

**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, September 27, 2022

**Meeting Held in the Council Chambers
845 "G" Street, Reedley, California
www.reedley.ca.gov**

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

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

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

The meeting will be webcast and accessed at: <http://www.reedley.com/livestream.php>

PLEASE SEE LAST PAGE OF AGENDA FOR ZOOM PARTICIPATION INSTRUCTIONS

Mary L. Fast, Mayor

Vacant, Mayor Pro Tem
Ray Soleno, Council Member

Anita Betancourt, Council Member
Matthew Tuttle, Council Member

MEETING CALLED TO ORDER

INVOCATION- Veronica Burns, Reedley Police Department Chaplain

PLEDGE OF ALLEGIANCE

ROLL CALL

AGENDA APPROVAL – ADDITIONS AND/OR DELETIONS

PRESENTATION

1. RECOGNITION TO ROADS AND GROUNDS SUPERVISOR CHRIS TAMEZ- Public Works
2. INTRODUCTION OF NEW STAFF ASSISTANT – Public Works

3. INTRODUCTION OF NEW RECREATION COORDINATORS AND STAFF ASSISTANT–
Community Services Department

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.*

ADMINISTRATIVE BUSINESS-COUNCIL ORGANIZATION

4. ACTION TO FILL VACANT DISTRICT 3 CITY COUNCIL SEAT

- A. ADOPT RESOLUTION NO. 2022-079 APPOINTING SUZANNE M. BYERS TO FILL THE VACANT CITY COUNCIL DISTRICT 3 SEAT
- B. CONFIRMATION OF ACCEPTANCE TO POSITION OF MAYOR PRO TEMPORE BY ANITA BETANCOURT, DISTRICT 5
- C. CONFIRMATION OF MAYOR PRO TEMPORE’S APPOINTMENT TO FRESNO COUNCIL OF GOVERNMENTS POSITION-COG ALTERNATE BOARD MEMBER
- D. ADMINISTRATION OF OATH OF OFFICE TO SUZANNE M. BYERS

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 5-8)

Motion _____^{2nd}_____

5. APPROVAL OF MINUTES OF THE REGULAR COUNCIL MEETING OF SEPTEMBER 13, 2022 - (City Clerk)

Staff Recommendation: Approve

6. APPROVE AND AUTHORIZE THE CITY MANAGER TO SIGN THE NON-EXCLUSIVE LICENSE AGREEMENT BETWEEN FRESNO STREET EATS AND THE CITY OF REEDLEY TO OFFER RECURRING FOOD TRUCK EVENTS WITHIN PIONEER PARK- (Community Services & Community Development)
Staff Recommendation: Approve

7. APPROVE THE FOLLOWING ACTIONS TO FUND THE 2022-23 EXPANDED LEARNING PROGRAMS AT T L REED AND WASHINGTON SCHOOL SITES:

A. APPROVE AND AUTHORIZE THE CITY MANAGER TO SIGN AN AMENDMENT 1 TO THE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE KINGS CANYON UNIFIED SCHOOL DISTRICT (KCUSD)

B. ADOPT RESOLUTION 2022-082 AMENDING THE 2022-23 ADOPTED BUDGET APPROPRIATING \$428,052 IN THE GENERAL FUND TO COVER COSTS ASSOCIATED WITH THE EXPANDED LEARNING PROGRAM (ELP)

-Community Services

Staff Recommendation: Approve

8. CONSIDER THE FOLLOWING ITEMS (A), (B) AND (C) FOR A TRAFFIC SIGNAL ON REED AVENUE AND THE NORTHERNMOST ENTRANCE TO REEDLEY COLLEGE

A. AUTHORIZE THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING WITH KINGS CANYON UNIFIED SCHOOL DISTRICT FOR THE TRAFFIC SIGNAL

B. AUTHORIZE THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING WITH REEDLEY COLLEGE AND/OR STATE CENTER COMMUNITY COLLEGE DISTRICT FOR THE TRAFFIC SIGNAL AND MAKE NON-SUBSTANTIVE CHANGES, IF NECESSARY

C. ADOPT RESOLUTION NO. 2022-083 AMENDING THE FISCAL YEAR 2022-23 ADOPTED BUDGET APPROPRIATING \$600,000 IN AVAILABLE MEASURE C FLEXIBLE FUNDS FOR THE TRAFFIC SIGNAL

- Engineering

Staff Recommendation: Approve

PUBLIC HEARING

9. CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION NO. 2022-081 APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT NORTH AVENUE IMPROVEMENTS PROJECT FROM COLUMBIA AVENUE TO HANEY AVENUE - Report, discussion and/or other Council action to approve, modify, and/or take other action as appropriate. – (Engineering)

Staff Recommendation: Approve

WORKSHOP

10. CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM UPDATE-Report, discussion and/or other Council action to approve, modify, and/or take other action as appropriate. – (Administrative Services)
Staff Recommendation: Approve

COUNCIL REPORTS

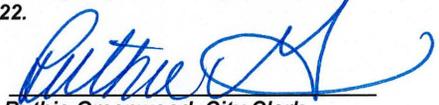
11. BRIEF REPORT BY COUNCIL MEMBERS ON CITY RELATED ACTIVITIES AS AUTHORIZED BY THE BROWN ACT AND REQUESTS FOR FUTURE AGENDA ITEMS.

STAFF REPORTS

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

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 22th day of September 2022.


Ruthie Greenwood, City Clerk

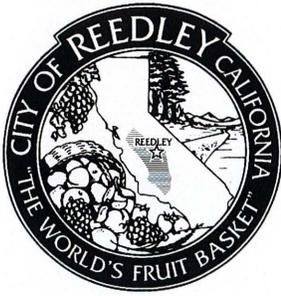
Zoom Participation:

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, either in writing or verbally, 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 at least two (2) hours 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:

- October 8, 2022-Reedley Fiesta Parade & Walk Run
- October 11, 2022-6pm Joint meeting with Planning Commission at Reedley Community Center-Senior Room
- October 11, 2022-7pm Regular Meeting at Reedley Community Center-Senior Room
- October 25, 2022-Regular Council Meeting



REEDLEY CITY COUNCIL

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

ITEM NO: 4

DATE: September 27, 2022

TITLE: ACTION TO FILL VACANT DISTRICT 3 CITY COUNCIL SEAT

- A. ADOPT RESOLUTION NO. 2022-079 APPOINTING SUZANNE M. BYERS TO FILL THE VACANT CITY COUNCIL DISTRICT 3 SEAT
- B. CONFIRMATION OF ACCEPTANCE TO POSITION OF MAYOR PRO TEMPORE BY ANITA BETANCOURT, DISTRICT 5
- C. CONFIRMATION OF MAYOR PRO TEMPORE'S APPOINTMENT TO FRESNO COUNCIL OF GOVERNMENTS POSITION-COG ALTERNATE BOARD MEMBER
- D. ADMINISTRATION OF OATH OF OFFICE TO SUZANNE M. BYERS

SUBMITTED: Ruthie Greenwood
City Clerk

APPROVED: Nicole R. Zieba
City Manager

RECOMMENDATION

Staff is recommending that the Reedley City Council adopt Resolution 2022-079, appointing Suzanne M. Byers to fill a mid-term vacancy in City Council District 3.

BACKGROUND

On July 26, 2022, City Councilmember Robert O. Beck submitted a letter to the City Clerk's Office announcing his intent to resign from the City Council effective July 31, 2022. In accordance with California Government Code section 36512(b), when a vacancy occurs that the council shall, within 60 days from the commencement of the vacancy, either fill the vacancy by appointment or call a special election to fill the vacancy. At the meeting on August 9, 2022, the City Council directed staff to begin the process to fill the vacancy by appointment.

Staff launched an application for appointment on August 10, 2022 and conducted a four-week recruitment which concluded on Tuesday, September 7, 2022. The application was available

electronically on the City website and in paper format at City Hall. During the recruitment period, staff promoted the appointment opportunity by publishing it on social media accounts, on the City of Reedley website and also utilized the Blackboard Connect phone option where residents who reside in District 3 received a phone call encouraging them to apply for the vacancy.

Staff received two applications. Upon receipt of the applications, staff conducted a meeting with the applicants to confirm that they met the qualifications listed. The applications for City Council consideration has been verified to meet the minimum qualification.

At the meeting on September 13, 2022, the City Council interviewed the two applicants and Suzanne M. Byers was selected for appointment to the vacant District 3 City Council seat that will expire in December, 2024. Once the Resolution is passed by Council, the City Clerk will administer the Oath of Office to Ms. Byers.

In January 2011 Reedley City Council passed Resolution 2011-013 which states on the first meeting in December on even-numbered years the office of the Mayor and Mayor Pro Tempore will rotate and each even numbered year thereafter the office of the Mayor and Mayor Pro Tempore will automatically rotate to the next council member by Council District Number in the rotation.

In December 2020, Council Member Robert O. Beck accepted the Mayor Pro Tempore position on the Reedley City Council. Since Mr. Beck's resignation the position has been vacant. Per Resolution 2011-013 the position of Mayor Pro Tempore will rotate to the next Council Member by Council District Number, which would rotate to Anita Betancourt until December 2022. By accepting the position as Mayor Pro Tempore, Anita Betancourt would be appointed to Fresno Council of Governments as the alternative board member.

FISCAL IMPACT

No fiscal impact.

ATTACHMENTS

Resolution 2022-079

RESOLUTION NO. 2022-079
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
REEDLEY SUZANNE M. BYERS TO FILL THE CITY
COUNCIL SEAT FOR DISTRICT 3

WHEREAS, on November 3, 2020, Robert Beck was elected to the City Council of the City of Reedley by the voters in District 3, and his term is due to expire in December 2024; and

WHEREAS, on July 26, 2022, Councilmember Beck submitted a letter to the City Clerk announcing his intent to resign from the City Council effective July 31, 2022; and

WHEREAS, after such vacancy occurs, the remaining Councilmembers may appoint someone to fill the vacancy until the next general municipal election; and

WHEREAS, on August 9, 2022, the City Council directed that the City initiate an application process for appointing an eligible successor to fill the District 3 City Council seat for the remainder of the term; and

WHEREAS, the City solicited applications from eligible residents in District 3 and these eligible candidates were interviewed by the City Council at the regular meeting on this September 13, 2022; and

WHEREAS, on this September 27, 2022, the City Council considered the appointment of Suzanne M. Byers to serve the remainder of said term, which expires in December 2024 when a newly elected representative of District 3 is elected and sworn in to fill a new four-year term.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF REEDLEY THAT: Suzanne M. Byers be appointed as set forth in this Resolution and take office and be sworn-in at the regular meeting on this September 27, 2022 and shall serve on the City Council until the person who is elected by District 3 voters at the November 5, 2024 general municipal election has been sworn in to serve on the City of Reedley Council for District 3 for a new four-year term.

The foregoing Resolution is duly adopted on September 27, 2022, by the following votes:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST

APPROVED:

Ruthie Greenwood, City Clerk

Mary L. Fast, Mayor

REEDLEY CITY COUNCIL MEETING – September 13, 2022

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

The meeting of Reedley City Council called to order by Mayor Fast at 7:00 p.m. on Tuesday, September 13, 2022 in the City Hall Council Chambers, 845 “G” Street, Reedley, California.

INVOCATION – Russ Robertson, Public Works Director

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Tuttle

ROLL CALL

Council Members

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

Absent: None.

AGENDA APPROVAL – ADDITIONS AND/OR DELETIONS

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

Motion unanimously **carried**.

PRESENTATION

1. **RECOGNITION OF RETIREMENT TO ROSEANN HERRERA, ADMINISTRATIVE ASSISTANT**
Council and Staff thanked Mrs. Herrera for her years of service and her many contributions to Reedley. Mrs. Herrera thanked everyone.
2. **INTRODUCTION OF NEW STAFF ASSISTANT AND ACCOUNTING TECHNICIAN**
Community Development Director, Rodney Horton introduced Staff Assistant Victoria Esquivel and Assistant City Manager Paul Melikian introduced Accounting Technician, Ashley De La Vega. Council welcomed both to the City of Reedley.
3. **INTRODUCTION OF NEW YOUTH REPRESENTATIVE.** Recreation Supervisor, Madison Mitchell introduced the two new youth representatives who are on the Community Services Commission.

PUBLIC COMMENT

Steve Penner the Chairperson of the Community Services Commission and President of the Reedley Parks and Recreation Foundation provided a brief update on grants that they applied for and the Sports Park. Mr. Penner also discussed pickleball and the need for more courts in the valley.

Pete Perez agreed with Mr. Penner’s comments and reiterated the need of more pickleball courts.

CONSENT AGENDA (Items 4-17)

Council Member Betancourt asked to remove item 11. Council Member Tuttle asked for item 8 to be removed, Mayor Fast requested item 10, and 15 also be removed.

Council Member Tuttle said on item 8 the staff report appeared that it took a lot of staff time to get this item before council. City Engineer Marilu Morales explained the history of this item.

Pete Perez requested to provide comment on item 8. He was concerned about the homes located outside city limits on Buttonwillow Avenue.

Mayor Fast asked to discuss item 10 prior to the vote. Mayor Fast asked for clarification on why the deadline was being extended and how long it would be extended. Community Development Director, Rodney Horton explained although the city’s portion has been completed the extension is necessary due to the item is at Fresno Local Agency

REEDLEY CITY COUNCIL MEETING – September 13, 2022

Formation Commission and there is still a process that the item needs to go through in order to be considered complete. The current deadline is October 2022 and without the extensions staff feels that the deadline might not be enough time for Fresno Local Agency Formation Commission to complete the necessary work. The extension is also requested due to this item started during the pandemic and experienced significant delays because of the pandemic.

Council Member Betancourt said on item 11 she was very happy that staff is able to provide assistance to the six homes that have been impacted by the lot line issue for many years. Mayor Fast asked for clarification on how long the property owners had to reimburse the City of Reedley. Community Development Director, Rodney Horton answered Mayor's questions.

Margie Gabaldon shared after her husband passed away she decided to sell her house and move to Texas. When she listed her house for sale in November and then was notified about the lot line issue from the County of Fresno. Ms. Gabaldon stated she is hopeful for a quick resolution to the issue. City Manager, Nicole Zieba said she felt it was important to point out that this issue is out of the City of Reedley's control and by law is a property owner issue to fix. Ms. Zieba also explained that the issue came to light in 2009 and the property owners were working towards a solution when the surveyor did not get paid and it was difficult with 6 affected property owners to come to a solution with the surveyor and she is glad that the issue will finally be resolved.

On item 15 Mayor Fast asked what increments did other cities offer in longevity pay. Assistant City Manager, Paul Melikian explained what he found when he conducted research with other cities.

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

4. APPROVAL OF MINUTES OF THE REGULAR COUNCIL MEETING OF AUGUST 9, 2022 –*Approved*
5. RECOMMENDATION OF REJECTION OF CLAIM-CONTRERAS, PEDRO J. M. –*Approved claim rejection*
6. RECOMMENDATION OF REJECTION OF CLAIM-LONGORIA, RAMON –*Approved claim rejection*
7. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE A ONE YEAR AGREEMENT WITH THE FRESNO COUNTY RURAL TRANSIT AGENCY FOR LAW ENFORCEMENT SERVICES ON TRANSIT VEHICLES - *Approved*
8. AUTHORIZE A LETTER OF INTENT BE SUBMITTED TO THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD SUPPORTING THE INSTALLATION OF A WATER MAIN ON PARLIER AVENUE AND COLUMBIA AVENUE – *Approved*
9. AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH MKN & ASSOCIATES FOR THE DESIGN AND CONSTRUCTION DOCUMENT PREPARATION FOR THE WASTEWATER TRUNK MAIN REPLACEMENT ALONG OLSON AVENUE TO THE CITY'S WASTEWATER TREATMENT PLANT TO INCLUDE IMPROVEMENTS TO THE WASTEWATER TREATMENT PLANT – *Approved*
10. APPROVE AND AUTHORIZE THE CITY MANAGER TO SIGN AN AGREEMENT ADDENDUM WITH OTANI PROPERTIES TO EXTEND THE BOUNDARY RECORDATION DEADLINE WITHIN THE AGREEMENT FOR REIMBURSEMENT OF ENVIRONMENTAL ANALYSIS FEES FOR THE PROPERTY SITUATED AT WEST MANNING AVENUE AND THE KINGS RIVER (APN 368-350-17, 31, 32 AND 33) – *Approved*
11. CONSIDER THE FOLLOWING ITEMS ASSOCIATED WITH AFFECTED PROPERTIES ON EAST DUFF AVENUE:
 - A. APPROVE AND AUTHORIZE A LOAN ARRANGEMENT ON BEHALF OF SIX (6) EAST DUFF AVENUE PROPERTY OWNERS TO ENGAGE THE PROFESSIONAL SERVICES OF DALE G. MELL & ASSOCIATES FOR THE COMPLETION AND CORRECTION OF LOT LINE ADJUSTMENTS NOT TO EXCEED \$15,000

REEDLEY CITY COUNCIL MEETING – September 13, 2022

- B. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL DOCUMENTS FOR LOAN REPAYMENT WITH THE PROPERTY OWNERS OF THE AFFECTED PROPERTIES ON EAST DUFF AVENUE

– *Approved*

12. APPROVE THE SUBMITTAL OF AN APPLICATION TO THE FRESNO COUNTY HISTORICAL LANDMARKS & RECORDS ADVISORY COMMISSION TO DESIGNATE SMITH'S FERRY PARK AS A LOCAL FRESNO COUNTY HISTORICAL SITE– *Approved*
13. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL RENEWAL DOCUMENTS AND PLAN CHANGES NECESSARY FOR THE CONTINUED PROVISION OF A MEDICARE SUPPLEMENT PLAN FOR ELIGIBLE CITY RETIREES AND DEPENDENTS FOR THE 2023 CALENDAR YEAR– *Approved*
14. SECOND READING AND ADOPTION OF ORDINANCE NO. 2022-004, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REEDLEY APPROVING PRE-ZONE APPLICATION NO. 2020-01 AND AUTHORIZING THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF REEDLEY – *Approved*
15. ADOPT RESOLUTION NO. 2022-077 OF THE CITY COUNCIL OF THE CITY OF REEDLEY AMENDING THE SALARY AND BENEFIT SCHEDULE FOR UNREPRESENTED EMPLOYEES ESTABLISHING A LONGEVITY PAY BENEFIT– *Approved*
16. ADOPT RESOLUTION 2022-078 AMENDING THE 2022-23 ADOPTED BUDGET APPROPRIATING \$5,000 IN THE GENERAL FUND FOR A DONATION RECEIVED FROM DAYKA & HACKETT, LLC FOR SENIOR CENTER PROGRAMS– *Approved*
17. ADOPT BUDGET RESOLUTION 2022-080 OF THE CITY COUNCIL OF THE CITY OF REEDLEY AMENDING THE FISCAL YEAR 2022-23 ADOPTED BUDGET APPROPRIATING \$5,000 IN THE GENERAL FUND TO SERVE REEDLEY FOR EMERGENCY REPAIRS AT THE FAITH HOUSE TRANSITIONAL FAMILY SHELTER– *Approved*

ADMINISTRATIVE BUSINESS

18. CONDUCT INTERVIEWS OF APPLICANTS TO FILL A MID-TERM VACANCY IN CITY COUNCIL DISTRICT 3 AND SELECT ONE CANDIDATE TO BE FORMALLY APPOINTED AND SWORN IN TO THE DISTRICT 3 SEAT ON SEPTEMBER 27, 2022-(Administration)
Report, discussion and/or other Council action to approve, modify, and/or take other action as appropriate. – (Administration)

City Manager, Nicole Zieba shared that Mr. Beck has served as a Councilmember for District 3 since 2011. Unfortunately, due to health reasons Mr. Beck is no longer able to fulfil his duties as a council member and has submitted his letter of resignation to Council. There are two years remaining on the four-year council term for District 3. Government Code Section 36512 (b) provides that when a vacancy on the City Council occurs and there are not at least 130 days prior to the next general municipal election, the Council has 60 days to either fill the vacancy by appointment process or call a special election to fill the vacancy. Due to the effective date of the resignation, there are less than 130 days before the next general election.

Given the cost and delay of holding a special election to fill the vacancy, staff recommends that City Council consider appointing a qualified resident to hold the office for the remaining two years of the term. Appointment must be made prior to September 30th to comply with State law. Ms. Zieba explained that Council has broad discretion on selecting someone to fill the vacancy. The only qualifications for the replacement is that the selected person must reside in Council District 3 and be registered to vote in that district.

Dale Kennedy and Suzanne Byers both gave presentations on why they would like to serve the community as a council member and also provided pertinent information on their background. Council followed up with questions.

Council Member Betancourt moved to accept Suzanne Byers as a new Council Member. Council Member Tuttle seconded to accept, and TO FILL A MID-TERM VACANCY IN CITY COUNCIL DISTRICT 3 AND SELECT

REEDLEY CITY COUNCIL MEETING – September 13, 2022

ONE CANDIDATE TO BE FORMALLY APPOINTED AND SWORN IN TO THE DISTRICT 3 SEAT ON SEPTEMBER 27, 2022

AYES: Betancourt, Tuttle, Fast.
NOES: Soleno.
ABSTAIN: None.
ABSENT: None.

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.

19. REEDLEY AIRPORT COMMISSION MINUTES OF REGULAR MEETING OF MAY 19, 2022 – Community Services
20. REEDLEY COMMUNITY SERVICES COMMISSION MINUTES OF REGULAR MEETING OF MAY 26, 2022 – Community Services

COUNCIL REPORTS

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

Council Member Tuttle:

- Attended the League of California Cities and provided a brief update
- Reminded everyone of the upcoming Fiesta Run

Mayor Fast

- Discussed the senior luncheon at the Reedley Senior Center and shared her excitement that meals will begin to be offered everyday
- Attended the Air Board meeting and provided a brief update
- Also attended League of California Cities and provided a brief update

STAFF REPORTS

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

City Manager, Nicole Zieba

- Reminded everyone of the upcoming Reedley U training and invited Council to attend
- Mentioned upcoming events including Fiesta walk run, pancake breakfast and the parade
- Discussed upcoming joint meeting with the Planning Commission on October 11 and meeting will start at 6pm and Regular meeting at 7pm

ADJOURNMENT

Mayor Fast adjourned the regular meeting at 8:54 p.m.

ATTEST:

Mayor Mary Fast

Ruthie Greenwood, City Clerk



REEDLEY CITY COUNCIL

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

ITEM NO: 6

DATE: September 27, 2022

TITLE: APPROVE AND AUTHORIZE THE CITY MANAGER TO SIGN THE NON-EXCLUSIVE LICENSE AGREEMENT BETWEEN FRESNO STREET EATS AND THE CITY OF REEDLEY TO OFFER RECURRING FOOD TRUCK EVENTS WITHIN PIONEER PARK

SUBMITTED: Sarah Reid
Community Services Director 

Rodney L. Horton 
Community Development Director

APPROVED: Nicole R. Zieba
City Manager 

RECOMMENDATION

Approve and authorize the City Manager to sign the Non-exclusive License Agreement between Fresno Street Eats and the City of Reedley to provide recurring food truck events within Pioneer Park.

BACKGROUND

In July 2022, City staff met with Fresno Street Eats to discuss the opportunity for a partnership to offer a food truck event that was held on August 18, 2022 in Pioneer Park. The one-time event served as a pilot to gauge community interest and to determine if this type of event would be successful in Reedley. Fresno Street Eats has started hosting these types of events in communities similar to Reedley and are having great success with bringing people out in a public space. The General Plan identifies Pioneer Park as a Community Park.

Additionally, the General Plan also notes that community parks are an important component of Reedley's quality of life and create stronger community ties which are crucial factors in the city's long-term growth. Fresno Street Eats pilot event helped to further fulfil the General Plan's vision of place-making while utilizing one of the city's most visible community park in downtown Reedley.

With the success of the August 18, 2022 pilot event, City staff is recommending entering into a long-term agreement with Fresno Street Eats to host events on a monthly basis for up to one year, with the agreement expiring on October 1, 2023. Under the agreement, Fresno Street Eats will be required to acquire an annual business license, provide a certificate of insurance, and to provide a site plan and security plan to the Chief of Police to review and approve should a beer garden be incorporated in any of the events.

ENVIRONMENTAL FINDINGS

Staff has conducted a review and has determined that it is exempt from CEQA pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) under the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Because the proposed action is for Council to approve an agreement with Fresno Street Eats for the purposes of providing recurring community events, it can be seen with certainty that there is no possibility that approving an agreement with Fresno Street Eats to host recurring food truck events may have a significant effect on the environment. Therefore, this action is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

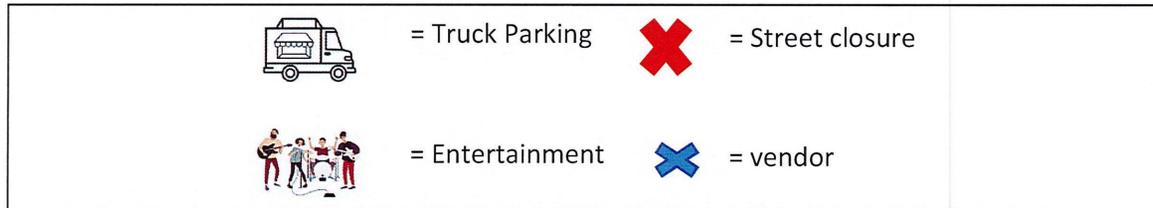
FISCAL IMPACT

There is no fiscal impact to the City of Reedley.

ATTACHMENTS

1. License Agreement
2. Site Plan

**Attachment 1:
Site plan**



Trucks will align the south side of G Street; street vendors will be located on the north side of G Street (sidewalk); entertainment DJ will be located at the bandstand; G Street from 8th to 9th.

**Attachment 2:
Draft Agreement**

LICENSE AGREEMENT

This is a License Agreement (hereinafter "LICENSE"), by and between the City of Reedley (CITY), a political subdivision of the State of California, and Mike Osegueda, an individual of Fresno and business owner of Fresno Street Eats, California (LICENSEE).

1. Description of Licensed Premises. CITY is the owner of Pioneer Park which is a public park (hereinafter "PARK"), located at the corner 8th and G street, right across from the Reedley Police Department and City Hall. PARK has a pavilion, picnic tables, bandshell, gazebo, and restrooms. Electrical power outlets are available at certain locations in the park which are available for these events. LICENSEE may use the CITY premises solely for the purpose of Food Truck Event in the area described in "Exhibit A" attached hereto and incorporated by this reference.
2. Term and Termination. The term of this LICENSE shall consist of a term of one (1) year expiring at midnight on October 1, 2023. LICENSEE may extend this LICENSE for one (1) additional 12-month period with notification in writing signed by both parties prior to the subsequent LICENSE period. Prior to the end of the LICENSE, LICENSEE or CITY may terminate this lease upon 30 days written notice with or without cause.
3. Fees and Licenses. LICENSEE must comply with CITY Business License requirements.
4. Use/ Service Provided. LICENSEE shall use the premises for monthly Food Truck Event on Friday evenings, setup time 3:00pm-5:00pm, event time 5:00pm-9:00pm, clean up time 9:00pm-10:00pm. Dates must be provided to the CITY at least 60 days prior to the event to ensure the date is available. The event description includes food, entertainment and merchant vendors. A beer garden is allowed in the area described in "Exhibit A" as long as the area is fenced off and the event holder takes full responsibility for checking identifications and monitoring the patrons alcohol consumption. Any new attraction not covered in this LICENSE must receive prior approval from the CITY.

5. Maintenance of Premises. LICENSEE shall at all times keep the premises in a neat, safe, and sanitary condition. LICENSEE is responsible for leaving the PARK in the same condition it was found. Vehicles are not allowed to drive on the grass or in the PARK space. All trash and waste created from the event is the responsibility of the LICENSEE. LICENSEE must arrange disposal services with Mid Valley Disposal and is responsible for all fees and cost associated with the disposal service.
6. Event Safety. If alcohol is provided for purchase, LICENSEE is required to provide security at the level that is required for Special Events. Adequate security personnel or trained volunteers as required by the Chief of Police. The company must have a business license with the CITY. LICENSEE shall provide a site plan and security plan to the Chief of Police and receive approval prior to the event.
7. Consumer Food Community Event Requirement. LICENSEE is responsible for complying with all Fresno County Health Department requirements as related to Community Events. LICENSEE must meet all Fresno County Health Department deadlines for submitting paperwork and will be responsible for all Fresno County Health Department fees and coordinating inspections. Food vendors are required to meet all Fresno County Community Event Food Vendor Requirements. Current standards and applications are available on the Fresno County Health Department website.
8. Vendor Release, Waiver and Indemnity Agreement. Prior to each event, LICENSEE is required to have all participating vendors fill out and sign the City of Reedley Release, Waiver, and Indemnity Agreement, attached hereto as Exhibit "B". A copy of all completed waivers must be delivered to the City within 48 hours of the event date in order to receive approval to hold the next event.
9. Indemnification. Except for the sole negligence of CITY, LICENSEE shall defend, indemnify and keep and hold CITY, including City's officers, employees, agents, their successors and assigns, harmless from any and all costs, liability, damage, or expense (including costs of suit and fees and expenses of legal services) claimed by anyone by reason of injury to or death of persons, or damage to or destruction of property, including property of LICENSEE, sustained in, on, or about the demised premises or arising out of LICENSEE's use or occupancy thereof, as a proximate result of the acts or omissions of

LICENSEE, its employees and agents, or its contractors, licensees, invites or subtenants, their successors and assigns or arising out of the condition of the property. CITY shall, by appropriate, written notice to LICENSEE, advise LICENSEE as soon as practicable regarding any potential liability of LICENSEE under this Section.

10. Insurance Requirements.

i. Commercial General Liability

- a. Licensee shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than two million dollars (\$2,000,000) per occurrence for bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit. Licensee's general liability policies shall be primary and shall not seek contribution from the City's coverage, and be endorsed using Insurance Services Office form CG 20 10 (or equivalent) to provide that City and its officers, officials, employees, and agents shall be additional insureds under such policies. For construction projects, an endorsement providing completed operations coverage for the additional insured, ISO form CG 20 37 (or equivalent), is also required.
- b. Any failure to comply with reporting provisions of the policies by Licensee shall not affect coverage provided the City.
- c. Coverage shall state that Licensee insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
- d. Coverage shall contain a waiver of subrogation in favor of the City.

ii. Business Automobile Liability

- a. Licensee shall provide auto liability coverage for owned, non-owned, and hired autos using ISO Business Auto Coverage form CA 00 01 (or equivalent) with a limit of no less than two million dollars (\$2,000,000) per accident.

iii. Workers' Compensation and Employers' Liability

- a. Licensee shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance with limits of at least one million dollars (\$1,000,000). Licensee shall submit to City, along with the certificate of insurance,

a waiver of subrogation endorsement in favor of City, its officers, agents, employees, and volunteers.

iv. All Coverages

- a. Each insurance policy required by the agreement shall be endorsed to state that coverage shall not be suspended, voided, cancelled, or reduced in limits except after thirty (30) days' prior written notice has been given to the City, except that ten (10) days' prior written notice shall apply in the event of cancellation for nonpayment of premium.
- b. All self-insurance, self-insured retentions, and deductibles must be declared and approved by the City.
- c. Evidence of Insurance - Prior to commencement of work, the Licensee shall furnish the City with certificates, additional insured endorsements, and waivers of subrogation evidencing compliance with the insurance requirements above. The Licensee must agree to provide complete, certified copies of all required insurance policies if requested by the City.
- d. Acceptability of Insurers - Insurance shall be placed with insurers admitted in the State of California and with an AM Best rating of A- VII or higher.
- e. Enforcement of Contract Provisions (non estoppel). LICENSEE acknowledges and agrees that any actual or alleged failure on the part of the CITY to inform LICENSEE of non-compliance with any requirement imposes no additional obligations on the CITY, nor does it waive any rights hereunder.
- f. Specifications not Limiting. Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type.
- g. Notice of Cancellation. LICENSEE agrees to oblige its insurance agent or broker and insurers to provide to Agency with thirty (30) days' notice of cancellation (except for nonpayment for which ten (10) days' notice is required) or nonrenewal of coverage for each required coverage.

11. General Provisions. The following general provisions apply to this Agreement:

- a. Full Understanding of the Parties. This LICENSE represents the total and complete understanding of the Parties. Any other oral understandings or other prior understandings shall have no force or effect. This LICENSE is intended to be comprehensive as an integrated agreement containing all of the understandings and contractual obligations of the parties.
- b. Further Assurances. The CITY and LICENSEE agree to cooperate fully in carrying out the terms and conditions of this LICENSE, including the execution of such documents or taking further action that may be necessary to carry out the purposes and intent of this LICENSE.
- c. Compliance with Laws and Regulations. The Parties shall comply with all applicable laws and regulations in performing any rights or obligations of this LICENSE, or which may be applicable to the Airport.
- d. Severability. If any provision in this LICENSE is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force and effect without being impaired or invalidated in any way. Each and every provision required by law to be inserted into this LICENSE shall be deemed to be inserted herein, and the LICENSEE shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon application of either Party, this LICENSE shall forthwith be physically amended to make such insertion or correction.
- e. Amendment. The terms of this LICENSE shall not be amended in any manner except by written agreement signed by the Parties.
- f. Headings and Captions. The clause headings or captions appearing in this LICENSE have been inserted for the purpose of convenience and ready reference. They do not purport to and shall not be deemed to define, limit, or extend the scope or intent of the clauses to which they appertain.
- g. Authorized Representative. Each signatory to this LICENSE on behalf of an entity other than an individual, represents and warrants that he or she is the duly authorized representative of the Party for whom the signatory executes this LICENSE and may bind such entity to this LICENSE.

EXECUTION

Wherefore, the Parties hereto, by their signatures herein below, enter into this LICENSE effective as of the Effective Date.

CITY

Signed: _____ Date: _____
Print Name: Nicole R. Zieba
Title: City Manager

LICENSEE

Signed: _____ Date: _____
Print Name: Mike Osegueda
Title: An Individual



REEDLEY CITY COUNCIL

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

ITEM NO: 7

DATE: September 27, 2022

TITLE: APPROVE THE FOLLOWING ACTIONS TO FUND THE 2022-23 EXPANDED LEARNING PROGRAMS AT T L REED AND WASHINGTON SCHOOL SITES:

- A) APPROVE AND AUTHORIZE THE CITY MANAGER TO SIGN AN AMENDMENT 1 TO THE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE KINGS CANYON UNIFIED SCHOOL DISTRICT (KCUSD)
- B) ADOPT RESOLUTION 2022-082 AMENDING THE 2022-23 ADOPTED BUDGET APPROPRIATING \$428,052 IN THE GENERAL FUND TO COVER COSTS ASSOCIATED WITH THE EXPANDED LEARNING PROGRAM (ELP)

SUBMITTED: Sarah Reid
Community Services Director

APPROVED: Nicole R. Zieba
City Manager

RECOMMENDATION

Approve the following actions to fund the 2022-23 Expanded Learning Programs at T L Reed and Washington School Sites: A) Approve and authorize the City Manager to sign an Amendment 1 to the Memorandum of Understanding (MOU) with the Kings Canyon Unified School District (KCUSD); B) Adopt Resolution No. 2022-082 amending the 2022-23 Adopted Budget appropriating \$428,052 in the General Fund to cover costs associated with the Expanded Learning Opportunities Programs (ELOP).

EXECUTIVE SUMMARY

The City of Reedley has provided services for the Expanded Learning Programs (ELP) at TL Reed and Washington School sites since 2006. Over the years, staff has seen the programs evolve and grow to meet the needs of the district and as priorities change. The State of California is providing additional funding designated for ELP. KCUSD is receiving an additional \$11.3 million provided to eliminate waitlists, provide transportation home from programs, expand services to include

transitional kindergarten (TK) students, and enhance already existing programs. This additional funding is increasing the responsibilities and demands on the part-time program Site Coordinators, which already have a full load of responsibilities to manage. The KCUSD recognizes the impact this will have on the service providers, and has authorized additional contract funding necessary for the City of Reedley to hire one (1) full time Recreation Coordinator position to absorb these additional duties and oversee both sites and convert one (1) part time Office Assistant to a full time Staff Assistant who will assist Administrative Services Department and the Community Services Department with account payable responsibilities. The biggest change this additional funding provides is the experiences and field trips the programs will offer to students. Supply funding for previous years was \$20,000 per site. Amendment 1 is increasing this amount to \$171,042 per site.

ELP is supported through different funding sources. The program at T L Reed receives funding from Proposition 49 After School Education and Safety and KCUSD. The Washington school program receives funding from Proposition 49 After School Education and Safety, KCUSD, and Save the Children. Staff is currently working through the Request for Proposal process required from Fresno County Superintendent of Schools for the Proposition 49 ASES funding contracts. This will come before the City Council in a future meeting.

FISCAL IMPACT

Program details and budget amounts were not available in time to be included in the City of Reedley Proposed 2022-23 Fiscal Year Budget. Staff has met with representatives from KCUSD for the past few months to determine what this additional funding means for ELP and how best the dollars can be used to meet the intention of this funding. Each site will receive \$171,042 for supplies and experiences for students. Additional staff funding is being provided to manage the additional duties and responsibilities this funding brings. Resolution NO. 2022-082 requesting \$428,052 increases the site budgets to fund the additional positions and increased site supplies.

PRIOR COUNCIL ACTIONS

On May 24, 2022, the City Council approved Memorandum of Understanding with KCUSD for services at the school sites of T L Reed and Washington for the 2022-23 school year and approved Resolution NO. 2022-044 authorizing the addition of one (1) full time Recreation Coordinator to oversee both ELP sites. On July 26, 2022, the City Council adopted Resolution NO. 2022-045 amending the 2022-23 Adopted Budget appropriating \$186,533 in the General Fund to cover the costs associated with the ELP and align the City of Reedley budget with approved contract amounts. On August 9, 2022, the City Council authorized the addition of one (1) full time Office Assistant to support the additional purchasing responsibilities within the ELP.

ATTACHMENTS

1. Memorandum of Understanding with the KCUSD
2. Amendment 1 to the Memorandum of Understanding with KCUSD
3. Resolution NO. Budget Amendment 2022-082
4. Resolution NO. 2022-044, Recreation Coordinator position
5. Resolution NO. 2022-045, Budget Amendment
6. Resolution NO. 2022-073, Office Assistant position

Memorandum of Understanding

BETWEEN
KINGS CANYON UNIFIED SCHOOL DISTRICT (KCUSD)
AND
CITY OF REEDLEY (CITY)

**TO SUPPORT THE EXPANDED LEARNING PROGRAMS AND PROVIDE STAFFING FOR THE
SCHOOL DAY SUPPORT PROGRAM AT WASHINGTON ELEMENTARY SCHOOL AND THOMAS
LAW REED**

I. TERM

The effective dates of the Agreement are from August 1, 2022 to June 30, 2023. The first day of service shall be on or after August 1, 2022. Programs will run no later than June 30, 2023.

II. SERVICES TO BE PERFORMED

Expanded Learning Programs: Services will include academic tutoring and enrichment programs (which may include intramural activities, performing arts, cultural topics, arts & crafts, and community service). Services will be provided each day that the afterschool program meets.

CITY will provide nine Recreation Leaders and one Assistant Site Coordinator at Washington Elementary School and eleven Recreation Leaders and one Assistant Site Coordinator at Thomas Law Reed who will distribute a healthy snack, provide academic tutoring, and offer enrichment activities (which may include performing arts, cultural topics, arts & crafts, structured recreation, applied science, and community service) in a safe environment, conducive for the student-participant's personal growth. The student to staff ratio at each site is 16 students to 1 staff member but at no time will this exceed 20 students to 1 staff member. CITY will provide one full time Recreation Coordinator as a response to the additional funding and additional duties for the Expanded Learning Opportunities Program. This employee will coordinate with both programs and provide support with purchasing, hiring, program monitoring requirements, and mentoring staff.

School Day Support Programs: CITY will provide personnel who will support the regular school day staff by providing supervision for KCUSD students. CITY staff will take direction from site administration in providing various activities for these students during the regular school day. Services will be provided up to 7.5 hours per day at each site throughout the plan days.

CITY will provide two staff members at Washington Elementary School and three staff members at Thomas Law Reed.

CITY will provide administration, recruitment, coordination, field site supervision, general implementation and professional development for both programs.

CITY will provide professional development for each staff member including classroom management, lesson planning and implementation, and child development principles. Ongoing evaluation, training and coaching of staff are included.

CITY will complete reporting procedures required by KCUSD administration (e.g., attendance tracking, site profiles), as needed.

III. DESCRIPTION OF PROJECT PLAN

Expanded Learning Programs: The expansion will increase the student participation and provide services so there is no student on the waiting list which will bring down the student to staff ratio. The program at Washington School site will increase to include Transitional Kindergarten students. The students' participation in this project will increase their academic skills and their opportunities for personal growth. The goal of the Expanded Learning Programs are to enhance participating students in academic skills, leadership skills, self-concept, personal awareness, improved decision-making skills, and self-motivation.

IV. MANNER OF PERFORMANCE

CITY shall perform all services required in a competent and professional manner. All CITY employee will have fingerprint clearance through DOJ and FBI, and have a negative TB test result on file (within 4 years of contract date). Each CITY employee shall complete the CITY employment application and screening process prior to participation. The CITY Expanded Learning Program Director or Designee shall review, evaluate, and determine the acceptance of the Program to be produced under the terms of this agreement, in conjunction with KCUSD personnel or Designee.

V. SUPPLIES AND EQUIPMENT

All materials and supplies utilized as part of these programs will be purchased by CITY (as part of the total fees for services) or by After School Education and Safety Program Act of 2002 (ASES) and or Save the Children funds where applicable.

VI. PLACE OF PERFORMANCE

CITY shall render service(s) described above at the following location: Washington Elementary School and Thomas Law Reed.

VII. COMPENSATION

The maximum to be paid to CITY by KCUSD for all services and materials, including employer costs, provided under the terms of this Agreement shall not exceed \$728,697.

CITY will invoice KCUSD in advance of services within 30 days of the execution of this agreement.

VIII. INDEMNIFICATION

Each party shall indemnify, defend and hold harmless the other party, its officers, agents, employees and members of its governing board, from and against any and all third party claims, demands, losses, judgments, liabilities, causes of action and expenses, including attorney fees and costs, of any kind or nature they may sustain or incur or which may be imposed upon them for injury to or death of any person, or damage to property, or for any other act(s) arising out of or in any manner related to or connected with the indemnifying party's (including its officers, agents and employees) willful misconduct or negligence in performing, or failing to perform, its duties or obligations under this Memorandum of Understanding.

IX. LIABILITY INSURANCE

Without limiting CITY indemnification, CITY shall secure and maintain during the term of the Agreement, a comprehensive general liability policy using an occurrence policy form with combined single limits of one million dollars, (\$1,000,000) with a three million (\$3,000,000) aggregate limit. KCUSD shall be named as an additional insured on the policies.

X. TERMINATION OF AGREEMENT

This Agreement terminates June 30, 2023. Any party may terminate this agreement at any time for any reason upon written 30 days' notice. In the event of early termination, CITY shall be paid for satisfactory work performed to the date of termination.

XI. By entering into this MOU all parties recognize and agree:

- A. To work collaboratively as partners to ensure the success of the programs.
- B. That this agreement may be modified at any time by written consent.
- C. That certain information received in the course of business is confidential according to law and policy and agrees to respect requirements in this regard.
- D. That availability of funds may have a bearing on the ability to implement all or parts of this agreement.
- E. That CITY and KCUSD shall comply with all applicable Federal, State, and local laws in the performance of these services.

WITNESS THEREOF, the parties hereto have executed this MOU as of the day and year first written below:

KCUSD:

CITY:



John Campbell
Superintendent

Date

 5/26/22

Nicole R. Zieba
City Manager

Date

CITY 2022-23 Student Supervision

School	# Staff	Personnel	Supervisor & Admin	Total
TL Reed ELP	12	\$253,911	\$38,028	\$291,939
Washington ELP	10	\$232,613	\$34,838	\$267,451
TL Reed School Support	3	\$88,427	\$13,258	\$101,685
Washington School Support	2	\$58,951	\$8,671	\$67,622
Total	27	\$633,902	\$94,795	\$728,697

AMENDMENT 1
Memorandum of Understanding

BETWEEN
KINGS CANYON UNIFIED SCHOOL DISTRICT (KCUSD)
AND
CITY OF REEDLEY (CITY)

**TO SUPPORT THE EXPANDED LEARNING PROGRAMS AND PROVIDE STAFFING FOR THE
SCHOOL DAY SUPPORT PROGRAM AT WASHINGTON ELEMENTARY SCHOOL AND THOMAS
LAW REED**

I. TERM

The effective dates of the Agreement are from August 1, 2022 to June 30, 2023. The first day of service shall be on or after August 1, 2022. Programs will run no later than June 30, 2023.

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CITY will provide nine Recreation Leaders and one Assistant Site Coordinator at Washington Elementary School and eleven Recreation Leaders and one Assistant Site Coordinator at Thomas Law Reed who will distribute a healthy snack, provide academic tutoring, and offer enrichment activities (which may include performing arts, cultural topics, arts & crafts, structured recreation, applied science, and community service) in a safe environment, conducive for the student-participant's personal growth. The student to staff ratio at each site is 16 students to 1 staff member but at no time will this exceed 20 students to 1 staff member. CITY will provide one full time Recreation Coordinator as a response to the additional funding and additional duties for the Expanded Learning Opportunities Program. This employee will coordinate with both programs and provide support with purchasing, hiring, program monitoring requirements, and mentoring staff. CITY will provide one full time Staff Assistant to support with the added responsibilities associated with accounts payable due to extra funding provided through the Expanded Learning Opportunity Program (ELOP) for supplies and experiences and auditing duties.

School Day Support Programs: CITY will provide personnel who will support the regular school day staff by providing supervision for KCUSD students. CITY staff will take direction from site administration in providing various activities for these students during the regular school day. Services will be provided up to 7.5 hours per day at each site throughout the plan days.

CITY will provide two staff members at Washington Elementary School and three staff members at Thomas Law Reed.

CITY will provide administration, recruitment, coordination, field site supervision, general implementation and professional development for both programs.

CITY will provide professional development for each staff member including classroom management, lesson planning and implementation, and child development principles. Ongoing evaluation, training and coaching of staff are included.

CITY will complete reporting procedures required by KCUSD administration (e.g., attendance tracking, site profiles), as needed.

III. DESCRIPTION OF PROJECT PLAN

Expanded Learning Programs: The expansion will increase the student participation and provide services so there is no student on the waiting list which will bring down the student to staff ratio. The program at Washington School site will increase to include Transitional Kindergarten students. The students' participation in this project will increase their academic skills and their opportunities for personal growth. The goal of the Expanded Learning Programs are to enhance participating students in academic skills, leadership skills, self-concept, personal awareness, improved decision-making skills, and self-motivation.

IV. MANNER OF PERFORMANCE

CITY shall perform all services required in a competent and professional manner. All CITY employee will have fingerprint clearance through DOJ and FBI, and have a negative TB test result on file (within 4 years of contract date). Each CITY employee shall complete the CITY employment application and screening process prior to participation. The CITY Expanded Learning Program Director or Designee shall review, evaluate, and determine the acceptance of the Program to be produced under the terms of this agreement, in conjunction with KCUSD personnel or Designee.

V. SUPPLIES AND EQUIPMENT

All materials and supplies utilized as part of these programs will be purchased by CITY (as part of the total fees for services) or by After School Education and Safety Program Act of 2002 (ASES) and or Save the Children funds where applicable.

VI. PLACE OF PERFORMANCE

CITY shall render service(s) described above at the following location: Washington Elementary School and Thomas Law Reed.

VII. COMPENSATION

The maximum to be paid to CITY by KCUSD for all services and materials, including employer costs, provided under the terms of this Agreement shall not exceed **\$1,154,655.**

CITY will invoice KCUSD in advance of services within 30 days of the execution of this agreement.

VIII. INDEMNIFICATION

Each party shall indemnify, defend and hold harmless the other party, its officers, agents, employees and members of its governing board, from and against any and all third party claims, demands, losses, judgments, liabilities, causes of action and expenses, including attorney fees and costs, of any kind or nature they may sustain or incur or which may be imposed upon them for injury to or death of any person, or damage to property, or for any other act(s) arising out of or in any manner related to or connected with the indemnifying party's (including its officers, agents and employees) willful misconduct or negligence in performing, or failing to perform, its duties or obligations under this Memorandum of Understanding.

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Without limiting CITY indemnification, CITY shall secure and maintain during the term of the Agreement, a comprehensive general liability policy using an occurrence policy form with combined single limits of one million dollars, (\$1,000,000) with a three million (\$3,000,000) aggregate limit. KCUSD shall be named as an additional insured on the policies.

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This Agreement terminates June 30, 2023. Any party may terminate this agreement at any time for any reason upon written 30 days' notice. In the event of early termination, CITY shall be paid for satisfactory work performed to the date of termination.

XI. By entering into this MOU all parties recognize and agree:

- A. To work collaboratively as partners to ensure the success of the programs.
- B. That this agreement may be modified at any time by written consent.
- C. That certain information received in the course of business is confidential according to law and policy and agrees to respect requirements in this regard.
- D. That availability of funds may have a bearing on the ability to implement all or parts of this agreement.
- E. That CITY and KCUSD shall comply with all applicable Federal, State, and local laws in the performance of these services.

WITNESS THEREOF, the parties hereto have executed this MOU as of the day and year first written below:

KCUSD:

CITY:

John Campbell
Superintendent

Date

Nicole R. Zieba
City Manager

Date

CITY 2022-23 Student Supervision

School	# Staff	Personnel	Supervisor & Admin	Supplies & Experience	Total
TL Reed ELP	12	\$300,210	\$43,328	\$171,042	\$514,580
Washington ELP	10	\$263,388	\$36,338	\$171,042	\$470,768
TL Reed School Support	3	\$88,427	\$13,258	0.00	\$101,685
Washington School Support	2	\$58,951	\$8,671	0.00	\$67,622
Total	27	\$710,976	\$101,595	\$342,084	\$1,154,655

BUDGET AMENDMENT RESOLUTION 2022-082

The City Council of the City of Reedley does hereby amend the 2022-2023 Budget as follows:

SECTION I - ADDITIONS

Account Number	Account Description	Amount
001-4661.1010	KCUSD Expansion Washington Salaries Full Time	\$ 13,078
001-4661.1040	KCUSD Expansion Washington SS & Medicare FT Salaries	1,000
001-4661.1050	KCUSD Expansion Washington CalPers Retirement Employer Costs	1,044
001-4661.1059	KCUSD Expansion Washington Dental Premium Cost	238
001-4661.1060	KCUSD Expansion Washington Health Insurance Premium	8,514
001-4661.1070	KCUSD Expansion Washington Workers Comp Premium FT	103
001-4661.1080	KCUSD Expansion Washington Long Term Disability Insurance	27
001-4661.2010	KCUSD Expansion Washington Office Supplies	400
001-4661.2020	KCUSD Expansion Washington Special Supplies	169,692
001-4661.2523	KCUSD Expansion Washington Mileage Reimbursement	400
001-4661.4022	KCUSD Expansion Washington Software Licenses \$ Mtce	350
001-4661.6021	KCUSD Expansion Washington Computers & Peripherals	3,200
001-4661.7015	KCUSD Expansion Washington HR ISF Transfer	4,000
001-4663.1010	KCUSD Expansion T L Reed Salaries Full Time	13,474
001-4663.1020	KCUSD Expansion T L Reed Salaries PT & Temporary	19,111
001-4663.1040	KCUSD Expansion T L Reed SS & Medicare FT Salaries	1,000
001-4663.1041	KCUSD Expansion T L Reed SS & Medicare PT Salaries	1,300
001-4663.1050	KCUSD Expansion T L Reed CalPers Retirement Employer Costs	1,044
001-4663.1059	KCUSD Expansion T L Reed Dental Premium Cost	238
001-4663.1060	KCUSD Expansion T L Reed Health Insurance Premium	8,514
001-4663.1070	KCUSD Expansion T L Reed Workers Comp Premium FT	103
001-4663.1071	KCUSD Expansion T L Reed Workers Comp Premium PT	1,153
001-4663.1080	KCUSD Expansion T L Reed Long Term Disability Insurance	27
001-4663.2010	KCUSD Expansion T L Reed Office Supplies	400
001-4663.2020	KCUSD Expansion T L Reed Special Supplies	170,692
001-4663.2523	KCUSD Expansion T L Reed Mileage Reimbursement	400
001-4663.4010	KCUSD Expansion T L Reed Maintenance Contracts	1,000
001-4663.4022	KCUSD Expansion T L Reed Software Licenses \$ Mtce	350
001-4663.6021	KCUSD Expansion T L Reed Computers & Peripherals	3,200
001-4663.7015	KCUSD Expansion T L Reed HR ISF Transfer	4,000
Total		\$ 428,052

Purpose: Staff is requesting additional appropriations to cover the full time and part time salaries, benefits and special supplies to provide the Expanded Learning Programs at T L Reed and Washington School sites. These additional appropriations reflect the amounts in Amendment 1 Memorandum of Understanding with Kings Canyon Unified School District.

SECTION II - SOURCE OF FUNDING

Account Number	Account Description	Amount
001-3824	KCUSD Expansion Washington	\$ 202,046
001-3838	KCUSD T L Reed Expansion	226,006
Total		\$ 428,052

Impact: Revenue for the Expanded Learning Program contracts for T L Reed and Washington School sites to reflect the amounts in Amendment 1 Memorandum of Understanding with Kings Canyon Unified School District.

REVIEWED:

RECOMMENDED:



Assistant City Manager 9/22/22

City Manager

The foregoing resolution was approved by the City Council of the City of Reedley on September 27, 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

ATTEST:

Mary L. Fast, Mayor

Greenwood, City Clerk

RESOLUTION NO. 2022-044

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY AUTHORIZING THE ADDITION OF ONE (1) FULL TIME RECREATION COORDINATOR POSITION TO THE FISCAL YEAR 2021-22 ADOPTED BUDGET TO SUPPORT THE ADDITIONAL RESPONSIBILITIES WITHIN THE EXPANDED LEARNING PROGRAMS

WHEREAS, State of California has approved additional funding to further support Expanded Learning Opportunities Programs (ELOP); and

WHEREAS, this additional funding is meant to eliminate waiting lists, expand the programs to Transitional Kindergarten students, provide transportation from programs, and enhance already existing programs; and

WHEREAS, with the additional workload demands on the City Expanded Learning Opportunities Programs at Washington and T L Reed School sites, the Kings Canyon Unified School District administration has approved providing additional funding for one (1) full time employee which will oversee both sites; and

WHEREAS, this full-time position will be 100% funded through ELOP funding with no impact to the General Fund; and

WHEREAS, this position is dependent on the State of California ELOP funding, and would be eliminated if the funding was to be reduced or no longer available for this purpose.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Reedley authorizes the addition of one (1) full time Recreation Coordinator position to the Fiscal Year 2021-22 Adopted Budget for the purpose of overseeing the City Expanded Learning Programs.

This foregoing resolution is hereby adopted this 24th day of May, 2022, by the following vote:

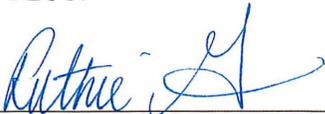
AYES: Betancourt, Soleno, Tuttle, Fast.

NOES: None.

ABSTAIN: None.

ABSENT: Beck.

ATTEST:



Ruthie Greenwood, City Clerk



Mary L. Fast, Mayor



BUDGET AMENDMENT RESOLUTION 2022-045

The City Council of the City of Reedley does hereby amend the 2022-2023 Budget as follows:

SECTION I - ADDITIONS

Account Number	Account Description	Amount
001-4661.1010	KCUSD Expansion Washington Salaries Full Time	\$ 21,870
001-4661.1020	KCUSD Expansion Washington Salaries PT & Temporary	49,851
001-4661.1040	KCUSD Expansion Washington SS & Medicare FT Salaries	1,673
001-4661.1041	KCUSD Expansion Washington SS & Medicare PT Salaries	3,814
001-4661.1050	KCUSD Expansion Washington CalPers Retirement Employer Costs	1,747
001-4661.1059	KCUSD Expansion Washington Dental Premium Cost	360
001-4661.1060	KCUSD Expansion Washington Health Insurance Premium	12,900
001-4661.1070	KCUSD Expansion Washington Workers Comp Premium FT	828
001-4661.1071	KCUSD Expansion Washington Workers Comp Premium PT	2,624
001-4661.1080	KCUSD Expansion Washington Long Term Disability Insurance	46
001-4663.1010	KCUSD Expansion T L Reed Salaries Full Time	21,870
001-4663.1020	KCUSD Expansion T L Reed Salaries PT & Temporary	18,356
001-4663.1040	KCUSD Expansion T L Reed SS & Medicare FT Salaries	1,673
001-4663.1041	KCUSD Expansion T L Reed SS & Medicare PT Salaries	1,404
001-4663.1050	KCUSD Expansion T L Reed CalPers Retirement Employer Costs	1,747
001-4663.1059	KCUSD Expansion T L Reed Dental Premium Cost	360
001-4663.1070	KCUSD Expansion T L Reed Workers Comp Premium FT	828
001-4663.1071	KCUSD Expansion T L Reed Workers Comp Premium PT	966
001-4663.1080	KCUSD Expansion T L Reed Long Term Disability Insurance	46
001-4657.1020	Save the Children Washington PT & Temporary	4,710
001-4657.1041	Save the Children Washington SS & Medicare PT Salaries	360
001-4657.1071	Save the Children Washington Workers Comp Premium PT	248
001-4657.2020	Save the Children Washington Special Supplies	11,250
001-4657.3007	Save the Children Professional Development	1,300
001-4658.1020	ASES TL Reed Salaries PT & Temporary	8,683
001-4658.1041	ASES TL Reed SS & Medicare PT Salaries	664
001-4658.1071	ASES TL Reed Workers Comp Premium PT	476
001-4659.1020	ASES Washington Salaries PT & Temporary	14,035
001-4659.1041	ASES Washington SS & Medicare PT Salaries	1,074
001-4659.1071	ASES Washington Workers Comp Premium PT	770
Total		\$ 186,533

Purpose: Staff is requesting additional appropriations to cover the full time and part time salaries, benefits and special supplies to provide the Expanded Learning Programs at T L Reed and Washington School sites. These additional appropriations reflect the amounts approved in the 2022-23 Expanded Learning Program contracts with Kings Canyon Unified School District, Save the Children and Fresno County Superintendent of Schools.

SECTION II - SOURCE OF FUNDING

Account Number	Account Description	Amount
001-3824	KCUSD Expansion Washington	\$ 95,713
001-3838	KCUSD T L Reed Expansion	47,250
001-3833	Save the Children Literacy Washington	17,868
001-3835	ASES T L Reed	9,823
001-3845	ASES Washington	15,879
Total		\$ 186,533

Impact: Revenue for the Expanded Learning Program contracts for T L Reed and Washington School sites to reflect the amounts approved in the 2022-23 Expanded Learning Program contracts with Kings Canyon Unified School District, Save the Children and Fresno County Superintendent of Schools.

REVIEWED:

Deborah Miller 7/18/22
Assistant City Manager

RECOMMENDED:

[Signature]
City Manager

The foregoing resolution was approved by the City Council of the City of Reedley on July 26, 2022, by the following vote:

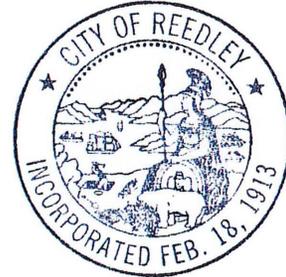
AYES:	Solano, Tuttle, Betancourt, Fast.
NOES:	None.
ABSENT:	Beck.
ABSTAIN:	None.

APPROVED:

Mary L. Fast
Mary L. Fast, Mayor

ATTEST:

[Signature]
Greenwood, City Clerk



RESOLUTION NO. 2022-073

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY AUTHORIZING THE ADDITION OF ONE (1) FULL TIME STAFF ASSISTANT POSITION TO THE FISCAL YEAR 2022-23 ADOPTED BUDGET TO SUPPORT THE ADDITIONAL RESPONSIBILITIES WITHIN THE EXPANDED LEARNING PROGRAMS

WHEREAS, State of California has approved additional funding to further support Expanded Learning Opportunities Programs (ELOP); and

WHEREAS, this additional funding is meant to eliminate waiting lists, expand the programs to Transitional Kindergarten students, provide transportation from programs, and enhance already existing programs with opportunities that funding could not previously support; and

WHEREAS, with the additional workload demands related to purchasing on the City Expanded Learning Opportunities Programs at Washington and T L Reed School sites, the Kings Canyon Unified School District administration has approved providing additional funding for one (1) full time employee which will coordinate and oversee the purchasing of experiences, supplies and field trips for both sites; and

WHEREAS, this full-time position will be 75% funded through ELOP funding with no additional impact to the General Fund; and

WHEREAS, this position is dependent on the State of California ELOP funding, and would be eliminated if the funding was to be reduced or no longer available for this purpose.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Reedley authorizes the addition of one (1) full time Staff Assistant position to the Fiscal Year 2022-23 Adopted Budget for the purpose of overseeing the purchasing aspect of the City Expanded Learning Programs.

This foregoing resolution is hereby adopted this 9th day of August, 2022, by the following vote:

AYES: Tuttle, Soleno, Betancourt, Fast.

NOES: None.

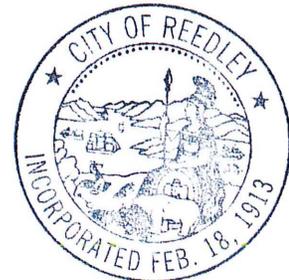
ABSTAIN: None.

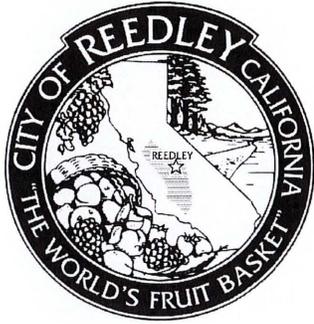
ABSENT: Beck.


Mary L. Fast, Mayor

ATTEST:


Ruthie Greenwood, City Clerk





REEDLEY CITY COUNCIL

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

ITEM NO: 8

DATE: September 27, 2022

TITLE: CONSIDER THE FOLLOWING ITEMS (A), (B) AND (C) FOR A TRAFFIC SIGNAL ON REED AVENUE AND THE NORTHERNMOST ENTRANCE TO REEDLEY COLLEGE

- A) AUTHORIZE THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING WITH KINGS CANYON UNIFIED SCHOOL DISTRICT FOR THE TRAFFIC SIGNAL.
- B) AUTHORIZE THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING WITH REEDLEY COLLEGE AND/OR STATE CENTER COMMUNITY COLLEGE DISTRICT FOR THE TRAFFIC SIGNAL AND MAKE NON-SUBSTANTIVE CHANGES, IF NECESSARY.
- C) ADOPT RESOLUTION NO. 2022-083 AMENDING THE FISCAL YEAR 2022-23 ADOPTED BUDGET APPROPRIATING \$600,000 IN AVAILABLE MEASURE C FLEXIBLE FUNDS FOR THE TRAFFIC SIGNAL

SUBMITTED: Marilu S. Morales, P.E.
City Engineer

APPROVED: Nicole R. Zieba
City Manager

RECOMMENDATION

Staff recommends that the City Council take the following action:

- A) Authorize the City Manager to execute the attached Memorandum of Understanding (MOU) with Kings Canyon Unified School District (KCUSD) for a traffic signal on Reed Avenue and the northernmost entrance to Reedley College (Project) and make non-substantive change to the MOU, if necessary.
- B) Authorize the City Manager to execute the attached MOU with Reedley College and/or State Center Community College District (SCCCD) for the Project and make non-substantive change to the MOU, if necessary.
- C) Adopt Resolution No. 2022-083 amending the fiscal year 2022-23 adopted budget appropriating \$600,000 in available Measure C Flexible Funds for the Project.

BACKGROUND

Reedley College is currently constructing a Performing Arts Center on the northwest corner of Reed Avenue and the northernmost entrance to Reedley College. During the environmental process for the Performing Arts Center, a traffic impact analysis (TIA) was performed and the TIA recommended signaling the intersection at "Near Term plus Project Traffic Conditions." Due to this, the City initiated discussion with KCUSD and SCCCDC to discuss the option to jointly implement the Project with the City

taking the lead and KCUSD and SCCCDC supporting the Project financially. After discussions KCUSD agreed to fund costs for the project up to \$150,000 and SCCCDC agreed to fund costs for the project up to \$150,000 with an additional \$100,000 for contract change order costs.

Once the MOUs are executed by all parties, the City will initiate the development of an RFP for design services and bring the agreement to Council for approval. Upon completion of the plans and specifications, the Project will be released for bid and an agreement for the construction contract will be brought to Council for approval.

FISCAL IMPACT

The estimated cost for the design, construction and construction management of the Project is \$600,000 based on recent construction costs for similar project in the Central Valley. KCUSD has agreed to fund cost of services that will not exceed \$150,000. SCCCDC has agreed to fund cost of services that will not exceed \$150,000. In addition, SCCCDC has agreed to fund construction change orders incurred during construction that will not exceed \$100,000.

ATTACHMENTS

1. Memorandum of Understanding City of Reedley and Kings Canyon Unified School District
2. Memorandum of Understanding City of Reedley and State Center Community College District
3. Page 53 of Performing Arts Center – City of Reedley Draft Traffic Impact Analysis Report
4. Budget Amendment Resolution No. 2022-083

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF REEDLEY AND KINGS CANYON UNIFIED
SCHOOL DISTRICT**

TERM of AGREEMENT:

This Memorandum of Understanding, herein referred to as "MOU," is entered into this _____ day of _____, 202____ by and between City of Reedley (CITY) and Kings Canyon Unified School District (KCUSD) for a traffic signal at the intersection of Reed Avenue and the northernmost entrance to Reedley College (PROJECT).

CITY AGREEMENT:

- CITY will solicit and contract with a consultant for the design of the PROJECT.
- CITY will solicit bids for the construction of the PROJECT and be responsible for all bidding and construction oversight.
- CITY will ensure proper construction management of PROJECT by CITY staff or a construction management consultant.
- Due to maintenance and liability considerations, CITY has the final say on all project decisions.
- CITY will maintain all improvements with all available and eligible resources.
- CITY will bill KCUSD a percentage of expenses incurred during the design and construction of PROJECT, not to exceed \$150,000.

KCUSD AGREEMENT:

- KCUSD will process invoices received immediately upon receipt of invoices and project status update.

INDEMNIFICATION

Each party shall indemnify and hold harmless the other party, its officers, employees, agents and members of its governing board, from and against any and all third party claims, demands, losses, judgements, liabilities, causes of action and expenses, including attorney fees and costs, of any kind or nature they may sustain or incur which may be imposed upon them for injury to or death of any person, or damage to property, or for any other act(s) arising out of or in any manner related to or connected with the indemnifying party's (including its officers, agents and employees) willful misconduct or negligence in performing, or failing to perform, its duties or obligations under this MOU.

By entering into this MOU all parties recognize and agree:

1. To work collaboratively as partners along with State Center Community College District (SCCCD) to ensure the success of the design and construction of the PROJECT.
2. To have mutual agreement of conceptual design prior to releasing PROJECT to bid.

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF REEDLEY AND STATE CENTER COMMUNITY
COLLEGE DISTRICT**

TERM of AGREEMENT:

This Memorandum of Understanding, herein referred to as "MOU," is entered into this _____ day of _____, 202____ by and between City of Reedley (CITY) and State Center Community College District (SCCCD) for a traffic signal at the intersection of Reed Avenue and the northernmost entrance to Reedley College (PROJECT).

CITY AGREEMENT:

- CITY will solicit and contract with a consultant for the design of the PROJECT.
- CITY will solicit bids for the construction of the PROJECT and be responsible for all bidding and construction oversight.
- CITY will ensure proper construction management of PROJECT by CITY staff or a construction management consultant.
- Due to maintenance and liability considerations, CITY has the final say on all project decisions.
- CITY will maintain all improvements with all available and eligible resources.
- CITY will bill SCCCDC a percentage of expenses incurred during the design and construction of PROJECT, not to exceed \$150,000.
- CITY will bill SCCCDC for construction change orders incurred during construction PROJECT, not to exceed \$100,000

SCCCDC AGREEMENT:

- SCCCDC will process invoices received immediately upon receipt of invoices and project status update.

INDEMNIFICATION

Each party shall indemnify and hold harmless the other party, its officers, employees, agents and members of its governing board, from and against any and all third party claims, demands, losses, judgements, liabilities, causes of action and expenses, including attorney fees and costs, of any kind or nature they may sustain or incur which may be imposed upon them for injury to or death of any person, or damage to property, or for any other act(s) arising out of or in any manner related to or connected with the indemnifying party's (including its officers, agents and employees) willful misconduct or negligence in performing, or failing to perform, its duties or obligations under this MOU.

By entering into this MOU all parties recognize and agree:

1. To work collaboratively as partners along with Kings Canyon Unified School District (KCUSD) to ensure the success of the design and construction of the PROJECT.

Near Term No Project Traffic Conditions

- The total trip generation for the Near Term Projects is 21,216 weekday daily trips, 2,131 weekday PM peak hour trips and 1,447 weekend PM peak hour trips.
- Under this scenario, the intersections of Reed Avenue and South Avenue, Reed Avenue and Parlier Avenue, Reed Avenue and College Driveway, and Reed Avenue and Manning Avenue are projected to exceed their LOS threshold during the weekday PM peak period. To improve the LOS at these intersections, it is recommended that the following improvements be implemented.
 - Reed Avenue / South Avenue
 - Implement all-way stop control.
 - Reed Avenue / Parlier Avenue
 - Modify the intersection to accommodate a single-lane roundabout.
 - Reed Avenue / College Driveway
 - Modify the eastbound left-right lane to a left-turn lane;
 - Add an eastbound right-turn lane;
 - Modify the southbound through-right lane to a through lane;
 - Add a southbound right-turn lane; and
 - Modify the intersection to accommodate the added lanes.
 - Reed Avenue / Manning Avenue
 - Add a second eastbound left-turn lane with a receiving lane north of Manning Avenue and
 - Modify the traffic signal to accommodate the added lane.

Near Term plus Project Traffic Conditions

- Under this scenario, the intersections of Reed Avenue and South Avenue, Reed Avenue and Parlier Avenue, Reed Avenue and College Driveway, and Reed Avenue and Manning Avenue are projected to exceed their LOS threshold during the weekday PM peak period. To improve the LOS at these intersections, it is recommended that the following improvements be implemented.
 - Reed Avenue / South Avenue
 - Implement all-way stop control.
 - Reed Avenue / Parlier Avenue
 - Modify the intersection to accommodate a single-lane roundabout.
 - Reed Avenue / College Driveway
 - Modify the eastbound left-right lane to a left-turn lane;
 - Add an eastbound right-turn lane;
 - Modify the two-way left-turn lane on the south leg to a northbound left-turn lane;
 - Modify the southbound through-right lane to a through lane;
 - Add a southbound right-turn lane;
 - Signalize the intersection with protective left-turn phasing in all directions;
 - Modify the intersection to accommodate the added lanes; and
 - Shift the center of the intersection approximately 50 to 100 feet north of its current location.
 - Reed Avenue / Manning Avenue
 - Add a second eastbound left-turn lane with a receiving lane north of Manning Avenue and
 - Modify the traffic signal to accommodate the added lane.

BUDGET AMENDMENT RESOLUTION 2022-083

The City Council of the City of Reedley does hereby amend the 2022-23 Budget as follows:

SECTION I - ADDITIONS

Account Number	Account Description	Amount
014-4441.5034	Reed Ave - Reedley College Traffic Signal	\$ 600,000
Total		\$ 600,000

Purpose: Design and construction expenses for a proposed traffic signal on Reed Avenue at Reedley College

SECTION II - SOURCE OF FUNDING

Account Number	Account Description	Amount
014-2710	FCTA Flexible Funding Fund Balance	\$ 600,000
Total		\$ 600,000

Impact: Sufficient funds in FCTA Flexible Funding fund balance for project. KCUSD and Reedley College will reimburse up to \$450,000

REVIEWED:


Assistant City Manager 9/21/22

RECOMMENDED:


City Manager

The foregoing resolution was approved by the City Council of the City of Reedley on September 27, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mary L. Fast, Mayor

ATTEST:

Ruthie Greenwood, City Clerk



REEDLEY CITY COUNCIL

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

ITEM NO: 9

DATE: September 27, 2022

TITLE: CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION NO. 2022-081 APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT NORTH AVENUE IMPROVEMENTS PROJECT FROM COLUMBIA AVENUE TO HANEY AVENUE

SUBMITTED: Marilu Morales
City Engineer *mm*

APPROVED: Nicole Zieba
City Manager *NZ*

RECOMMENDATION

Staff recommends that, upon completion of the public hearing and considering all testimony, the City Council Adopt Resolution No. 2022-081 approving the Community Development Block Grant (CDBG) North Avenue Improvements Project from Columbia Avenue to Haney Avenue.

EXECUTIVE SUMMARY

A requirement of the CDBG program application is to conduct a public hearing to select and approve eligible project(s) for construction. Based on input from community members and the eligibility area of the CDBG program, staff recommends that the North Avenue Improvements Project from Columbia Avenue to Haney Avenue be approved. The project will include grinding the existing pavement, including the parking area for Camacho Park, installing a two inch overlay, replacing non-ADA compliant curb ramps, and installing an ADA compliant driveway approach and sidewalk on the northern side of North Avenue at the eastern edge of Camacho Park to ensure an ADA path of travel. Funding for the project will include program year 2023-2024 CDBG funding and Measure C Street Maintenance funding.

BACKGROUND

On February 25, 2020, City Council approved Resolution No. 2020-014 approving participation and authorizing the City Manager to sign a three-year Joint Powers Agreement with Fresno County's CBDG program for program years 2021-22, 2022-23, and 2023-24. The purpose of the federal CDBG program is to improve urban areas by providing housing, adequate public facilities, and infrastructure, primarily for low and moderate income persons within the eligibility area (see Exhibit A). Examples of eligible projects include water system improvements, sewer system improvements, street and drainage improvements, and parks and recreation facilities serving the CDBG area. The

County has advised staff that the City will receive an estimated allocation of \$230,000 for program year 2023-2024.

City staff selected the project as a candidate for the CDBG program based on the condition of the roadway from the City's Pavement Management Plan, the project being located within the CDBG eligibility area, and due to Camacho Park located along the roadway segment.

Resolution No. 2022-081 approves the North Avenue Improvements Project from Columbia Avenue to Haney Avenue as the 2023-2024 CDBG Project.

FISCAL IMPACT

The project will be funded with CDBG funds and Measure C Street Maintenance funds.

PRIOR COUNCIL ACTIONS

On February 25, 2020, the City Council adopted Resolution No. 2020-014 approving participation and authorizing the City Manager to sign a three-year joint powers agreement with Fresno County's CDBG program for program years 2021-22, 2022-23, and 2023-24.

ATTACHMENTS

1. Resolution No. 2022-081
2. Exhibit A – CDBG Eligibility Area for FY's 2021-2024
3. Exhibit B – Site Plan

RESOLUTION NO. 2022-081

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY
APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT NORTH
AVENUE IMPROVEMENTS PROJECT FROM COLUMBIA AVENUE TO
HANEY AVENUE**

WHEREAS, the County of Fresno has been designated as the sponsoring agency to administer and implement the program for the Community Development Block Grant (CDBG) activities of the County, and its participating Cities, including the City of Reedley; and

WHEREAS, the County of Fresno issued a call for projects to be funded with CDBG Program Year 2023-2024 Funding Cycle; and

WHEREAS, the County of Fresno has estimated that the City of Reedley will receive approximately \$230,000 in CDBG funds for Program Year 2023-2024; and

WHEREAS, the City of Reedley's project for CDBG Program Year 2023-2024 is described as North Avenue Improvements Project from Columbia Avenue to Haney Avenue and will include the grind and overlay of existing pavement, replacement of non-ADA compliant curb ramps and installation of ADA compliant driveway approach; and

WHEREAS, the City of Reedley's will allocate one cycle of CDBG Funding to complete the project, Program Year 2023-2024; and

WHEREAS, the City Council on September 27, 2022, at a public hearing received a written staff report, invited public comment, and independently deliberate; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Reedley using their independent judgment hereby resolves as follows:

1. The above recitals are true and correct and incorporated herein by reference.
2. That the City Council of the City of Reedley nominates and the North Avenue Improvements Project from Columbia Avenue to Haney Avenue for funding from the City of Reedley CDBG Program Year 2023-2024 Allocation.
3. This resolution is effective upon adoption.

This foregoing resolution is hereby approved and adopted by the City Council of the City of Reedley this 27th day of September 2022 by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Mary L. Fast, Mayor

ATTEST:

Ruthie Greenwood, City Clerk

CITY OF REEDLEY

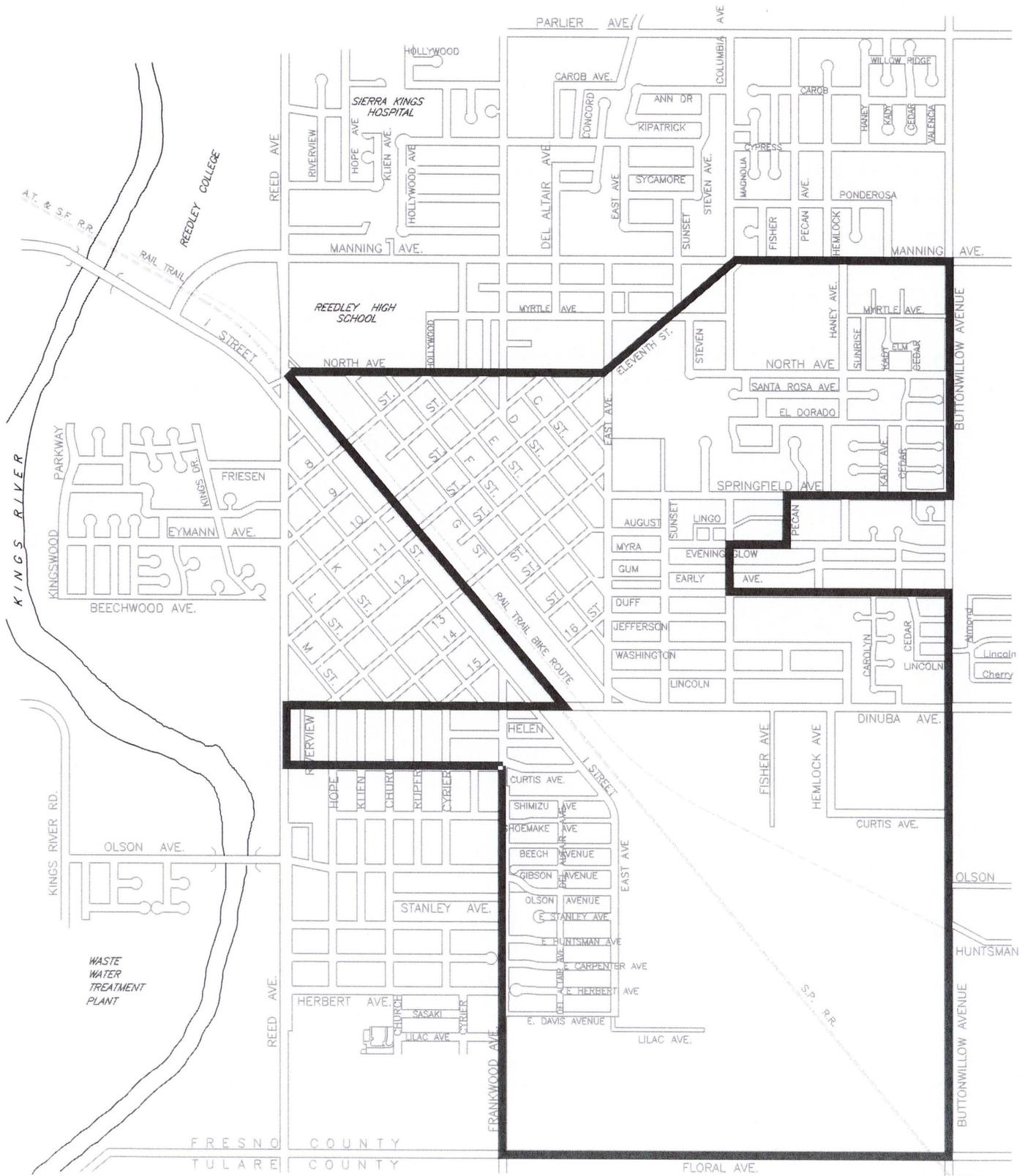
CDBG ELIGIBILITY AREA FOR FY'S 2021 - 2024

EXHIBIT A



LEGEND

ELIGIBILITY AREA



CITY OF REEDLEY CDBG ELIGIBILITY AREA FOR FY'S 2021 - 2024

EXHIBIT A



LEGEND
■ ELIGIBILITY AREA

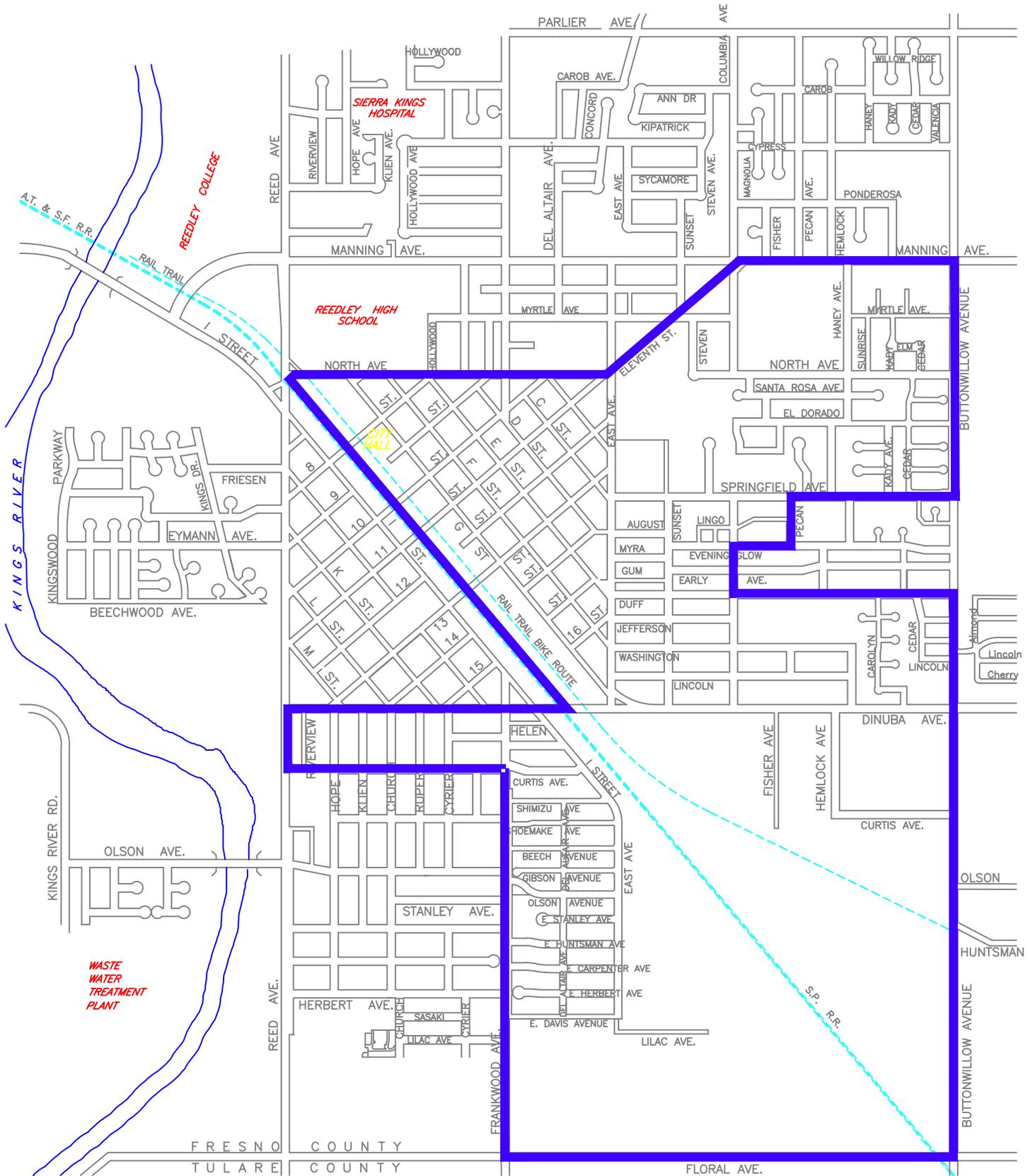
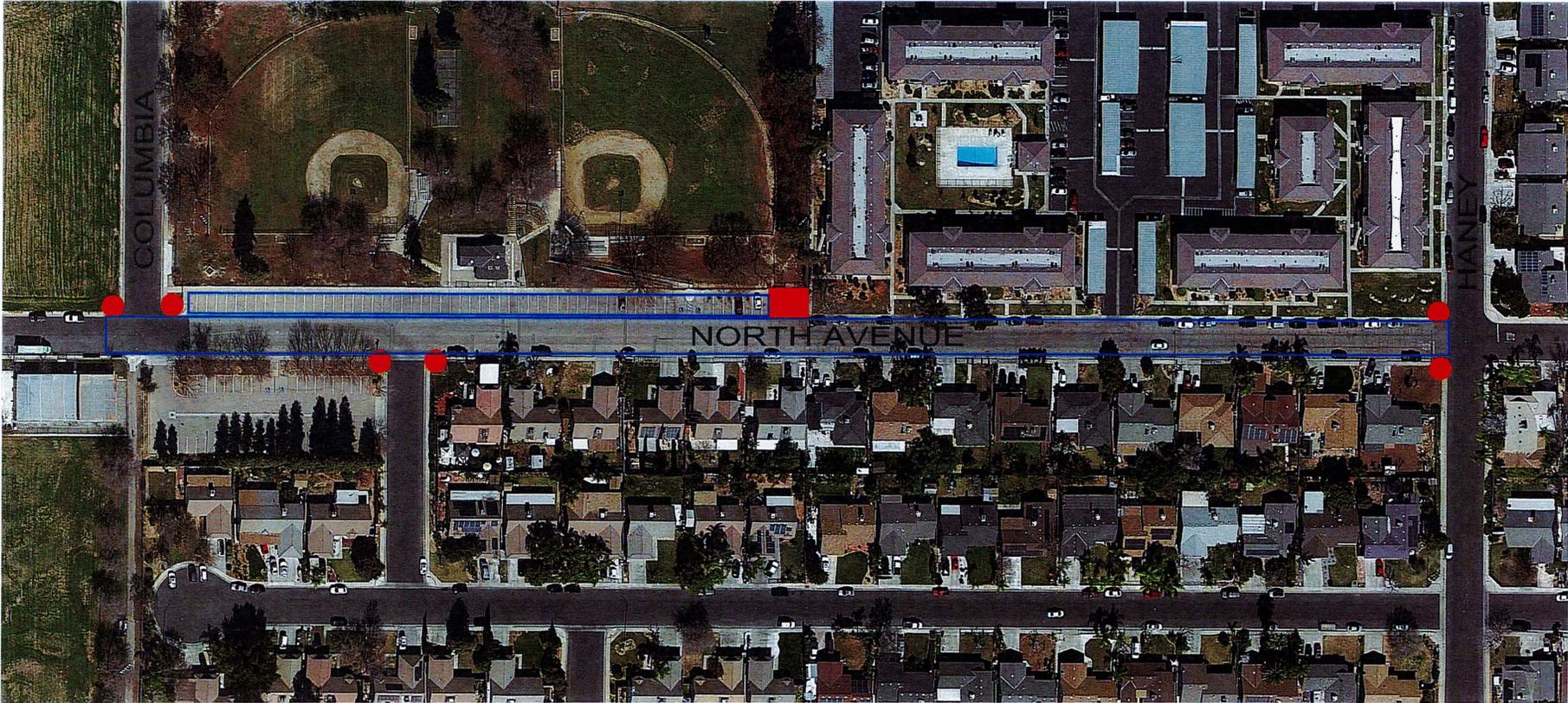


EXHIBIT B

LEGEND

- LIMITS OF GRIND AND OVERLAY
- ADA COMPLIANT CURB RAMP
- DRIVEWAY, CURB AND GUTTER AND SIDEWALK



PREPARED BY:
CITY OF REEDLEY

ENGINEERING DEPARTMENT
 1733 9th STREET
 REEDLEY, CA 93654
 Phone: (559)637-4200, ext. 295
 Fax: (559)637-2139

DIAGRAM OF
 SITE PLAN – NORTH AVE IMPROVEMENTS COLUMBIA TO HANEY AVENUES

DATE:
 07/26/2022

DRAWN BY:
 SR

SCALE:
 NTS

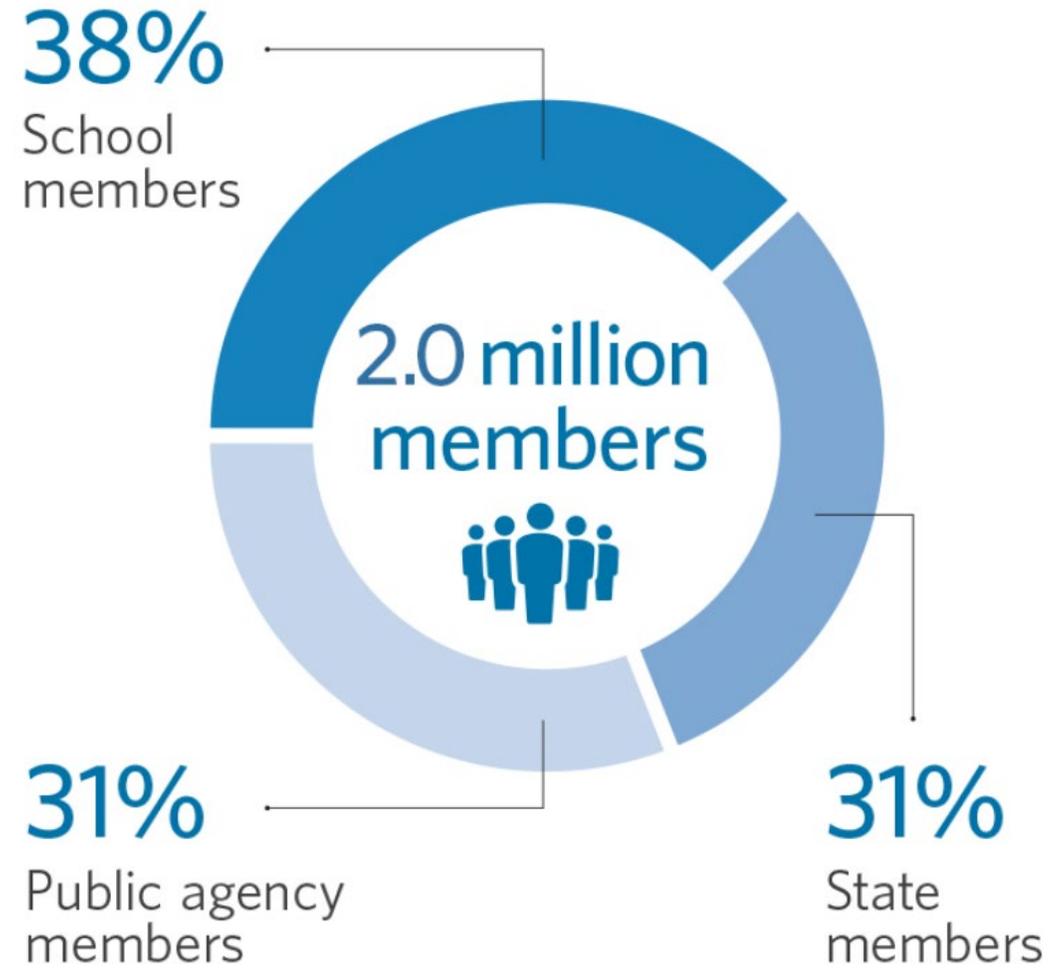
SHEET NO. 1 OF 1

California Public Employees Retirement System
CalPERS
Annual Informational Presentation

September 27, 2022



CalPERS Membership



Functions In Pension Decision-Making

CalPERS Board

- Fiduciary obligation
- Set risk tolerance
- Set investment asset allocation

Legislature

- Set menu of pension benefit formulas
- Make and change pension laws
- Benefit design changes

Employees

- Make contributions
- Select employer
- Collectively bargain salary and (optional) cost sharing

CalPERS Staff

- Administer pensions
- Calculate pension costs
- Effectuate investment strategy

Employers

- **Select pension formulas**
- **Add optional provisions**
- **Set salaries**
- **Make contributions**

Courts

- Rule on legal questions of pension law

Public Employees' Pension Reform Act PEPRA

- PEPRA was passed in 2012 as a positive step to help agencies better manage future pension costs. It applies to employees hired after Dec 31, 2012 who don't have previous CalPERS service
- PEPRA's benefit formulas apply only to employees hired after January 1, 2013. This provides material long-term savings as new employees are hired and then ultimately retire
- Legacy employees enrolled in plans on or before Dec 31, 2012 are considered CLASSIC members. Benefit formulas for CLASSIC plans are higher but new enrollment ceased with the passage of PEPRA

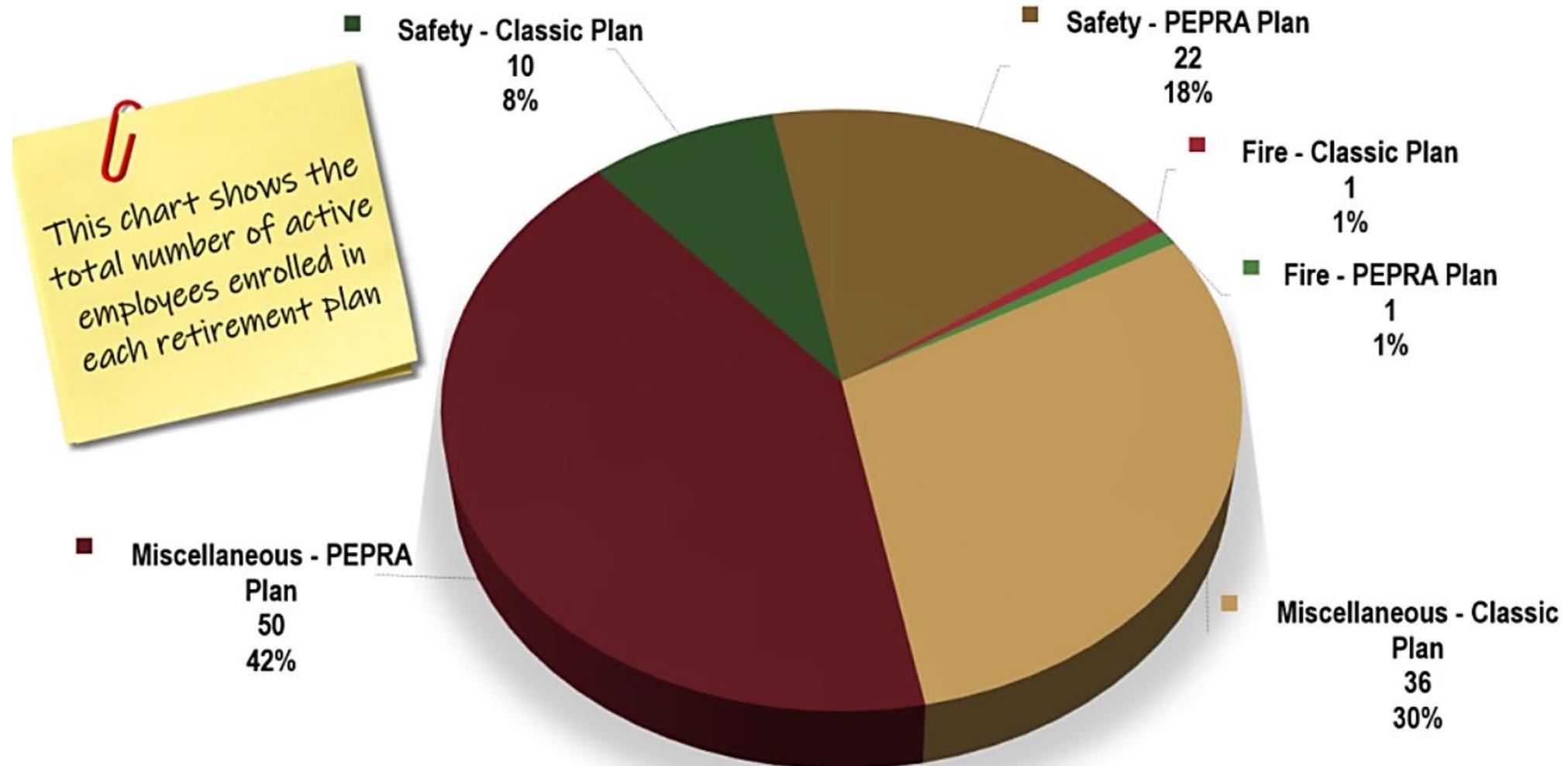
Defined Benefit and Pensionable Compensation

- In a defined benefit retirement plan, the employee receives a benefit determined by a set formula based upon their enrollment plan. CalPERS uses the years of service, age at retirement, and highest average annual compensation during any consecutive 36-month period of employment to determine the retirement allowance
- Not all employee compensation is considered pensionable. Additionally, the pension reform act established unique differences in what qualifies as pensionable compensation between Classic plans and PEPRAs
 - *Example: Uniform Allowance Stipend is pensionable under Classic plans but not PEPRAs*

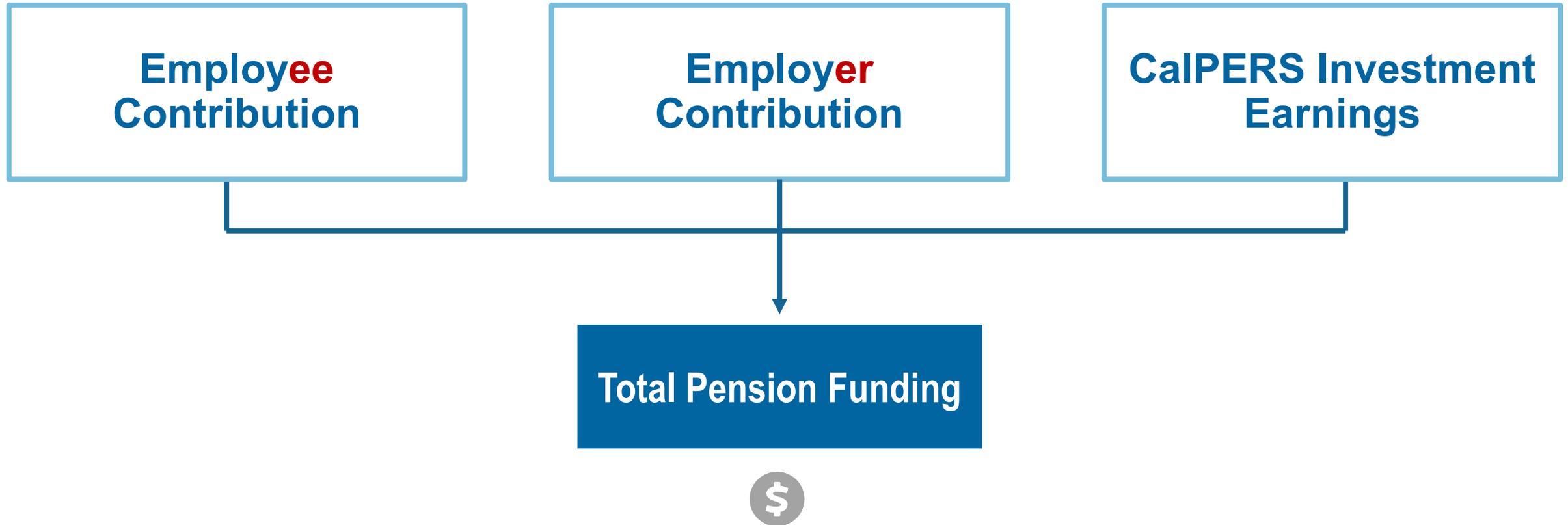
City of Reedley PEPRA and Classic Enrollment

2022-23 CalPERS Retirement Active Employees

CalPERS Plan Enrollment Employee Count 120



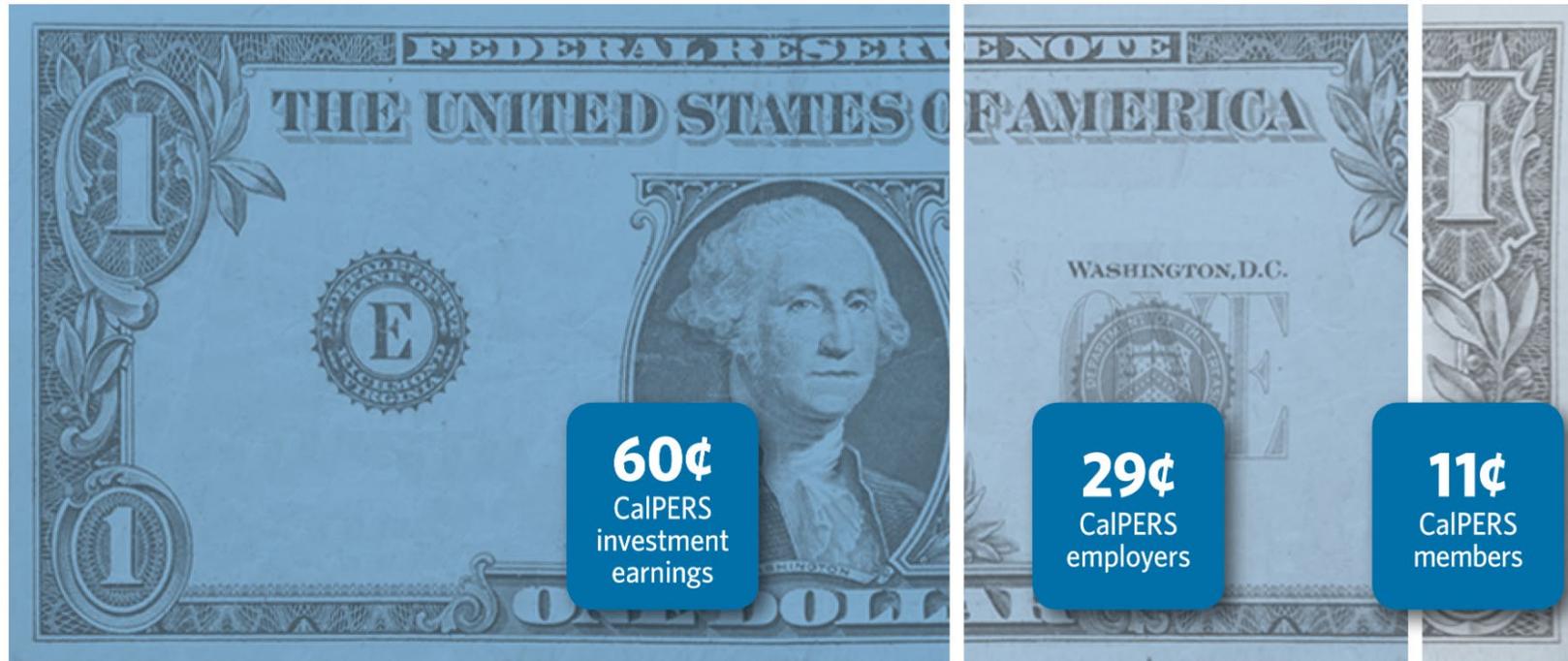
Retirement Plan Funding Components



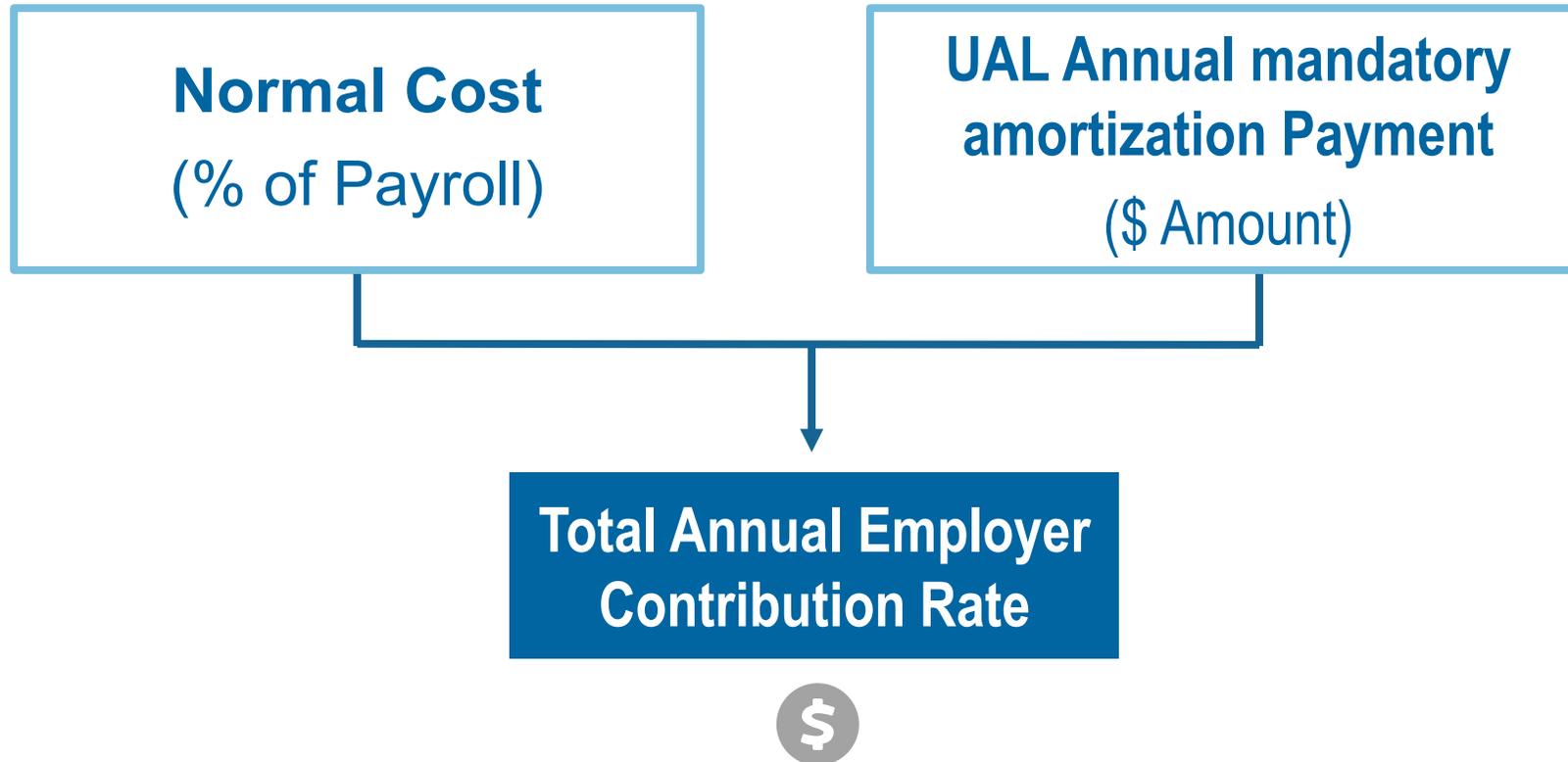
Employees own their contributions. Employer Contributions are used to fund the ongoing retirement benefit costs for retired employees within each of the City's retirement plans.

CalPERS Pension Buck

- Each year CalPERS updates the “Pension Buck” providing an easy representation of the current funding source that ultimately provides payment to CalPERS retirees
- Employers have no input on CalPERS investment portfolio components
- Investment earnings are subject to economic conditions, market volatility and poor fiscal management
- When the CalPERS investment earnings shrink, the Employer Contributions must increase



Employer Annual Contribution Components



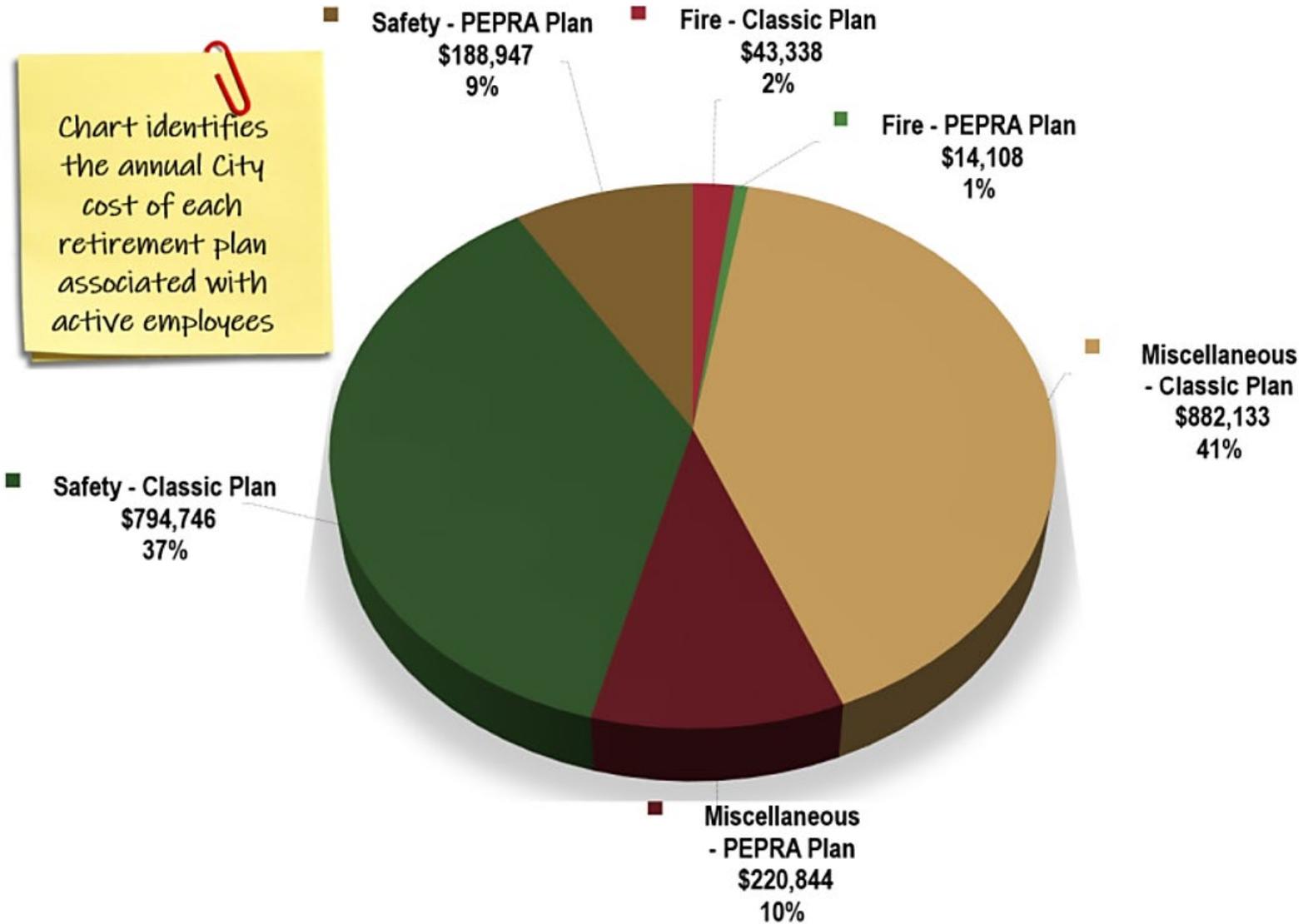
Total Annual Employer Contribution Rate % x Pensionable Earnings =
City's Payroll CalPERS Expense

Annual Actuarial Valuation Reports

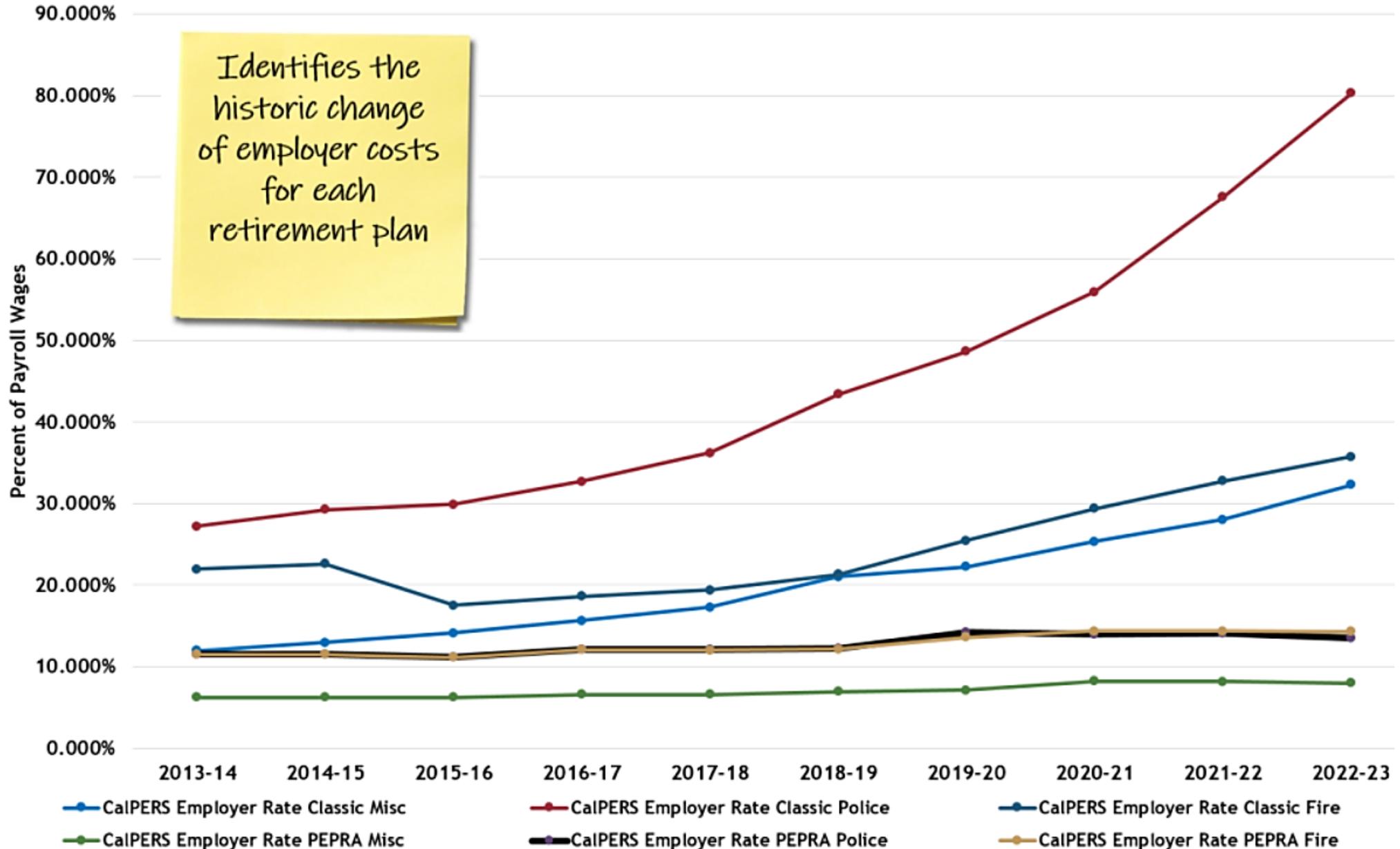
- Annual Actuarial Valuation Reports are provided by CalPERS for each retirement plan
 - Complex in nature and take into account numerous factors
- Actuarial Valuation Reports determine the annual Employer Contribution Rate for “Normal Cost”
- Actuarial Valuation Reports also determine the “gap” that has been created by lower investment returns which becomes part of the Unfunded Accrued Liability (UAL)
 - Responsibility of the Employer
- UAL and Normal Rate forecasts are subject to constant change resulting from numerous factors including CalPERS investment returns and actuarial assumptions (i.e. mortality)
- Employers can reduce their UAL amounts by making extra payments known as Additional Discretionary Payments (ADP), much like making extra “principal only payments” on a home mortgage loan

2022-23 CalPERS Retirement Active Employees

Annual Cost by Retirement Plan \$2,144,116



CalPERS Employer Rates for Retirement Plans



Latest Actuarial Valuation Report (July 2022)

Actuarial Valuation Report sets the required contributions for the FY 2023-24 budget year and forecasts the future year employer rates for each plan

- 21.3% Return as of June 30, 2021

CalPERS Actuarial Valuation Report Data	PEPRA Miscellaneous	Classic Miscellaneous	PEPRA Police	Classic Police	PEPRA Fire	Classic Fire
Normal Cost	7.680%	11.840%	13.540%	22.830%	13.540%	22.830%
UAL Payment	\$ -	\$ 667,630	\$ -	\$ 639,237	\$ -	\$ 16,855
Total Employer Rate for 2023-24	7.680%	34.617%	13.540%	86.492%	13.540%	36.718%
Total Unfunded Liability as of June 30 2021	\$ (55,032)	\$ 6,198,351	\$ (34,435)	\$ 5,247,432	\$ (6,755)	\$ 106,207

- **Total UAL as of June 2021 = \$11,455,768**
- **Total UAL as of June 2020 = \$16,486,480**
- **Reduction of \$5M, or 30.5%**

CalPERS Returns

Investments (PERF*)

Total Fund Market Value & Fund Returns
by Fiscal Year** (for FY end 6/30)

	(in billions)	(%)
2021	\$477.3	21.3%
2020	\$392.5	4.7%
2019	\$372.6	6.7%
2018	\$354.0	8.6%
2017	\$326.4	11.2%
2016	\$302.0	0.6%
2015	\$301.9	2.4%
2014	\$300.3	18.4%
2013	\$257.9	13.2%
2012	\$233.4	0.1%

* Public Employees' Retirement Fund (PERF)

** Time-weighted rate of return net of investment expenses

Annualized Investment Returns*

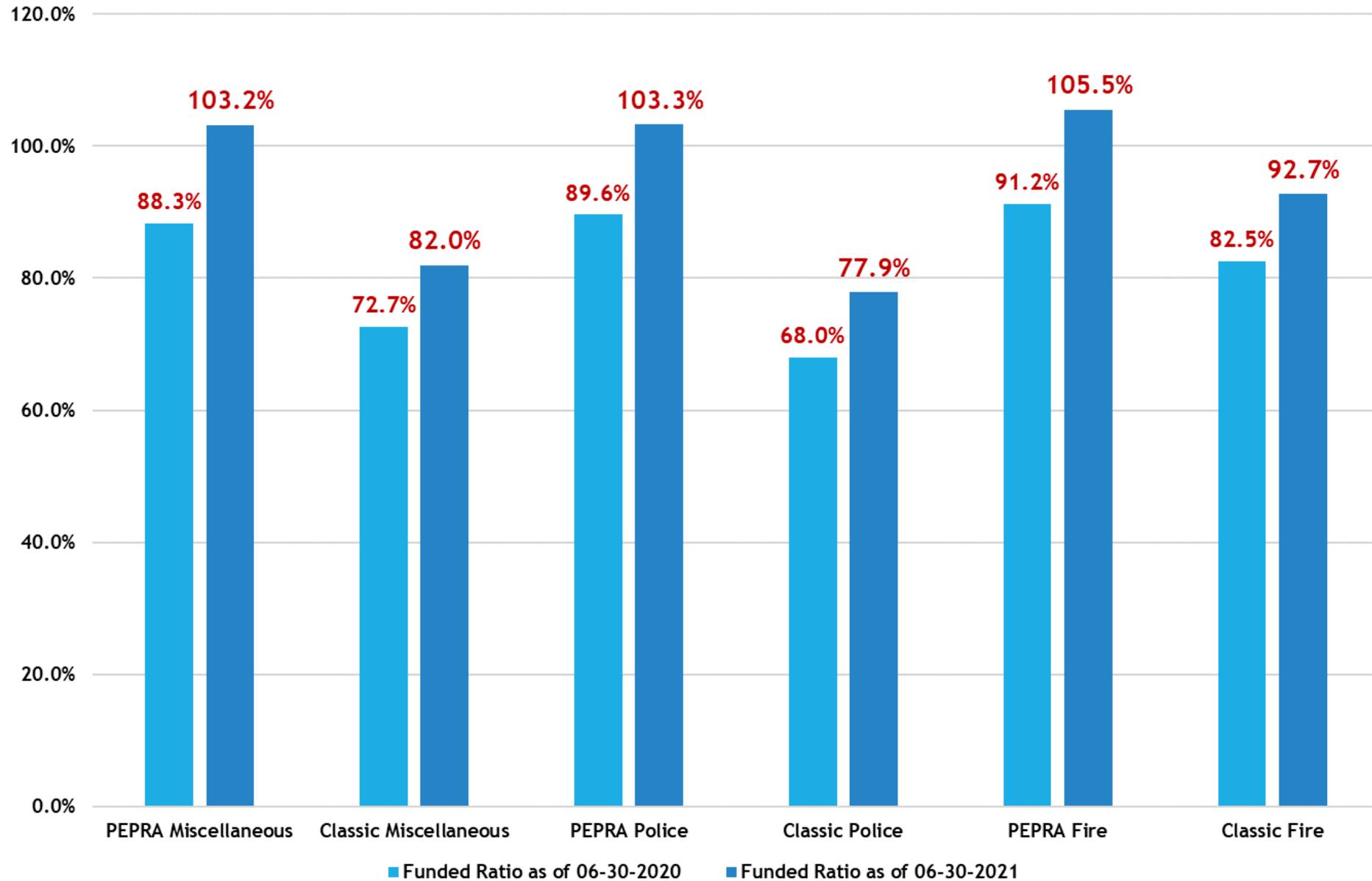
(for FY end 6/30)

FY to date	21.3%
3 years	10.7%
5 years	10.3%
10 years	8.5%
20 years	6.9%
30 years	8.4%

* Time-weighted rate of return net of investment expenses

**June 2022 = (6.1%) Negative Return
Affects Next Year's Valuation Report
& the FY 2024-2025 City Budget**

Funded Status of City of Reedley Plans – June 2021



Pension Funding Policy

- Resolution 2021-097 established the City's first ever Pension Funding Policy
- Additional Discretionary Payments "ADP" now part of the annual budget process
- "Normal Costs" are paid to CalPERS during each payroll issuance
- The mandatory "UAL Payment" is prepaid at the beginning of each fiscal year which saves the City approximately 3.55% over annualizing the amount during each payroll process
- The Pension Funding Policy establishes the ADP amount to be 25% of the mandatory annual UAL payment and the payment is included in the City's annual budget
- \$336,839 ADP payment made September 2022 for FY 2022-23

Forecasted Employer Rates

- Does not yet take into account the ADP payment made September 2022 or future ADP payments made in accordance with the Pension Funding Policy
- ...or negative investment return of 6.1% as of June 2022

Forecasted CalPERS Retirement Employer Rates

CalPERS Retirement Plan	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29
PEPRA Miscellaneous	7.680%	7.700%	7.700%	7.700%	7.700%	7.700%
PEPRA Police	13.540%	25.500%	25.500%	25.500%	25.500%	25.500%
PEPRA Fire	13.540%	13.500%	13.500%	13.500%	13.500%	13.500%
Classic Fire	36.718%	35.984%	34.336%	31.864%	29.969%	30.381%
Classic Police	86.492%	86.438%	85.044%	83.451%	62.039%	63.533%
Classic Miscellaneous	34.617%	34.180%	33.089%	31.929%	30.291%	31.042%

Forecasted UAL Mandatory Payments and ADP Amounts

Forecasted CalPERS Retirement Mandatory UAL Payments

CalPERS Retirement Plan	2023-24		2024-25		2025-26		2026-27		2027-28		2028-29	
PEPRA Miscellaneous	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
PEPRA Police	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
PEPRA Fire	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
Classic Fire	\$	16,855	\$	16,000	\$	14,000	\$	11,000	\$	8,700	\$	9,200
Classic Police	\$	639,237	\$	639,000	\$	625,000	\$	609,000	\$	394,000	\$	409,000
Classic Miscellaneous	\$	667,630	\$	656,000	\$	624,000	\$	590,000	\$	542,000	\$	564,000
Total UAL Payment	\$	1,323,722	\$	1,311,000	\$	1,263,000	\$	1,210,000	\$	944,700	\$	982,200
ADP Payment - 25% of UAL	\$	330,931	\$	327,750	\$	315,750	\$	302,500	\$	236,175	\$	245,550

CalPERS Health

CalPERS is an independent agency in the California executive branch of government that manages pension benefits for California public employees.

The City of Reedley has no control over CalPERS practices and fiscal condition.

All member agencies can be greatly impacted by poor fiscal management and strained economical conditions.

Being proactive with City resources in addition to the City's Pension Funding Policy is how we mitigate the various periods of financial strife affecting CalPERS

Contributions, 10-Year Review *(in thousands)*

	Employer Contributions	Member Contributions	Investment & Other Income
2020-21	\$20,034,757	\$4,757,000	\$88,059,909
2019-20	\$22,039,561	\$4,901,000	\$18,516,994
2018-19	\$15,612,678	\$4,664,618	\$22,969,664
2017-18	\$19,917,796*	\$4,415,129	\$27,448,098
2016-17	\$12,329,837	\$4,214,578	\$32,977,020
2015-16	10,892,489	4,015,754	1,548,442
2014-15	9,997,705	3,826,072	6,702,997
2013-14	8,777,602	3,775,038	45,598,044
2012-13	8,123,833	3,897,078	30,291,983
2011-12	7,772,913	3,598,437	(196,014)

* Amount includes an additional \$6 billion dollar contribution by the state.

CalPERS Health

Funded Status Total PERF



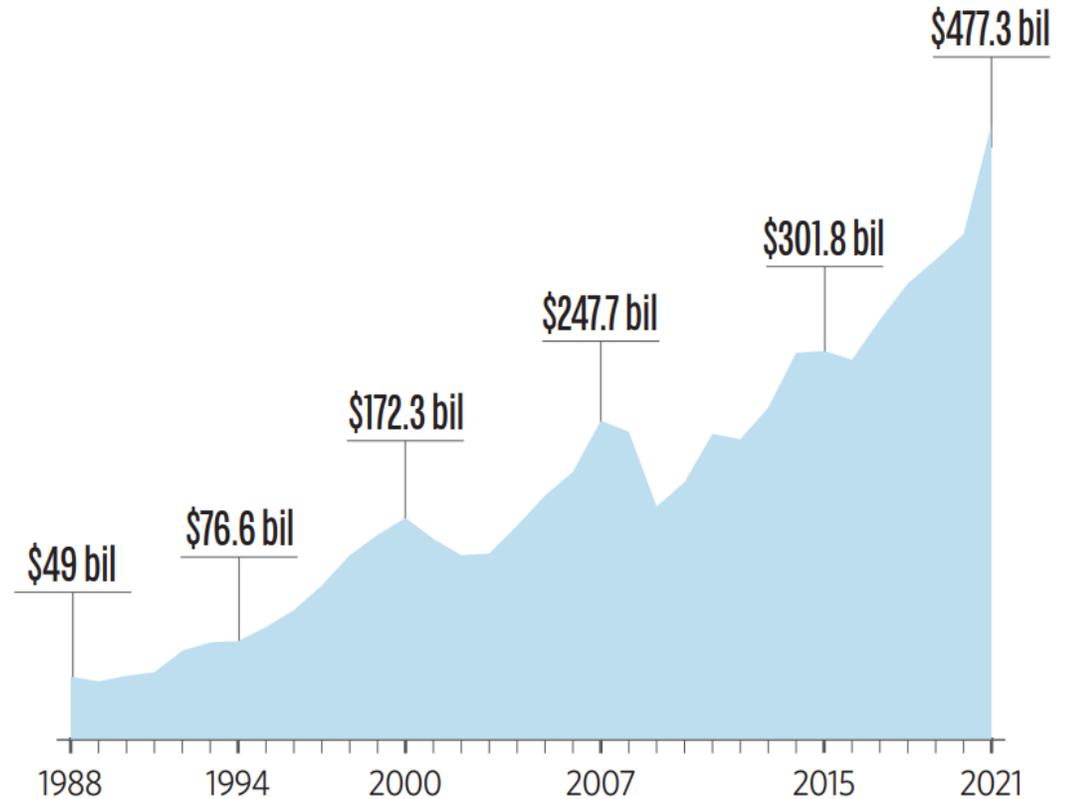
2019-20*



2020-21**

- * The PERF is the Public Employees' Retirement Fund. This percentage includes the terminated agency pool and the 1959 survivor benefit plan. Percentage based on a 7.0% discount rate.
- ** The 82% estimate is based on the 7% discount rate as of 6/30/2021. On 7/1/2021, the risk mitigation event was triggered due to the 21.3% investment return for FY 2020-21 and the 80% estimate is based on the new 6.8% discount rate.

Total Fund Market Value 1988 - 2021 (for FY end 6/30)



Thank You

