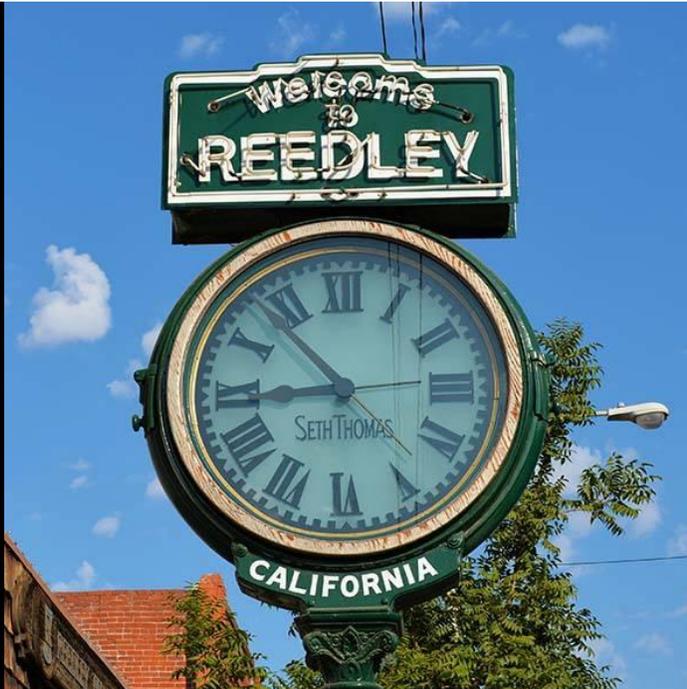
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Ruthie Greenwood, City Clerk

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# ZONING CODE UPDATE

REEDLEY CITY COUNCIL  
MARCH 28, 2023





# WHAT IS ZONING?



# ZONING DOES THE FOLLOWING...

- Shapes all **land uses** in a community
- Establishes **expectations** for development projects
- Guards against potential **land use conflicts**
- Protects **environmental resources**
- Serves to implement the **General Plan**

# HOW DOES ZONING WORK?

- Divides a jurisdiction into multiple zones
- Assigns specific development and land use regulations that are uniformly applied to all property within a zone

12/22/21, 8:44 AM <https://report.amilegal.com/api/report/requests/9d06f3db-3a27-4105-8e6c-143d743e401d/download/>

**TITLE 10**  
**ZONING REGULATIONS**

**CHAPTER 1**  
**GENERAL ZONING PROVISIONS**

SECTION:

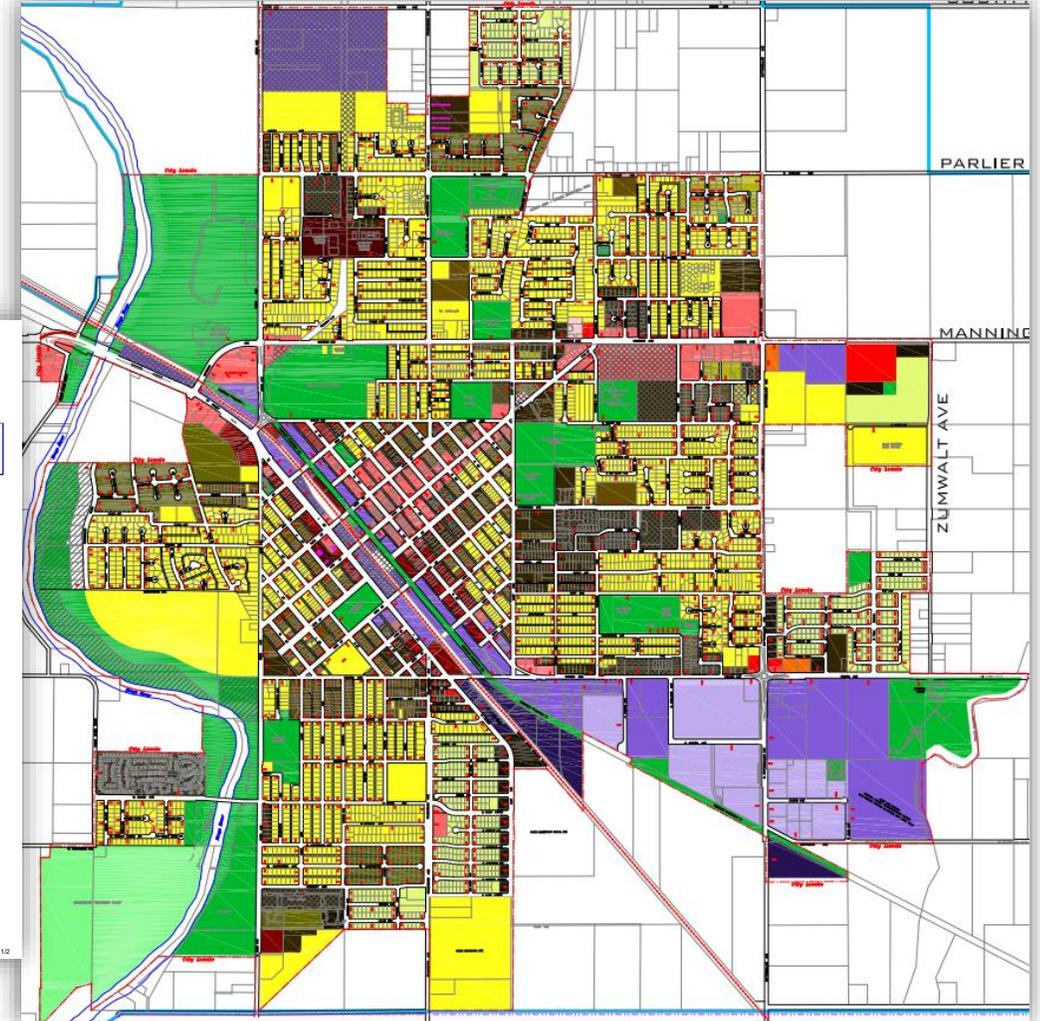
**10-1-1: Short Title**  
**10-1-2: Adoption**  
**10-1-3: Purposes And Objectives**  
**10-1-4: Components Of This Title**  
**10-1-5: Interpretation**  
**10-1-6: Application**

**10-1-1: SHORT TITLE:**  
This title shall be known as the **REEDLEY ZONING CODE**. (Ord. 622, 9-2-1980)

**10-1-2: ADOPTION:**  
A. Zoning Adopted: There is hereby adopted, as provided herein, a zoning code for the city of Reedley, state of California, which is a part of the this code.  
B. Repealer: All ordinances and parts of ordinances inconsistent with the provisions of this title are hereby repealed insofar as they are inconsistent with the provisions hereof.  
C. Constitutionality: If any chapter, section, subsection, paragraph, clause or phrase of this title for any reason shall be held to be invalid or unconstitutional, the decision shall not affect the remaining portions of this title.  
The city council hereby declares that it would have enacted this title and each chapter, section, subsection, paragraph, sentence, clause and phrase hereof, irrespective of the fact that any one or more chapters, sections, subsections, paragraphs, sentences, clauses or phrases are declared to be invalid or unconstitutional.  
D. Enactment: This title shall take effect from and after thirty (30) days after its passage, and before the expiration of fifteen (15) days after its passage shall be published once in a newspaper of general circulation, published in the city together with the names and members voting for and against the same. (Ord. 622, 9-2-1980)

**10-1-3: PURPOSES AND OBJECTIVES:**  
This title is adopted to preserve, protect and promote the public health, safety, peace, comfort, convenience, prosperity and general welfare. More specifically, this title is adopted to achieve the following objectives:  
A. To provide a specific plan to guide the physical development of the city in such a manner as to achieve progressively the general arrangement of land uses depicted in the general plan.

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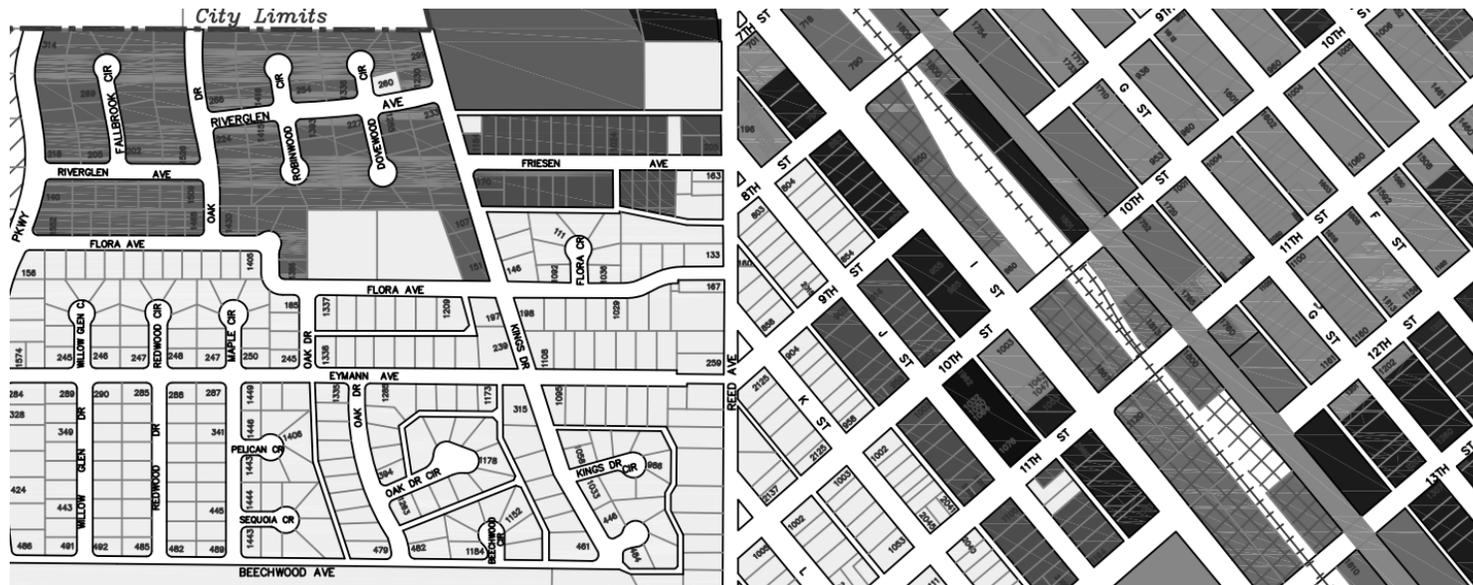
# WHO USES THE ZONING CODE?

**EVERYONE!**

- **Residents, Businesses, and Property Owners**
- **City Council, Boards, and Commissions**
- **Development Community**
- **City Staff**

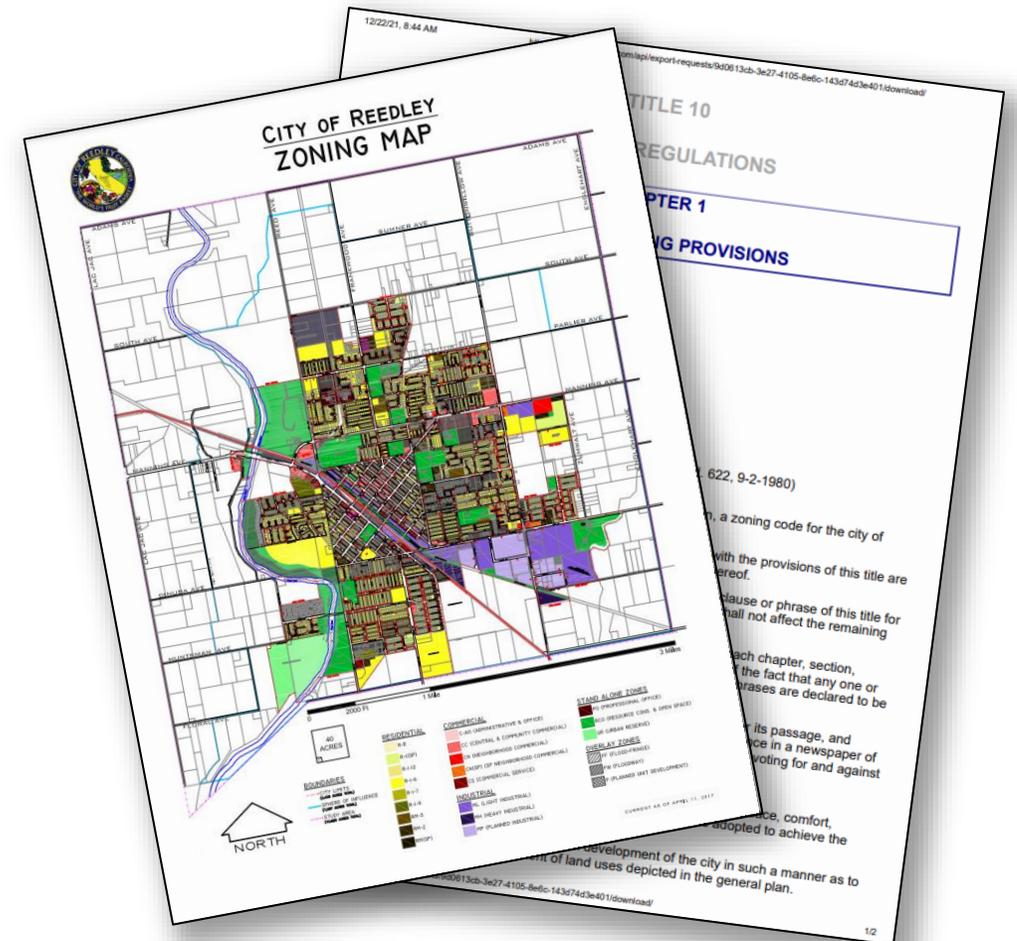
# WHAT ARE SUBDIVISION REGULATIONS?

- REGULATE the division of land
- REQUIREMENTS for designing and recording subdivisions
- ENFORCE AND IMPLEMENT the California Map Act
- ESTABLISH requirements for improvements to be dedicated to the public (streets, easements, parks)



# WHY ARE WE DOING THIS?

- Remove inconsistencies
- Achieve consistency with the General Plan
- Reflect the changes in State law (ADUs, day care homes, housing)
- Regulations clearer and easier to use and implement



# APPROACH AND SCOPE

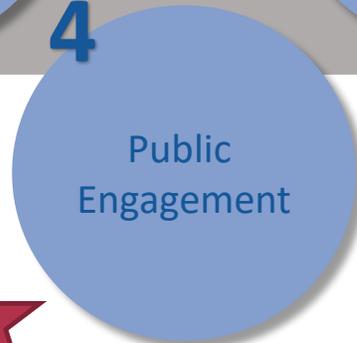
 = occurs throughout the duration of the project

- Research existing conditions and trends 
- Review of existing code 

- Kick-off meeting 
- City tour 
- Matrix of code and regulation issues 
- Table of contents 

- Zoning district provisions 
- Allowable land uses and permit requirements 
- Subdivision regulations 
- Zoning map 
- Public review draft zoning ordinance 

- CEQA Compliance review 
- Addendum to General Plan EIR 



- 
- Regular project management calls 
  - Ongoing six-month schedules

- 
- Stakeholder interviews 
  - Council/Commission meetings 
  - Community workshops 
  - Newsletters 

- Planning Commission Hearing 
- City Council Hearing 
- Final Zoning Ordinance 

# APPROACH AND SCOPE

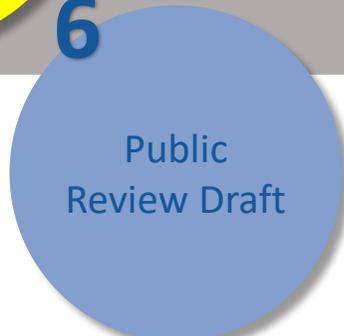
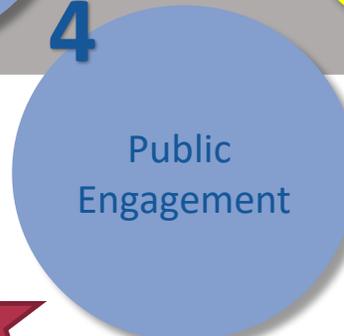
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- Research existing conditions and trends 
- Diagnostic document Review 

- Kick-off meeting 
- City tour 
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- Regular project management calls 
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- Stakeholder interviews 
  - Council/Commission meetings 
  - Community workshops 
  - Newsletters 

- Planning Commission Hearing 
- City Council Hearing 
- Final Zoning Ordinance 

# WHAT HAS BEEN DONE SO FAR?

- Project kick-off in January 2022
- Stakeholder interviews
- Published one of two bilingual newsletters
- Completion of a “Fix-It” List
- Completion of a land use table
- Completed draft of two chapters of the Zoning Code
- Drafted revised definitions
- Drafted revised property development standards

## What was said by the stakeholders?

*“...the City should allow modular housing types.”*

*“Many projects go to the Planning Commission that can be handled by City staff.”*

*“Tasting rooms and microbreweries are wildly successful in other Valley cities...they bring tourists and generate much needed tax dollars.”*

*“Mobile food businesses, like food trucks, offer a cheaper alternative for those wanting to start a new business.”*



# WHAT ARE SOME OF THE PROPOSED CHANGES?

Existing Language	<u>Proposed Changes</u>
Variances are heard by the Board of Zoning Adjustment	Variances are heard by the <u>Planning Commission</u>
Definitions and regulations concerning “churches”	Definitions and regulations concerning “ <u>places of assembly</u> ” (compliance with the “Religious Land Use and Institutionalized Persons Act of 2000” a.k.a. RLUIPA – requires governments to treat houses of worship as favorably as nonreligious assemblies).
Large Family Daycare Home: <ol style="list-style-type: none"> <li>1. CUP Application</li> <li>2. Cannot be located within 600’ of another large family daycare home</li> </ol>	Consistent with State Law which consists of: <ol style="list-style-type: none"> <li>1. Cannot charge for a business license</li> <li>2. Cannot require a CUP</li> <li>3. Cannot have locational requirements</li> <li>4. Licensure from the State</li> </ol>

# WHAT ARE SOME OF THE PROPOSED CHANGES? (CONTINUED)

## Proposed Changes

- Allow more uses By-Right as opposed to Discretionary Approval
- (car washes; hotels; places of assembly require a Conditional Use Permit Application)
- Appealable Director's Determination
- Expiration of entitlement approvals (ex. from 1 year to 2 years)
- Incorporate City standards in the Subdivision Ordinance
- Provide for regulation and locational requirement for smoke shops
- General Plan consistency for Medium Density and High Density (RM-3 – 8-15 Dwelling Units per Acre; RM-2 – 15-29 Dwelling Units per Acre)
- Change designation of multi-family/single-family to multi-unit/single-unit

# ACCESSORY DWELLING UNITS (ADU/JADU)

Existing Language	Proposed Changes Required by State Law
Owner occupancy requirement	Owner occupancy requirement no longer allowed, can restrict short term rentals in ADUs
ADU included in lot coverage calculations	ADUs cannot be included in lot coverage calculations
Garage conversions require replacement parking	Garage conversions can no longer require replacement parking
5' side yard and rear yard setbacks	ADUs created through new construction less than 750 SF are exempt from DIFs
All ADUs created through new construction shall require payment of DIFs at proportional rate	Added statewide exemption ADU (up to 800 square feet, 16 feet in height, with 4 foot side and rear yard setbacks)
	ADUs allowed on properties with multi-unit dwellings under certain circumstances



# NEXT STEPS

- Continue drafting the zoning ordinance
- Produce second publication for outreach purposes
- Receive any feedback from City Council and Planning Commission on any proposed changes

