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

A G E N D A
REEDLEY CITY COUNCIL MEETING

7:00 P.M.

TUESDAY, DECEMBER 8, 2009

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

The Council Chambers are accessible to the physically disabled. Requests for additional accommodations for the disabled, including auxiliary aids or services, should be made one week prior to the meeting by contacting the City Clerk at 637-4200 ext. 300.

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.

City of Reedley's Internet Address is www.reedley.com

Mary L. Fast, Mayor

Pete Chavez, Mayor Pro Tem
Ray Soleno, Council Member
Steven Rapada, Council Member
Anita Betancourt, Council Member

INVOCATION – Pastor Neil Harris of the Reedley Mennonite Church

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS

1. RALPH A. DAILEY, JR. CERTIFICATE OF COMMENDATION

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

NOTICE TO PUBLIC

CONSENT *AGENDA items are considered routine in nature and voted upon as one item. Under a* ***CONSENT AGENDA*** *category, a recommended course of action for Each item is made. Any Council Member may remove any item from the* ***CONSENT AGENDA*** *in order to discuss and/or change the recommended Course of action, and the Council can approve the remainder of the* ***CONSENT AGENDA.*** *A Council Member'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 (Items 2- 6)

2. MINUTES OF THE NOVEMBER 9, 2009 SPECIAL WORKSHOP MEETING – Recommend Council receive and file.

3. MINUTES OF THE JUNE 15 & JUNE 22, 2004, SPECIAL COUNCIL MEETING; JANUARY 4 & JANUARY 18, 2005 SPECIAL COUNCIL MEETING; JANUARY 11, 2005 REGULAR COUNCIL MEETING; FEBRUARY 1, 3, 15 AND 28, 2005 SPECIAL COUNCIL MEETINGS; MARCH 15, 2005 SPECIAL COUNCIL MEETING; MARCH 22, 2005, REGULAR COUNCIL MEETING; APRIL 5, 2005 SPECIAL COUNCIL MEETING; APRIL 26, 2005 REGULAR COUNCIL MEETING; JUNE 6, 7, 20, 21, AND 23, 2005 SPECIAL COUNCIL MEETINGS; SEPTEMBER 13, 2005 REGULAR COUNCIL MEETING; SEPTEMBER 19, 2005 SPECIAL COUNCIL MEETING; FEBRUARY 14, 2006 REGULAR COUNCIL MEETING; MARCH 27, 2006 SPECIAL COUNCIL MEETING.

4. WARRANT REGISTER DATED DECEMBER 8, 2009 – Recommend Council receive and file.

5. RESOLUTION NO. 2009-085 – A RESOLUTION APPROVING THE APPLICATION FOR STATEWIDE PARK PROGRAM GRANT FUNDS – Recommend Council receive and file.

6. RESOLUTION NO. 2009-087 – A RESOLUTION IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010 – Recommend Council approve.

PUBLIC HEARING

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

7. RESOLUTION NO. 2009-086 – A RESOLUTION ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 5 (Located along one and one-half miles of Reed Avenue between Manning Avenue and south Avenue) - Report, Discussion, and/or Council action to approve, modify, and/or take other action as appropriate (Engineering)

8. ORDINANCE NO. 2009-06 – AN ORDINANCE APPROVING ORDINANCE AMENDMENT APPLICATION NO. 2009-2, AN AMENDMENT TO THE CITY OF REEDLEY MUNICIPAL CODE, AMENDING TITLE 5, POLICE AND PUBLIC SAFETY ORDINANCE, BY ADDING CHAPTER 11 PERTAINING TO MEDICAL MARIJUANA AND ALSO AMENDING TITLE 10, ZONING

ORDINANCE, BY ADDING SECTION 10-15-11 TO CHAPTER 15 DEFINING PROHIBITED USES TO INCLUDE THOSE USES PROHIBITED WITH THE ADDITION OF CHAPTER 11 TO TITLE 5, AND AMENDING SECTIONS 10-6A-2, 10-6B-2, AND 10-6C-2 OF CHAPTER 6 AND SECTION 10-25-1 OF CHAPTER 25 OF TITLE 10 PERTAINING TO MEDICAL MARIJUANA CULTIVATION - 1st reading - Report, Discussion, and/or Council action to approve, modify, and/or take other action as appropriate (Police)

NEW BUSINESS

9. CONSIDERATION OF BMX TRACK RELOCATION - Report, Discussion, and/or Council action to approve, modify, and/or take other action as appropriate (Administration)

COUNCIL REPORTS

10. REQUESTS BY COUNCIL MEMBERS FOR FUTURE AGENDA ITEMS AND/OR REPORTS OF COUNCIL MEMBER ACTIVITIES

STAFF REPORTS

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

12. COMMISSION REPORTS BY STAFF

CLOSED SESSION

13. CONFERENCE WITH REAL PROPERTY NEGOTIATION

Property:	APN 368-370-61S
Negotiating Parties:	K.C.U.S.D. Rocky Rogers, City Manager for City of Reedley Price and Terms

ADJOURNMENT

CERTIFICATE OF COMMENDATION

Presented to

RALPH DAILEY, JR.

For being a committed and educated blood drive chairman; for expanding the pool of blood donors in the City of Reedley
and
in recognition of his enthusiasm and caring to this community

Dated: December 8, 2009

Mary L. Fast , Mayor
Reedley City Council

Agenda Item 2

REEDLEY CITY COUNCIL SPECIAL WORKSHOP – NOVEMBER 09, 2009

A special workshop of the Reedley City Council was called to order by Mayor Fast at 6:32 p.m. on Monday, November 9, 2009, in the City Council Chambers, 845 "G" Street, Reedley, California.

CALL TO ORDER

ROLL CALL

Council Members

Present: Rapada, Soleno, Betancourt, Chavez, Fast.

Absent: None.

City Staff

Present: Rocky Rogers, City Manager; Lori Oken, Finance Director; Russ Robertson, Public Works Supervisor; and Kay Pierce, City Clerk.

Others

Present: Frank Mascola, Doug Watson, Jerry Martens, Kim Martinez, Mark Garza, Julia Martinez, Cheryl Lingo and others.

PUBLIC COMMENT – None.

WORKSHOP

1. POWER POINT PRESENTATION BY HDR ENGINEERING EXPLAINING THE METERED WATER RATE STUDY

Public Works Supervisor Robertson advised this workshop is to provide further explanation and understanding of the comprehensive water rate study and the proposed water rates.

Shawn Koorn with HDR Engineering referred to the Phase 1 study devised in 2006 advising this was a quick analysis to determine the overall funding needs for the water utility to make sure that Reedley issue the bonds to pay for the meter projects as well as a few other capital projects. One of the keys things that came out of this analysis was that there was not sufficient funding for the capital funded from rates. These are the renewal and replacement type projects such as when the pipes deteriorate, the pumps deteriorate and the replacement of these over time. During this study, there was $120,000 per year budgeted for these type of capital projects. The rule of thumb in the rate making industry for setting this level of capital funding is equal to depreciation expense. As the system is depleting on an annual basis, the city should be putting that same amount of money back into the system to keep the system at its even state. HDR concluded that the rates were not adequate for the bond issue and were not covering adequate capital funded through rates. Rates were adjusted at that time.

Phase 2 key objective was the development of metered rates since Reedley is under a legal mandate to set and bill metered rates by January 1, 2010. The key objective for Phase 2 was setting the metered rates. However, HDR went back and did a comprehensive review similar to that of Phase 1. HDR took new data, updated this data and carried it forward another extended time period to see what was out there, and developed rates essentially for a two year period. This is done through a three step process. The first step is called a revenue requirement analysis which determines the adequacy of existing rates and advises if rates need to go up or down and what has to be done from rates to cover the operating and capital needs. When the overall level of revenues that are needed to adequately fund the utility are determined, this amount is then allocated to the different customers on the system through a cost of service analysis. HDR looked at residential, non-residential, and irrigation customers. Once HDR knows the overall level of revenues and any inter-class adjustments, then rates can be developed with those two

constraints in mind. Over $3 million needs to be collected for the water utility. HDR took into account any adjustments needed for residential, non-residential or irrigation customers and developed rates around that dollar figure for each customer class service.

The first step, the revenue requirement, and the third step, the rate design side were then explained by Mr. Koorn. He advised that cost of service is one area that was looked at and the analysis was developed for city staff to have in the future. However, the big driver in this is that HDR needs consumption data. Since HDR does not have consumption data yet, they put it together based on estimates, based on general industry knowledge and HDR's review of the figures that city staff had to date and what the customers looked like, how much water they should use, but this figure is not final. Once the city has more quality data, this analysis can be updated. The revenue requirement simply compares the sources of funds with the applications of funds and tells HDR what they should do going forward. Will they cover the operating and capital needs or not and what level of revenue do we need to make sure that we adequately cover those funds. There are three things keyed in on when going through a comprehensive rate study. The first is a debt service coverage ratio. This is a credit check for the utility when they go out and issue debt. There are limits that are set based on the bond covenants so that when a bond is issued, it may state that a 1.4 or 1.5 is needed and that basically means that the city, when taking the total revenues, and then back out the operating expenses, that there is an additional 40% to 50% of that revenue available to pay for the debt. This is one of the big things that the bond community looks at when issuing debt and that is what HDR has to abide by. The other part of this is appropriate reserve levels. Are there funds out there for capital and operation and maintenance to make sure, for whatever reason the bills are not paid from the customers, the city can still pay its bills that are incurred on a monthly basis. Funding renewals and replacements is the issue the city is facing as well as utilities across the country are facing. Cities haven't been funding that depreciation expense each year.

Mr. Koorn advised that in the financial rate setting process, HDR attempted to look out five or six years to see if there are any bumps in road that HDR might need to take action on early to minimize any impacts in the future. HDR utilizes the cash basis approach; the same approach as used during Phase 1, but it is also an approach that conforms nicely to Reedley's budgeting figures. HDR takes the revenues for the year, backs out the expenses, and that tells how much revenue is needed to be collected or change in any given year. There are two parts to this. HDR looks at both the operating side and the capital side. For the operating expenditures, HDR started with the fiscal year 2008-2009 budget and escalated that out over the next five year period. They used assumed CPI or inflationary adjustments for each of the different major components that the water utility incurs. They did not adjust the budget outside of what was there. The budget document was simply increased each year by inflation.

The assumptions for the capital plan were slightly different. One of the keys things HDR tries to do is line the assumptions up on an annual basis and look at each individual year and determine what those funding sources are for those projects. Anything not funded through bonds, grants, loans or developer contributions need to be paid through rates. This is the default if there is no other money available, and the project needs to be done, rates end up having to pay for those projects. HDR has the rule of thumb of trying to fund annual depreciation expense. In this case, what we are trying to do is move the city in that direction. This won't happen over the next five years, but it will at some point by taking baby steps over the next five years to try to increase that portion. This provides additional debt service coverage, which is a good thing by maintaining that strong credit rating with the bonding community. It also allows for adequate renewal and replacement or maintenance on the existing facilities. Referring back to Phase 1 where it was stated there is approximately $120,000 per year, this will be increased over the next five years to approximately $600,000 per year. It will be increased to $450,000 in 2009-2010. HDR displayed a graph that shows what those capital projects are going to be from fiscal year 2009 through fiscal year 2014. In 2009, the projects include the Water Master Plan and meter project; a 3-million gallon tank project; miscellaneous GIS software; and other software management plans. In total there is over $6 million in capital projects. The majority of that, $5,677,000, is coming from the previously issued bonds. The difference between the $6 million in capital projects and the $5.677 million in bond revenues is $400,000. This is the amount that impacts the bottom line or what is included in rates. The CIP funded from rates goes from $400,000 in

2009 to $650,000 in 2014. That is still not even fifty percent of that annual depreciation expense. HDR is attempting to get the city up to that level of adequate funding in any of the years from 2009-2014 moving forward.

Mr. Koorn advised that HDR takes all of this information and develops a financial plan for a five-year period. The focus of this study was on fiscal years 2009-2010 through 2010-2011. Under the cash basis approach, HDR takes the annual revenue of $2,682,000 from the water utility and then backs out the expenses which include operation and maintenance expenses of $1.8 million, the net capital funded from rates of $450,000 and the annual debt service of $921,000. That is the existing debt service for the water meter program and other capital projects. In total, the utility needs $3.1 million to adequately fund its operation and maintenance and capital needs. The difference between the total sources of funds, the $2.6 million, and the total revenue requirements is $499,000. The chart shows a two-year period where rates are being set from 2009-2010 and 2010-2011, and will develop rates around these two years.

Mr. Koorn referred to the deficiency of funds before adjustments graph. In 2009-2010 it shows the $499,000 increasing through 2014. In order to fund this deficiency, HDR submitted some proposed rates based on the current fixed flat rate currently in place. If the flat rate is increased to $36.59 per month in 2010, that would provide an additional $580,000 in 2010 and another $589,000 in 2010-2011. The deficiency, or balance, would be an $85,000 balance in 2009-2010 and a $2,000 deficiency in 2011-2012. As rates are adjusted in 2012 to $37.50, that will provide another $83,000 and again in 2013 and 2014. That will provide adequate revenues to fund the water utility in each of these years going forward, based on the inflationary adjustments.

Mr. Koorn advised that one of the big key criteria to look at is the debt service coverage ratio. Currently, in 2009-2010, it is at 0.92, which is below the minimum requirement. The target is 1.5, which is saying that the city has the coverage after backing out the operating and maintenance expense from the revenues, divide through by the debt service, there would be a 1.5 ratio. Under the current rates, before the adjustment, there is not a one time coverage which means that the city does not have sufficient funds to pay for the debt after paying the capital. After the proposed rate adjustment, that would change and we would be meeting that target that was put together during the Phase 1 study. This is based on the current flat rate and that is going to change going forward. On a typical residential customer the rate is $29.99. If the city goes to the $36.59 in 2010-2011, that would be a $6.60 increase each month. We will not be adjusting rates in 2010-2011. Those inflationary increases for the final years would add approximately an additional $0.90 per month onto the bill in each year. This was figured on the current flat rate. Going forward, there will be customers that will see increases and decreases and will vary by month once the city moves to that proposed metered rate.

Mr. Koorn advised that currently it does appear that there is still some underfunding of renewals and replacements in the rates. It looks as though that deficiency is roughly equal to that amount that we are targeting going forward. Under the current rates, those are insufficient to meet the current debt service coverage ratio as we are trying to target at a minimum 1.5. Overall, it appears that rates need to be adjusted to meet the operating capital needs and ultimately strengthen that annual renewal and replacement funding of the water utility and make sure we meet those debt service coverage ratios going forward. These are things that are legally required for the bond to meet.

On the cost of service, it is a method to equitably allocate the costs between the different customer classes. It does rely heavily on metered consumption data. That is the big component of developing a cost of service study. We have to look at how much water each class of service uses and that is one of the big criteria for classifying and allocating cost. Unfortunately, at this point, we do not have a good set of data to use. HDR did develop the analysis, it is in the model and does show some results, but it could change. HDR backed into what the consumption is for the system and as the city implements the metered rates, there will be changes. Customer behavior changes, outdoor water use might change. As meters are installed on everyone, staff will be able to identify leaks and will know which side of the meter the leak is on. The meters can help to identify possible water leaks in houses.

The next step is to develop metered rates based on the different customer classes. There are currently two rate structures; a flat rate structure and metered rate structure. All residential customers are on the flat rate, and most commercial customers are on the flat rate with some metered commercial customers. The key for this study was to take the information from the revenue requirement and develop metered rates around that level of revenue that is needed to adequately fund the utilities operating and capital needs. By January 1, 2010, Reedley will be in compliance with the State law. There are a couple of items that the city needs to comply with, two are legal requirements and the third one is simply a generally accepted rate methodology. The first is Prop 218 and we need to make sure that our rates are cost based and meet the overall funding requirements of the utility. The other one is more the generally accepted methodology. There has to be a fixed charged that would not vary by month so that it will be the same no matter how much water is used and then there is the consumption or volumetric part of it. This does vary by month. This is where the customer does have some control over their monthly bill depending on how much water they use. The difficult part is trying to figure out that perfect balance between what that fixed charge each month should be and at what level should that consumption charge be. There are a couple of moving parts for this transition period. One is changing from close to 100% fixed revenue generation for the utility. We know how much is collected each month and how many customer there are in the system and this makes it easier to figure out how much revenue the utilities can received each month or each year. Going forward, we are going to rely on the consumption side so this will bring some variability into the revenue projections. We need to try to make sure that we maintain adequate cash flow and collect a good portion of the funds through the monthly fixed charge and the balance through the consumption or volumetric charge going forward. This could be changing and evolving as we move forward into the future where it can transition, primarily based on the California Urban Water Conservation Council BMP No. 11. The city is a signatory to BMP 11 and essentially what that does is lay out four possible rate conservation based rate structures that can be implemented. The kicker to all of these is that CUWCC would like the city to collect 70% of the revenue through this consumption charge. This means than only 30% of the revenue of the water utility is fixed each year and 70% is coming through on the consumption metered side. This is a big swing from where Reedley is today as a utility of being primarily a fixed base to change to this. This is something that will probably evolve over the next few years. Ultimately, we do need to put together the conservation rate to comply with the CUWCC.

Mr. Koorn advised that HDR developed a rate for a two year period so this will be in effect through 2010-2011. The proposed rate structure has a variable meter charge for all customers. This means that for each customer, the larger the size of the meter, the larger the meter fee. This is a generally accepted practice. A two-inch meter has the same capacity as five or six, ¾-inch meters. For the residential customers, HDR developed a three block consumption charge and the rate gets progressively higher in the rate to be paid. It starts at 0 – 15,000; 15,000 – 25,000; and over 25,000 gallons. For the non-residential and the irrigation customers, it is a uniform rate, same per gallon regardless of how much one uses. This still meets the requirements of BMP 11, since the revenues are being collected through that fixed charge. The rate adjustments have been applied equally across the customer groups. The residential class includes single family duplex and triplex customers. The difference is going to be that each customer will pay a monthly meter charge based on the size of the meter. A ¾" or 1" meter charge is $24.00 per month, whether they use any water or not. On top of that $24.00, they will pay the consumption charge. For the first 15,000 gallons, they will pay $0.60; from 15,000 to 25,000 gallons they will pay $0.70; everything over 25,000 gallons will be $0.75. An example would be if you use 20,000 gallons, you would pay $0.60 for the first 15,000 gallons and then $0.70 for the next 5,000. These are the proposed rates through 2011.

In summary, Mr. Koorn advised that the current rates reflect the cost of the utility, adjusting the renewal and replacement funding on an annual basis to try to get the utility up to a figure that would allow for some annual replacements. We need to make sure that these rates do meet those debt service coverage requirements. The proposed rates would move everyone to a metered rate, which is the first big jump into metered rates from a flat rate.

Council Member Soleno asked if those homes with swimming pools would have any additional charges? Mr. Koorn advised their rate would be based on their monthly consumption only. No additional charges.

Council Member Soleno asked if the water meters are accurate? Mr. Koorn advised that the meters will read accurately. One of the biggest shocks to people is that they don't realize how much water they actually use. Some studies show that unmetered homes use 20% to 40% more water than those metered houses. Once water use is metered, people will try to conserve. The amount of water that goes through that meter is the hardest part for people to understand. These meters will wear out over at 15-year period, but will actually begin to read slower when they are worn out.

Public Works Manager Robertson advised that the Metron meters that have been installed are guaranteed to meet AWWA requirements for the first five years. Staff is confident that the meters are accurate. Staff has been doing reads for customers when they call with any concerns such as big changes in usage from month to month. Staff is able to tell if the household has a leak somewhere in the line. Reedley's Water Supervisor detected a toilet that was constantly running and this increases the water bill greatly. If a meter runs for 24-hours, this also puts up a read flag telling the reader that there is a problem within the system. With the complaints received on the loss of water pressures, staff does investigate these complaints and have found that some of the older homes have a one-inch service rather than a ¾-inch service and have designed their sprinkler system for the pressure that was coming into the one-inch line. Adjustments have to be made to the sprinkler system to accommodate the loss in pressure.

City Manager Rogers asked for clarification from Mr. Koorn stating that it sounds as though HDR is proposing to do a two year rate increase and then at the end of the two years, there would be an effort to make an adjustment based on real consumption data. Mr. Koorn advised that after one to three years, the city might want to come back and look at the cost of service more closely to see where that falls and to make sure that consumption has come in at the levels that were estimated. After one to two years, the city will have a good set of data to look at the cost of service and take into consideration the difference between a residential use and a commercial use. That will give staff a clearer picture of where folks may be going forward. At this point, it gives HDR data that is somewhat useful in developing the rates. Ultimately, once the city has some good data, staff will be able to refine those rates and adjust them to make them start fitting how the residents are using the water.

Kim Martinez, 329 W. Herbert, Reedley, asked how a resident knows what size meter was installed on their home? Public Works Manager Robertson advised that all residential customers have either a ¾-inch or 1-inch meter. Ms. Martinez asked for clarification on the $0.60 per thousand gallon or is it $0.60 per 15,000 gallons? Mr. Koorn advised it is $0.60 per thousand gallon for the first 15,000 gallons. If Ms. Martinez used only the 15,000 gallons in one month, her bill would be $33.00 for that month. Finance Director Oken advised that assuming the new rate schedule is adopted effective January 1, 2010, for the month of January, all customers will be billed for just the flat rate, not the consumption rate. The February 1st billing will have the consumption for January and the flat rate for February.

Mark Garza with Kings Canyon Unified School District advised he is speechless due to this new rate structure. He does not think the Council is aware of the impact on the school district when the rates go into effect. The total impact on the school district would be a $243,000 increase per year, which is equivalent to five teacher staff positions. The old rate was $71.96 and the proposed rate for this same site for a two-inch line is $1,162.26. A huge increase. Mr. Garza asked how many of the other commercial users have these large increases. School facilities are for the public and the school district has no way to recover these costs. He has been working with city staff to see where the school could consolidate, but even with that, the impact on the school district is huge.

Mayor Fast asked when staff considered this water rate structure, did staff take the percentage of what was residential and what was commercial and use that same percentage? Mr. Koorn advised that 64% of the revenue is residential revenue. When HDR needed to do the increase

from $2.6 million to the $3.18 million, 64% of that stayed on the residential side and the remaining 36% was on the commercial side.

Doug Watson, 392 N. Reed, Reedley Landscape Center, asked how many residential accounts there are compared to commercial accounts? Everyone has seen the mass exodus of individuals from small to large businesses. The profit-generating entities are leaving left and right. This rate increase is a continuation of the same aspect. Residential is always protected no matter what and the businesses are forced to cover the lion's share of the cost. He will have to come up with an additional $4,000 to cover these rates and will somehow have to generate more revenue to cover this increase. He asked why his expenses are going to be so high and why commercial businesses should have to pay such a high rate? There are already many empty buildings in town. How hard does the city want to push? The way this new rate schedule is set up, he doesn't feel his business will be here for long because he cannot afford to stay. At what point do we consider things in this community that are valuable? Landscaping is one of those items. If we want people to have nice yards, we have to somehow figure out how to do that. In the landscaping business he has learned that by 2010, all planter medians that are less than 8-foot in width will be required to have underground irrigation. This is a new law passed by the State. Mr. Watson advised that commercial businesses are the lifeblood of the community and contrary to popular belief, business owners do not make a ton of money. The money made is reinvested back into the business and they provide services to everyone in the community. Yet the lion's share of all the expenses are passed on to the businesses and schools. Why are the charges not more fairly spread out? If a resident gets billed one rate, the businesses should be billed the same. None of the businesses in California make an excessive profit. All are limited because of the overhead factors, government regulations and permit fees. Everything that gets passed down to the business owner is a way to collect the profit back. There is just no more to give. If a business raises rates too high, then customers go elsewhere to someone who doesn't have a license or doesn't pay worker's comp.

Jerry Martens, 1496 W. Flora, Martens Chevrolet, Reedley, advised that years ago when he built his dealership, the city required him to install grass and landscaping. A couple years ago his water and disposal rates were approaching $600 a month. He asked city staff what he could do about this and was told that he was using too much water. The water used by his business is for his employees using the bathroom and mostly for the landscaping, which the city required him to install. City staff suggested he install a separate meter for the landscaping since that water isn't going down the sewer and sewer rates are by what the city charges. Mr. Martens spend $2,000 installing a new meter and connecting all irrigation to this meter. Now, he is going to be double charged for two meters. He advised he is thinking about not keeping the landscape and trees that the city required him to install and instead installing a stamped concrete landscape. Mr. Martens also agrees with Mr. Watson's comment on residential paying less than commercial.

Mr. Koorn advised there are 5,500 customers in the water utility and approximately 500 are commercial. All utilities across the country will have a different rate for residential versus commercial versus irrigation.

City Manager Rogers advised that some of the reasons for the costs in the city versus a private well or irrigation well is that the city is receiving treated water. The cost of treating that water so it can be consumed is an additional cost.

Council Member Rapada referred to the rates for the high school and asked Mr. Garza if he was aware of what the new rate will be? Mr. Garza advised that figuring $583 times 23 meters, or $13,409 per month, would be the new rate.

After receiving permission from Mr. Garza, Public Works Manager Robertson advised that the high school was getting charged the flat rate of $1,292.95, and that one thing that happen at the high school during the course of meter installation project, it was discovered that there were many services that no one was aware of. It was mandatory that each service have a meter installed, which ended up being a great cost to the high school and they will now be charged a flat rate for every meter. Staff suggested consolidating these services to help bring down the cost. The school has 23 meters than vary from one-inch to four-inches. The one-inch meter has

a flat rate of $58.40 per month up to the four-inch meter at $583.50 per month. District-wide their rates will go up to $150,000. They are currently paying $3,600 per month for the schools within the district city limits. Their rates will go up to $11,624 per month for these same schools.

Mark Garza advised the total dollar amount the school district has is $20,259 per month for the six schools within the city limits. This is a yearly total of $243,000, nearly an 800% increase. Next fiscal year will be even more difficult when mandates from the State are received.

Finance Director Oken advised the numbers that finance has been generating are based on the meter size, which is that flat rate, and the consumption that the city has on the books. Staff did not start gathering this information until summer, and the schools are predominantly vacant at the time of year and not using much water. Staff does not have a true and accurate annual consumption to utilize for figures.

Council Member Rapada asked if the school district is going to be charged two different rates; one for operating the school bathrooms and kitchens and one for irrigating the playing fields. Public Works Manager Robertson advised that was correct. The meters are broken down between irrigation and classrooms. Mr. Garza advised the school could shut down watering the playing fields during the summer, but those playing fields are the city's parks and the district is providing a public service. Council Member Rapada advised that if the schools have to start charging Babe Ruth Baseball to use the fields because of the water charge increases, Babe Ruth Baseball does not have the money to pay any fees. Mr. Garza asked for the total dollar value that will be realized by the city? Mr. Koorn advised $3.2 million per year just to break even. The city is currently receiving $2.6 million, which is $500,000 under what is needed.

City Manager Rogers reminded Council that when the rates were first raised in 2005, the city water department was in the hole. Part of this increase was to dig out of that hole and then trying to meet the requirements of State's mandates on water meters and then trying to provide some adequate water storage and fire flow capacity to the city. This has become a daunting task and staff realized these rates are a huge hit and do hurt businesses and school districts and staff is trying to resolve these problems. This is why staff hired professionals in this area who study rates on a regular basis to hopefully come up with answers to these problems. The city has to meet the requirements that are in place. The city has a simple revenue and expenditure that has to be balanced. Whether staff adjusts the balance between residential and commercial differently, the city does not have a choice.

Frank Mascola, 1453 Thompson Court, Reedley, asked for the period of time for the benchmark for the rates that are being discussed? Mr. Koorn advised that the new rates are supposed to become effective January, 2010, and run through fiscal year 2010-2011. Mr. Mascola asked if HDR went back to January 1, 2008 through December, 2008, and that was the benchmark calendar year? Mr. Koorn advised that was correct. Mr. Mascola asked what considerations were made for those families that have family members moving back into the home and now water use will be increased? This is difficult to calculate, but is happening due to the economy. Mr. Mascola advised that he sees many car washes in parking lots for fund raisers and soon the schools will not be able to allow these groups use those facilities without charging them for water usage. Many sports teams use these car washes to raise money. He feels the city needs to take these groups into consideration.

Council Member Rapada advised that anyone that uses less than 10,000 gallons will be seeing a decrease in their water bill. Why would we want to offer a decrease? Mr. Koorn advised that the city is trying to collect X amount of dollars of revenue and when these fixed charges are set and the volumetric charges, it is based on that. The city could increase that fixed charge and it would subsequently decrease the commodity charge to make up that difference. Transitioning from a fixed rate to a metered rate, people pay for what they use and on the lower end, the city is trying to provide some benefit for those on the low use side. Council Member Rapada advised this could still be accomplished if the fixed rate was left at the $29.99 and if people did use less, then their multiplier to the $0.60/1,000 would be less than someone who might only use 5,000. It will still be less than someone that uses 15,000 or 20,000. Council has been talking about

incremental increases over time rather than these huge increases. That would still play into it if we left it at the $29.99 for everyone and then just add the $0.60 and then back some of that off the burden that the businesses have to have. Everyone should bear some of the increase, not a decrease. If costs are going up, everyone should share in some of those costs. The cost of everything keeps going up and it is not going to stop. For Reedley to survive, we have to have businesses in this town and generate revenue. That has been the unfortunate thing as to how this town has been run for many years. No one has ever looked at this municipality as a business. We have revenue and expenditures. For too many years this city's revenue has been a lot less than its expenditures. We need to find a way to make sure to provide the services that citizens expect and there has to be money available to provide those services.

Mr. Martens asked how Reedley's rates compared to surrounding cities. Mr. Koorn advised that in the central valley the fixed charges range anywhere from $10.00 to $40.00 per month for a ¾-inch or 1-inch meter and consumption charges are anywhere from $1.00 to $3.00 per thousand gallon. Fresno's consumption rate is over $1.00 per thousand for commercial and slightly under $1.00 for residential. Fresno puts more burden on the residential rates. Most entities are increasing their rates due to the water meter issue, due to the cost of capital projects and how to get water. There are more requirements on ground water and surface water and this adds to keeping the consumption charges going up.

Council Member Soleno asked if staff could come back with more information at another workshop on what would happen if the rate is left at $27.00 or at $29.00 and what kind of relief can we give the businesses and still reach the necessary goals? Mr. Koorn advised that re-running the numbers is not a big issue since the system is in place.

Council Member Rapada advised that if the numbers are going to be re-run to give different percentages on residential versus business, can we go to equitable municipalities and find out what Dinuba, Selma, Sanger and other communities are doing and include Fresno and Clovis and give Council some examples.

Finance Director Oken advised that Council should keep in mind that the city has a debt coverage ratio that is required in order to continue meeting the bond covenants.

Council Member Rapada asked for some comparisons for Council to review so choices can be made.

Mr. Watson advised that he is aware that these are unfunded mandates and the Council has been placed in a terrible position, however, somewhere cities are going to have to start making decisions as to whether or not we keep complying with all these State mandates. Someone sits is a little room in Sacramento and keeps coming up with other concepts that cities will need to comply with. This is what is driving businesses out of California.

Council Member Rapada advised these rates are being set on the number of businesses in town, but if some businesses go out of business, how do we pick up the revenue that will be lost? Do we go back to the residents and tell them the rates will now be recalculated to make up for these lost businesses or will the city start to fall back into the negative waiting for new business to come to town. If we start driving the businesses out of business, how will the city pick up the revenue that will be lost?

Mr. Koorn advised that part of that is hoping that growth will come back at some point because the current rates are based on current customers and based on the data for the last 12 months. If one of those customers goes away, then the city will lose the $100, $1,000, whatever that might be for that customer going forward until someone new comes in or until rates are adjusted at some point in the future. HDR also included one percent growth in the calculations. Referring back to the $24 and $35 charge, this does not include all the fixed costs of the system. This is simply a customer component. If we really looked at the water utility on a fixed and variable in a true accounting sense, 99% of the costs are fixed. Staff could calculate what the budget is going to be next year with some certainty. The only variable costs are in the chemicals and electricity

for pumping any water anywhere. For most utilities, these are the two items that make up 10% to 15% of the utility cost.

Mr. Martens referred to the backflow prevention devices that are installed on most businesses. He asked if they figured into the new rates and asked why everyone does not have a backflow device on their business since this is also revenue for the city. City Manager Rogers advised that the city is responsible for testing the backflow devices and there is a charge for this testing. Backflow devices are required by the State for certain businesses that are prone to creating a back pressure that could suck bad water into the system and this must be prevented. Mr. Martens asked why all businesses are not required to have the backflow prevention devices? City Manager Rogers advised that not all businesses are in the category of being a potential problem of creating a back siphon into the water system. Mr. Martens advised there are body shops in town that do not have a backflow prevention device as he is required to have. City Manager Rogers advised that there should not be any restaurants or body shops that do not have a backflow prevention device installed on their building. He will have staff look into this as all businesses listed by the State that need the device should have the device. Public Works Manager Robertson advised that the city only tests city-owned backflow devices. All other businesses have to hire a certified backflow tester and a certificate of testing must be submitted to the city as required by State law. Nor does the city install the backflow prevention devices. This is not a revenue stream for the city in any form.

Mayor Fast asked for an explanation on charges for water cost based on wastewater. City Manager Rogers advised the wastewater charge is based on the water consumption. Mr. Koorn advised that the wastewater rate is set is by charging a volumetric rate the same as is proposed for water charges. There will be X amount of dollars per thousand gallons for wastewater based on the meter reading of the water meter. If a business uses one thousand gallons of water, then the business will be charged for one thousand gallons of water on the wastewater side as well.

City Manager Rogers advised staff will recalculate the fixed rate to see how that would place everyone as far as consumption and bring these figures back to Council for review. Mr. Koorn will come back with different range calculations for Council's review.

ADJOURNMENT

Mayor Fast adjourned the workshop at 8:25 p.m.

_____
Mary L. Fast, Mayor

ATTEST:

_____
Kay L. Pierce, City Clerk

REEDLEY CITY COUNCIL REGULAR MEETING – November 24, 2009

The regular meeting of the Reedley City Council was called to order by Mayor Fast at 7:02 p.m. on Tuesday, November 24, 2009, in the City Hall Council Chambers, 845 "G" Street, Reedley, California.

INVOCATION

The invocation was given by Pastor Dennis Fast.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Council Member Chavez.

ROLL CALL

Council Members

Present: Anita Betancourt, Ray Soleno, Steven Rapada, Pete Chavez, Mary Fast.

Absent: None.

City Staff

Present: Rocky Rogers, City Manager; Scott Cross, City Attorney; Lori Oken, Finance Director; Joel Glick, Community Services Director; Lt. Joe Garza; Lt. Marc Ediger; Jerry Isaak, Fire Chief; David Brletic, City Planner; Bruce Webber, City Engineer; Russ Robertson, Public Works Supervisor; and Kay Pierce, City Clerk.

Others

Present: Dawn Barcellos, Karina Solis, Dale Melville, Wayne Bemis, Cheryl Lingo and others.

PRESENTATIONS

1. KINGSWOOD PARKWAY FOREST RESTORATION PROJECT – WAYNE BEMIS

Mr. Bemis advised the restoration project began in February, 2007. The project location is along the river off of Eymann Avenue from Beechwood Avenue to Otani property line and consists of approximately 22 acres of land, nine of which are river zone. Mr. Bemis relayed the history of this area from 130 years ago. The original tree species consisted of Valley Oak, Fremont Cottonwood, Oregon Ash, California Sycamore, California Walnut, Box Elder, and Black Willow. In 1880, a brick plant was established in Reedley and the original forest disappeared. The construction of the Pine Flat Dam in the 1950's also dramatically changed the ecology of this entire area since there was no more annual flooding. There are 14 species of trees that are not native to the area and are pushing out the native species. If these trees are not removed, the remaining native forest will be lost. The work planned for this area is to first remove all exotic species of trees, shrubs and herbs and then plant native trees and shrubs that are currently missing and should be in this area naturally. For the green zone, there are six things planned in this area. First is to develop and install a water system; construct swales that used to be in this area; construct and install an entrance gate at the end of Eymann, which is part of the grant; construct a kiosk which is not paid for by the grant; develop a trail through the project area which will meander through the 12.5 acres of the greenbelt. Eventually this entire project will tie into the Barsoom property on the south and to the Otani property on the north. Reedley College has river property and are planning something similar to this project. There will eventually be a trail from the cemetery to Pine Flat Reservoir. The Kings River Consortium is buying up land along that strip and El Rio Reyes is working on the same thing. A grant from the Fish and Wildlife Service was recently received in the amount of $25,000 with a 50% matching grant. The City of Reedley and Kiwanis match is approximately $70,000 to $80,000, which is volunteer time. The grant allowed all the volunteer hours already expended on this project since 2007 and involves both

Kiwanis Clubs, Reedley College Forestry, RC International program at Reedley College, ROP Fire and Reedley High School, Boy Scout Troup 282 and many more volunteers who meet the minimum requirements. The total volunteer labor and consulting labor is 850 man-hours as of November 21, 2009. Mr. Bemis has volunteered 495 man-hours to this project currently. The original time frame for this project was going to be nine years. However, changes have been made. The grant funding will cover the gate construction and installation, the entrance sign, the water system, and most of the plant stock which is being provided by Southern California Edison. It is planned that Reedley College Forestry will have a native plant nursery within the next year or two and Mr. Bemis will take advantage of that for this project. The grant will also provide for pest control for these small trees. There will be three acres of exotic species removal through the Conservation Corp of California. The grant will not cover the construction of the kiosk, which is estimated to cost $1,200 for the materials and will be constructed in-house. Also not covered by the grant is the gravel for the road interior to the gate and construction of a fence on the north side of the entrance by the well, which is the City's responsibility and was not part of the development cost when the homes were originally built in this area. The project is looking at future grants through the U.S. Fish and Wildlife Service, the Natural Resource Conservation Service, local service clubs, financial institutions and more. There are some restrictions and the most concerning is that under no circumstances will the grant allow any paint-ball activity or any activities that might be detrimental or destructive to wildlife habitat conditions and wildlife use restrictions. The current restriction from Cal Fish and Game is to not work in areas where there are waterfowl nesting between March 1st and July 1st.

Council Member Soleno commended Mr. Bemis on his involvement with the project as the river means a great deal to the City of Reedley.

PUBLIC COMMENT – None.

CONSENT AGENDA

Council Member Rapada moved, Council Member Chavez seconded to accept, approve and adopt all items listed under the **CONSENT AGENDA** as follows:

2. MINUTES OF THE NOVEMBER 10, 2009, REGULAR REEDLEY CITY COUNCIL MEETING - Council received and filed.

3. WARRANT REGISTER DATED NOVEMBER 24, 2009 - Council received and filed.

4. RESOLUTION NO. 2009-080 - A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE PROGRAM SUPPLEMENTAL AGREEMENT WITH THE STATE OF CALIFORNIA FOR FEDERAL AID PROJECT NO. ESPLSTP-5216(039) – Council approved.

5. RESOLUTION NO. 2009-083 – A RESOLUTION APPROVING AND AUTHORIZING THE CITY ENGINEER TO EXECUTE CONTRACT CHANGE ORDERS NOT TO EXCEED $24,577.02 BETWEEN VICTORY ENGINEERS, INC., AND CITY OF REEDLEY FOR THE REEDLEY CITY STREET IMPROVEMENTS PHASE 1, CDBG PROJECT NO. 08571 – Council approved.

6. ANNUAL REPORT REGARDING IMPLEMENTATION OF THE GENERAL PLAN FISCAL YEAR 2008-09 – Council received and filed.

Motion unanimously **carried.**

PUBLIC HEARING

7. RESOLUTION NO. 2009-082 – A RESOLUTION ORDERING VACATION OF AN EXISTING ALLEY RIGHT-OF-WAY AND UTILITY EASEMENT WITHIN NORTH HALF OF LOT 58 OF MERRITT COLONY NO. 2 (APN 363-160-01)

City Engineer Webber advised that the City received a request from the property manager of the Diocese of Fresno asking to abandon a sixteen-foot side alley right-of-way that is located in APN

363-160-01 which fronts North Frankwood Avenue. The alley right-of-way and utility easement was granted to the City on October 17, 1968, as part of a potential development. That development never occurred and the City never relinquished the easement back to the property owner. The Diocese of Fresno is now preparing to build a new church on this property and they have requested that this easement be abandoned back to the property owner. Council adopted Resolution No. 2009-064 which stated the City's intention to vacate this right-of-way and easement. Staff contacted all involved utilities and they have no objection to this abandonment. This easement is covered under the CEQA law and staff will be filing a notice of exemption with the Fresno County Clerk's office on this abandonment. Staff recommends that this alley right-of-way and utility easement be vacated and this property be granted back to the current property owner.

Council Member Soleno asked if surrounding property owners were notified of this public hearing. City Engineer Webber advised that this was a noticed public hearing as required by law. City Attorney Cross advised it is not necessary to notify individual property owners as long as the public hearing was posted as required.

Mayor Fast opened the public hearing at 7:27 p.m. Hearing no testimony, the public hearing was closed at 7:27 p.m.

Council Member Chavez moved, Council Member Betancourt seconded to approve RESOLUTION NO. 2009-082 – A RESOLUTION ORDERING VACATION OF AN EXISTING ALLEY RIGHT-OF-WAY AND UTILITY EASEMENT WITHIN NORTH HALF OF LOT 58 OF MERRITT COLONY NO. 2 (APN 363-160-01).

Motion unanimously **carried.**

NEW BUSINESS

8. RESOLUTION NO. 2009-081 – A RESOLUTION AUTHORIZING SACRAMENTO COUNTY AS THE LEAD AGENCY TO APPLY FOR FUNDS ON BEHALF OF THE CITY OF REEDLEY - *THIS ITEM WAS PULLED BY CITY MANAGER ROGERS*

9. **COUNCIL REPORTS**

Council Member Chavez:

- Met with Supervisor Poochigian regarding the Jesse Morrow Mountain issue. She wanted Council Member Chavez to assure everyone that she has not made a decision on this issue as she has not had an opportunity to read through the EIR. She does have concerns about this project and was open to comments. Also has a scheduled meeting with Supervisor Case and Henry Perea regarding this issue.

Mayor Fast:

- Met with Juan Arambula at the Senior Center. He is retiring at the end of his term and is concerned about making good decisions for this area before he retires. If anyone has any concerns, please contact Mr. Arambula.
- Met with Superintendent Garza and City Manager Rogers for a luncheon and had further discussion with Juan Arambula. Asked Arambula to not take anymore local funds.
- Welcomed the CPRS workshop at the community center.
- Attended COG meeting in Fresno on 11/19/09. Items of interest for Reedley is Highway 180 east to Temperance is being opened on Dec. 3, 2009, at 10:00 a.m. Also working on Temperance to Academy extension due to received ARRA funding and should be completed within the next two years. Because of ARRA funding, COG planned to have the Measure C funds for the Temperance to Academy section, but will now be able to work on Highway 180 from Academy to Trimmer Springs. One Voice project were discussed and voted on. A couple that might involve Reedley is a gang prevention initiative called the "Never Give Up" initiative from Fresno County. They are requesting $3 million on this. Also requesting $3 million for a Regional Interoperability Project which basically means they are requesting money to provide communication within law enforcement, ambulance and fire departments on a regional basis.

- Attended a Fresno County Rural Transit meeting. Director Jeff Webster spoke about his difficulty in the purchase of natural gas vehicles and the ability to find locations to refuel these vehicles within the County. They are thankful that KCUSD is allowing them refuel the station in Reedley. They are in support of the joint transportation yard.
- Asked the police department staff about the two employees that are usually assigned to the County gang enforcement and narcotics division and asked why they are being pulled from that duty?

10. **STAFF REPORTS:**

Lt. Marc Ediger:
- In response to the question from Mayor Fast regarding the specialty personnel, advised that with regard to the MAGEC position, that officer has been temporarily brought back to RPD due to police personnel that are currently off for various reasons. He was needed to fill-in for these positions and it is a temporary pull-back as Reedley has not pulled out of MAGEC. This officer is still in close contact with MAGEC and the D.A. who is managing and maintaining Reedley's gang injunction on a daily basis. All of the necessary daily interactions that are needed to occur are still happening. With regard to the narcotics position, approximately eight months ago, the Fresno County Sheriff's Department decided to move their rural narcotics street team to the Fresno Metro office. It was Reedley PD's thought that by doing this, Reedley would very rarely see this team this far south. When a unit is moved to Fresno, they tend to get wrapped up in bigger investigations and it is difficult to keep them focused on Reedley since there is only one Reedley officer in this unit. Reedley PD has their own investigations unit which was formulated over two years ago and it is very successful and a bigger benefit at this point to have that officer part of Reedley's in-house unit.

Council Member Soleno advised of the police vehicle take-home program adding that the Council was given periodic reports regarding the cost savings the city was realizing as far the take home program compared to the 24-hour use of the vehicle. Council has not received this report for a few years and would like to have some information on this matter since the current Council has never had any information on this program. Is the city still saving money with the vehicle take home program or not. He would also like the radius of police officers taking these vehicles home.

Lt. Garza advised he does have this information and will get it to the Council. The report will show that the city is saving money by continuing with the vehicle take home program. The police vehicles are kept longer than before since they are not utilized on a 24-hour basis. The officers are also able take better care of these vehicles. The officer averages between 100 and 120 miles per shift compared to 360 or more miles per day if used 24/7.

City Manager Rogers advised he did receive this report from the police department, but sent it back asking that the PD do a comparison study of the initial capital costs of that program versus a pooled-car program. In a pooled-car program, the capital costs are cheaper initially, but the overall cost savings over time actually bears out that the take-home program is a better program.

Finance Director Oken:
- Updated Council on the ERAF payment. Staff has received the hard and fast numbers from the State Department of Finance. For the 2009-2010 fiscal years, the payment is expected to be $629,162 and next year's payment will be $129,533. There are two critical dates that staff needs to be aware of. One is March 1, 2010, and at that point in time, the City must submit to the County Controller how Reedley intends to pay for the ERAF payment, whether it is through tax increment or a loan from the Low and Moderate Income Housing, which the city can do as long as it is repaid back within five years. The second critical date is May 10, 2010, when the payment is due to the County, assuming that the California Redevelopment Association does not prevail in the law suit. Staff will be waiting until the 11th hour before making this payment in the hope that the law suit is successful.

Mayor Fast asked for an explanation of ERAF. Finance Director Oken advised that ERAF stands for Supplemental Education Revenue Augmentation Fund. This is money that is being taken away from Redevelopment Agencies and ultimately sent to schools. Basically, the State ends up

shorting the school districts for some of their money and they then intend to make the Redevelopment Agencies pay for that shortage through this take-away. This is Redevelopment Agency money and would be coming from the tax increment, unless the city borrows it internally from the Low and Moderate Income Housing fund. This will curtail any economic development plans that the city intends to do. CRAC sued the State last fiscal year and won so the hope is that they will prevail again this fiscal year.

- Advised Council that the Prop 1A Securitization Program closed last week and Reedley will be receiving approximately $258,000 that was not included in the budget.

City Manager Rogers:
- Went to Jesse Morrow Mountain with Council Member Betancourt and visited with the Cemex people. Received information on their side of the story.
- Assembly Member Arambula met with Reedley staff, the RDA, the Chamber and some staff from KCUSD in the Council Chambers for a question and answer session that went very well and lasted for a couple hours.
- There is a Manning Avenue corridor plan that was developed in 2003 which was actually a planning study for economic development. Staff is reviving this study and will be taking this to COG next year and possibly setting this up as a One Voice program to have funded.
- December 1 will be a roundtable discussion with Caltrans Director, Randy Iwasaki. December 3 there will be a workshop by the Local Government Commission on Trail Networks in the Valley in Hanford.
- City Managers met with County staff last week with regard to the tax sharing MOU agreements with the County. The County is proposing to come back and revisit every MOU's regardless how much time is left on those. Reedley's would have been good until 2021. The County wants to increase their take of sales tax from cities. They are currently taking 5% and would like to go up to 8% or as high as 15%. In turn, they want to respect each city's growth decisions. There is no change in the property tax increments that have been given to the cities. There will be another meeting on January 15, 2010.

11. COMMISSION REPORTS BY STAFF - None

ADJOURNMENT

Mayor Fast adjourned the Council Meeting at 7:55 p.m.

_____
Mary L. Fast, Mayor

ATTEST:

_____
Kay L. Pierce, City Clerk

Agenda Item 3

REEDLEY CITY COUNCIL SPECIAL MEETING – JUNE 15, 2004

The special meeting of the Reedley City Council was called to order by Mayor Rhodes at 6:30 p.m. on Tuesday, June 15, 2004, in the City Hall Council Chambers, 845 "G" Street, Reedley, California.

ROLL CALL

Council Members

Present: Marge Gobby, Ray Soleno, Donald Ikemiya, Joseph P. Rhodes.

Absent: LeRoy Swiney.

City Staff

Present: Stephen Hollister, City Manager; Lori Oken, Finance Director.

Others

Present: None

CLOSED SESSION

Mayor Rhodes adjourned to a Closed Session at 6:30 p.m. to consider the following:

1. CONFERENCE WITH LABOR NEGOTIATORS

   Agency Negotiators: Bill Douglas; Steve Hollister, City Manager; Lori Oken, Finance Director

   a. Employee Organization: General Services Unit (Stationary Engineers, Local 39)
   b. Law Enforcement Unit (Reedley Police Officers Association)

Mayor Rhodes adjourned the Closed Session at 7:10 p.m. and announced that no action was taken in.

Mayor Rhodes reconvened the City Council meeting at 7:16 p.m. Council Member Swiney was not present for the Council portion of the meeting.

NEW BUSINESS

2. DRAFT BUDGET REVIEW – SPECIAL REVENUE AND ENTERPRISE FUNDS – Report, Discussion, and/or Council action to approve, modify, and/or take other action as appropriate (City Manager)

City Manager Steve Hollister presented the FY 2004-2005 Draft Special Revenue and Enterprise Funds budget to the City Council for discussion and comment.

ADJOURNMENT

Mayor Rhodes adjourned the special City Council meeting at 9:05 p.m.

_____
Joseph P. Rhodes, Mayor

_____
Kay Pierce, Interim City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING – June 22, 2004

The special meeting of the Reedley City council was called to order by Mayor Rhodes at 6:30 p.m. on Tuesday, June 22, 2004, in the City Hall Council chambers, 845 "G" Street, Reedley, California.

ROLL CALL

Council Members

Present: Ray Soleno, Donald Ikemiya, Marge Gobby, Joseph Rhodes.

Absent: LeRoy Swiney

City Staff

Present: Steve Hollister, City Manager; Dale Bacigalupi, City Attorney, Lori Oken, Finance Director, Andy Benelli, City Engineer, Fred Bruesuelas, Community Development Director, Joel Glick, Parks and Recreation Director, Doug Johnson, Police Chief, David Powell, Fire Chief, Elizabeth Vines, City Clerk

CLOSED SESSION

Mayor Rhodes adjourned to a CLOSED SESSION at 6:30 p.m. to consider the following:

1. CONFERENCE WITH LABOR NEGOTIATORS

   Agency Negotiators: Bill Douglas, Steve Hollister, City Manager, and Lori Oken, Finance Director

   a. Employee Organization: General Services Unit (Stationary Engineers, Local 39)
   b. Law Enforcement Unit (Reedley Police Officers Association)

Mayor Rhodes reconvened the City Council meeting at 9:08 p.m. and announced that no action was taken in CLOSED SESSION.

ADJOURNMENT

Mayor Rhodes adjourned the special City Council meeting at 9:08 p.m.

_____
Joseph P. Rhodes, Mayor

ATTEST:

_____
Kay Pierce, Interim City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING – January 4, 2005

A special meeting of the Reedley City Council was called to order by Mayor Soleno at 8:30 a.m. on Tuesday, January 4, 2005, at the Wastewater Treatment Plant, 1295 W. Olson Avenue, Reedley, California.

ROLL CALL

Council Members

Present: Brockett, Rapada, Betancourt, Soleno.

Absent: Ikemiya.

City Staff

Present: Ray Forsyth, Interim City Manager; Bruce Webber, Interim Public Works Director; Richard Goldstone, WWTP Superintendent.

Others

Present: Representative from the Governor's office.

WORK SESSION

1. TOUR OF WASTEWATER TREATMENT PLANT

The workshop participants were given an overview of the operation of the Wastewater Treatment Plant, condition of the facility, current capacity, potential deficiencies and cost of upgrading to improve or replace aging equipment and to meet the demand for increased treatment, both in terms of increased population and to meet new regulations, as well as the cost to expand and upgrade.

The estimated high cost and the difficulty of funding the expansion was discussed, including the City's need to find some type of grant funding for all or part of the expansion versus a possible doubling of monthly sewer fees which would likely be very burdensome for most City residents to pay. Council Members expressed their hope that the State and Federal governments would be able to assist the City financially with the WWTP expansion.

ADJOURNMENT

Mayor Soleno adjourned the City Council special meeting at 10:30 a.m.

_____
Ray Soleno, Mayor

ATTEST:

_____
Kay L. Pierce, Interim City Clerk

(Note: In the absence of the City Clerk, the Interim City Manager provided the above meeting summary)

REEDLEY CITY COUNCIL SPECIAL MEETING – JANUARY 18, 2005

The special meeting of the Reedley City Council was called to order by Mayor Soleno at 5:16 p.m. on Tuesday, January 18, 2005, in the Sierra Room at the Community Center, 100 N. East Avenue, Reedley, California.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Council Members

Present: Donald Ikemiya, Steven Rapada, Matthew Scott Brockett, Anita Betancourt, Ray Soleno

Absent: None

City Staff

Present: Ray Forsyth, Interim City Manager; Doug Johnson, Chief of Police; David Powell, Fire Chief; Lori Oken, Finance Director; Joel Glick, Parks and Recreation Director; Fred Brusuelas, Community Development Director; Elizabeth Vines, City Clerk

Others: Vicki Stasch, Fred Hall, Levi Tucker

PUBLIC COMMENT – None

WORKSHOP

1. VISIONING SESSION

Staff presented the report to Council for consideration.

ADJOURNMENT

Mayor Soleno adjourned the meeting at 8:15 p.m.

Ray Soleno, Mayor

ATTEST:

Kay L. Pierce, Interim City Clerk

REEDLEY CITY COUNCIL REGULAR MEETING – January 11, 2005

The regular meeting of the Reedley City Council was called to order by Mayor Soleno at 7:02 p.m. on Tuesday, January 11, 2005, in the City Hall Council Chambers, 845 "G" Street, Reedley, California.

INVOCATION

The invocation was given by Pastor Ray Groff of the Navelencia Community Church.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Council Member Brockett.

ROLL CALL

Council Members

Present: Matthew Scott Brockett, Steve Rapada, Anita Betancourt, Donald Ikemiya, Ray Soleno.

Absent: None.

City Staff

Present: Ray Forsyth, Interim City Manager; Dale Bacigalupi, City Attorney; Doug Johnson, Police Chief; Fred Brusuelas, Community Development Director; Bruce Webber, Interim Public Works Director; Lori Oken, Finance Director; Joel Glick, Community Services Director; David Powell, Volunteer Fire Chief; Elizabeth Vines, City Clerk.

Others

Present: Robert Wood, Richard Stiffler, Jimmie Rogers, Loetta Rogers, Fred Hall, Levi Tucker, Marsha L. Hunter, and others.

PUBLIC COMMENT

None.

CONSENT AGENDA

Council Member Ikemiya moved, Council Member Rapada seconded, to accept, approve, and adopt all items listed under the **CONSENT AGENDA** as follows:

1. WARRANT REGISTERS DATED DECEMBER 28, 2004 AND JANUARY 11, 2005 - Council approved.

2. CLAIM FOR DAMAGES - MARIO MERAS - Council denied claim and referred to insurance adjuster.

3. CLAIM FOR DAMAGES - ELDORA KLASSEN - Council denied claim and referred to insurance adjuster.

4. RESOLUTION NO. 2005-001 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY INDICATING APPROVAL FOR THE REDESIGNATION OF THE FRESNO COUNTY RECYCLING MARKET DEVELOPMENT ZONE - Council adopted.

5. CITY ATTORNEY CONTRACT - RATE INCREASE - Council approved.

Motion unanimously **carried**.

PUBLIC HEARINGS

6. URGENCY ORDINANCE PROHIBITING MULTIPLE DWELLING UNITS IN THE RM-3 (MULTIPLE-FAMILY RESIDENTIAL - 3,000 SQUARE FEET MINIMUM SITE AREA PER DWELLING UNIT) AND RM-2 (MULTIPLE-FAMILY RESIDENTIAL - 2,000 SQUARE FEET MINIMUM SITE AREA PER DWELLING UNIT) ZONE DISTRICTS WITHIN CITY COUNCIL ELECTION DISTRICT NO. 5 (Ord. No. 2005-01)

Council Member Betancourt excused herself as representative of District 5 and left the Council Chambers.

Community Development Director Brusuelas advised that the request for this urgency ordinance to temporarily prohibit multiple dwelling units in RM-3 and RM-2 zone districts in District 5 was brought to Council in November, 2004, but it failed since it did not receive the required 4/5 approval for an interim urgency ordinance. Staff requested the new Council give consideration of approval of this urgency ordinance to provide staff the opportunity to prepare a study and evaluate measures that may be available to reduce impacts to the public's health, welfare, and safety in District 5. Staff has undertaken some preliminary research and determined there the sewer lines may be undersized to accommodate additional multiple-family development. There are undeveloped lots in District 5 which staff would like to determine how many additional units could be built on those vacant lots. Mayor Soleno advised that he requested staff bring this back to the new Council because of the concerns by citizens in that area of the City. The resolution is slightly different than the one considered in November, 2004, in that it specifically exempts the Oaks Subdivision, rather than stating "east of Buttonwillow Avenue." The other District 5 exemptions remain: CUP No. 435 on Lincoln Avenue and the 700 block of East Early Avenue.

Mayor Soleno opened the public hearing at 7:12 p.m. Hearing no requests to testify either in favor nor in opposition, the public hearing was closed.

Council Member Brockett moved, Council Member Rapada seconded, to adopt Ordinance No. 2005-01, AN INTERIM ZONING ORDINANCE OF THE CITY O REEDLEY CITY COUNCIL, PURSUANT TO THE PROVISIONS OF GOVERNMENT CODE SECTION 65858, REGARDING NEW MULTIPLE DWELLING UNITS IN THE RM-3 (MULTIPLE-FAMILY RESIDENTIAL - 3,000 SQUARE FEET MINIMUM SITE AREAS PER DWELLING UNIT) AND RM-2 (MULTIPLE-FAMILY RESIDENTIAL - 2,000 SQUARE FEET MINIMUM SITE AREA PER DWELLING UNIT) ZONE DISTRICTS LOCATED WITHIN CITY COUNCIL DISTRICT 5.

Motion **carried** by the following vote:

AYES: Brockett, Rapada, Ikemiya, Soleno.
NOES: None.
ABSTAIN: Betancourt.
ABSENT: None.

Council Member Betancourt returned to the Council Chambers and resumed her seat on the dias.

7. ANNEXATION OF TRACT NO. 5114, THE OAK SUBDIVISION, INTO THE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1, ZONE O, OF THE CITY OF REEDLEY

City Clerk Vines advised that this agenda item had been noticed for public hearing this evening. However, during preparation of the item for this meeting, it was determined that one of the steps required before this item can move forward had not been completed (mailing of the voting ballot to the property owner). Because a minimum of 45 days would be necessary to set a new public hearing date, staff requested that the public hearing be opened this evening to hear public testimony, if any, and without closing the public hearing, continue the public hearing to the January 25, 2005 Council meeting. This would allow sufficient time to complete the necessary work without significant delay to the developer of the Oak Subdivision (Reedley Housing, LLC, Val-Wide Development, Inc.).

Mayor Soleno opened the public hearing at 7:15 p.m. No requests were made to give testimony either in favor nor in opposition. As requested by staff, Mayor Soleno did not close the public hearing.

Council Member Betancourt moved, Council Member Rapada seconded, to continue the public hearing on this matter to the January 25, 2005 City Council meeting.

Motion unanimously **carried.**

7B. 2003-2004 DEVELOPMENT IMPACT FEE ANNUAL REPORT

City Clerk Vines advised that this matter had been noticed for a public hearing this evening but was inadvertently omitted from the printed agenda. Council was requested to add consideration of this matter to the agenda this evening. This will provide members of the public who attended the meeting tonight expecting to be allowed to give public testimony to do so.

Council Member Ikemiya moved, Council Member Brockett seconded, to add consideration of the 2003-2004 Development Impact Fee (DIF) Annual Report to the agenda as Item 7 B, and to make the findings to do so in accordance with Government Code §54954.2(b)(2).

Motion unanimously **carried.**

Community Development Director Brusuelas advised that the 2003-2004 Development Impact Fee (DIF) Annual Report summarizes the DIF funds received by the City for each category of DIF, the interest earned, and the end of year balance.. The report shows that some DIFs were expended for street work on Springfield Avenue and North Avenue as part of the Rosewood Subdivision. There were also funds expended for the acquisition of land for the future sports park facility. The annual DIF report is done in compliance with State law.

Mayor Soleno opened the public hearing at 7:20 p.m. No requests were made to give testimony either in favor nor in opposition. As requested by staff, Mayor Soleno did not close the public hearing.

Council Member Rapada moved, Council Member Betancourt seconded, to continue the public hearing on this matter to the January 25, 2005 City Council meeting.

Motion unanimously **carried.**

NEW BUSINESS

8. REQUEST TO ALLOW INGRESS/EGRESS THROUGH CITY PROPERTY LOCATED ON LAC JAC AVENUE (APN 365-022-28)

Interim Public Works Director Webber advised that Richard Stiffler has requested an opportunity to acquire permanent access to his property (APN 365-022-33) which is located to the west of the City's Lac Jac dirt farm. Mr. Stiffler has been using a dirt road on the south side of the City's property, which is actually on the outside of the City's dirt farm property. Mr. Stiffler plans to construct some improvements on his property. In order to acquire financing for his project, the lending institutions require a formal easement, lease, or purchase of the dirt road to provide permanent access to his property. Staff contacted John Loewen, a local real estate broker, who is available at a cost of $250.00 to provide the City with an appraisal and cost estimate for the access. Staff requested direction from Council on whether or not to proceed with an appraisal and consideration of approving a lease, easement, or sale of the dirt road. The request is only for the appraisal and the matter would be brought back to Council again in the future to decide if the Council wished to proceed further.

Richard Stiffler advised that all the property in that general area had once been the property of his wife's family, but over time, the property was broken up into smaller parcels and sold. However, the dirt road in question has been used over 50 years by the family to access their property behind

what is now the City's dirt farm. He requested he be given the opportunity to make some kind of permanent arrangement with the City so he could proceed with the construction of a new home on the family property.

Council Member Brockett moved, Council Member Rapada seconded, to authorize staff to hire John Loewen in order to provide an appraisal of the dirt road in question and to bring the matter back to Council for further consideration at a future meeting.

Motion unanimously **carried**.

9. REQUEST TO RELEASE ADDITIONAL EARLY START BUILDING PERMITS FOR RIVER RIDGE SUBDIVISION, PHASE 2

Community Development Director Brusuelas has an adopted Early Start Building Permit Policy. Phase 1 of River Ridge Subdivision has been completed. Phase 2, which is under construction, was allowed the 30% of the total 70 lots to begin construction under the "Early Start" Policy. The developer is requesting additional lots be allowed under the "Early Start" Policy. When initially approached by the developer, staff was prepared to allow ten additional "Early Start" permits. There is a "punch list" from Public Works which includes work that needs to be completed when weather is dryer, particularly fog seal on street. All the streets are otherwise completed, as is curb, gutter, and sidewalk, street lights, fire hydrants, so safety should not be an issue at this point in Phase 2. As a result of the high level of completion, staff recommended the balance of Phase 2, approximately thirty lots, be approved to receive "Early Start" building permits. Staff proposed to revise the Early Start Building Policy for Council's future consideration instead of constantly asking for exceptions to the adopted policy, but recommended the exception before Council this evening be approved. Necessary performance bonds are in place should the developer fail to perform all the improvements remaining on the "punch list."

Robert Wood, developer, advised that half of the 22 items on the "punch list" have since been completed and the remainder are weather-related delays due to the recent wet weather. However, all the necessary public safety items are completed and the necessary performance bonds are in place to protect the City and the citizens. Phase II is sold out and the buyers are anxious to see their homes constructed.

Council Member Ikemiya moved, Council Member Rapada seconded, to make an exception and allow "Early Start" building permits on the balance of lots in Phase 2 of River Ridge Subdivision.

Motion unanimously **carried**.

10. CONSIDERATION OF ESTABLISHMENT OF "COLD STORAGE" AS A PERMITTED OR CONDITIONAL USE WITHIN THE REEDLEY INDUSTRIAL PARK

Community Development Director Brusuelas advised that City staff has received inquiries about development at the Industrial Park, the most recent was about development of a cold storage facility. It is not currently a permitted use at the Industrial Park. At the time the Industrial Park was created, it was the desire of Council that the Industrial Park be used to attract new businesses to the community to generate new employment and to provide diversification in the type of business, rather than to be dependent on ag-related businesses only. As time went on, the primary inquiries about the Industrial Park were to construct ag-related businesses. There currently is someone who wishes to develop a cold storage and corporate office, which would employ approximately 80 people. Approximately ten acres would be needed.

Council discussed potential impact of a cold storage facility on the Wastewater Treatment Plant, allowing this cold storage facility at the Industrial Park would make the Industrial Park over 60% ag-related, lack of diversification, need for new jobs, availability of existing vacant cold storage facilities within the City-limits, and possibility of an obsolete cold storage facility in the Industrial Park in the future. The hope had been that the new Industrial Park would provide year-round employment, which is one reason Council at that time decided not to allow ag-related uses. However, in the past three years, the reality is there have been no other serious inquiries. Staff noted

that the "no ag" decision was added by the City; it is not a requirement of the Federal Economic Administration grant the City received to build the infrastructure at the Industrial Park.

Council Member Ikemiya moved, Council Member Rapada seconded, to direct staff to prepare for Council's consideration an amendment to the Reedley Industrial Park Guidelines to allow "cold storage" as a conditional use.

AYES: Rapada, Betancourt, Ikemiya.
NOES: Brockett, Soleno.
ABSTAIN: None.
ABSENT: None.

11. FIRE DEPARTMENT TASK FORCE RECOMMENDATION NO. 2 - AMEND MUNICIPAL CODE PERTAINING TO FIRE DEPARTMENT AND FIRE CHIEF (Ord. No. 2005-02)

Volunteer Fire Chief Powell advised that a Fire Department Task Force had been formed by Council. The Task Force Members were Donald Ikemiya, Scott Brockett, Ray Forsyth, Doug Johnson, Jimmie Rogers, Brad Fast, Rod Buckley, and David Powell. Task Force Recommendation No. 2 was to update the Municipal Code related to the Fire Department. This portion of the Code was largely established prior to 1930, with only minor revisions since that time. Much of the Code currently deals with Fire Department operations which have been superceded by Reedley Fire Department Rules and Regulations approved by Council in January, 2003. In addition, it is proposed that the Fire Chief report to the City Manager rather than to the City Council. This would unify all City departments under the authority and supervision of the City Manager and would enhance day-to-day operations of the Fire Department. Interim City Manager Forsyth concurred adding that he was hopeful that the changes would eliminate some of the problems which have occurred in the past.

Council asked how many fire officials there would be and Volunteer Fire Chief Powell advised there would be one Fire Chief, two Battalion Chiefs, and five Captains. Council asked how the Fire Chief position would be selected as that position has been nominated and voted on by the Fire Department Volunteers in the past? Interim City Manager Forsyth advised that it should be filled as any other Department Head position, meaning that the position should be filled by the City Manager. He added that the City may need to look at a full-time Fire Chief position in the future, but at this time the position would continue to be a part-time position filled by David Powell. Forsyth added that Powell is doing a very capable job as Volunteer Fire Chief and should be given consideration for appointment if the position is changed to full-time in the future, but Powell should also have to stand in competition to others at that time.

Martha Cardoso, Shop Steward with the General Services Unit, asked if the Fire Chief position became full-time, would the vacancy be open to the public to apply? Interim City Manager Forsyth advised that it would be up to the City Manager at that time to decide the best method of filling the position.

Council Member Brockett moved, Council Member Rapada seconded, to introduce and give first reading by title only to Ordinance No. 2005-02, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REEDLEY REPEALING SECTION 3-1-1 THROUGH 3-3-2, INCLUSIVE, OF TITLE 3 OF THE REEDLEY MUNICIPAL CODE AND ADOPTING NEW SECTION 3-1-1 THROUGH 3-1-5 TO TITLE 3 OF THE REEDLEY MUNICIPAL CODE, INCLUSIVE, PERTAINING TO THE FIRE CHIEF AND FIRE DEPARTMENT OF THE CITY OF REEDLEY.

Motion unanimously **carried**.

12. FIRE DEPARTMENT TASK FORCE RECOMMENDATION NO. 3 - ESTABLISHMENT OF A REVISED COMPENSATION SCHEDULE (Res. No. 2005-003)

Interim City Manager Forsyth advised that it was his understanding that the previous City Manager placed $120,000 in the 2004-2005 budget for increased Volunteer Fire Department salaries. However, no resolution was adopted to specifically implement those increases. Increasing the salaries and changing some positions to a "per call" basis were part of the Fire Task Force recommendations (recommendation no. 3). In addition, in a memo from former City Manager

Hollister, he recommended that the new salaries be effective July 1, 2004. Interim City Manager Forsyth advised that Volunteer Fire Chief Powell gave him a copy of the memo which was actually addressed to Forsyth. Finance Director Oken advised that she had placed the $120,000 for Fire salaries at the request of former City Manager Hollister. During budget discussions there may not have been specific information about how much of the funds went to which salary. Typically, that is spelled out in a salary resolution adopted some time after budget adoption. Council discussed the possibility of postponing the Fire Department salary increases until a new full-time City Manager is hired.

Martha Cardoso, Shop Steward with the General Services Unit, stated that she believed the Task Force was originally formed in May, 2004, to evaluated Fire equipment needs prior to budget approval. When the Task Force took up the issue of salaries at that time, she believed the recommendation was for the Asst. Fire Chiefs (now Battalion Chiefs) to go to $750 with a proposed increase for the Fire Chief, but not a specific amount. She stated that the Fire Department did a good job, but questioned increasing the Battalion Chiefs' salaries by 26%, and 16.25% for Fire Chief. The General Services Unit's Business Representative expressed concern about the major purchases. The Task Force was to advise on equipment, but somehow made salary recommendations. The other City employees have been in negotiations and have been told there is no money and should wait until the City finds out what it will receive from the State's budget consideration. Council asked when the Fire Department personnel last received a raise and was advised it was in 2002.

Council Member Brockett moved, Council Member Rapada seconded, to adopt Resolution No. 2005-003, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY ESTABLISHING A REVISED COMPENSATION SCHEDULE FOR THE VOLUNTEER FIRE DEPARTMENT.

Motion **carried** by the following vote:

AYES: Brockett, Rapada, Ikemiya.
NOES: Betancourt, Soleno.
ABSTAIN: None.
ABSENT: None.

13. RECRUITMENT OF PUBLIC WORKS DIRECTOR - AUTHORIZE CONTRACT WITH RECRUITING FIRM

Interim City Manager Forsyth advised that he had reviewed the personnel and operational needs of the City and believed the City would be better served if the Public Works/Engineering Director vacancy be changed to Public Works Director and a decision about the long-term operation of the Engineering Division could be decided when a new City Manager is hired. In the meantime, the Public Works Director would supervise the Engineering Department, but would not be required to be an Engineer nor perform day-to-day engineering functions. Interim City Manager Forsyth recommend that the firm of Avery and Associates be retained to conduct the recruitment for the Public Works Director position. The consultant fees and expenses for this recruitment would be for a total cost of $18,500.00. Gary Brown of Avery and Associates is conducting the City's recruitment for City Manager and would handle the Public Works Director recruitment as well.

Council Member Ikemiya moved, Council Member Betancourt seconded, to authorize Interim City Manager Forsyth to enter into a standard consultant agreement with Avery and Associates, in the amount of $18,500.00, to conduct an executive search and recruitment for the position of Public Works Director.

Motion unanimously **carried.**

14. CONSIDERATION OF SALARY ADJUSTMENT FOR DEPARTMENT HEADS (Res. No. 2005-002)

Interim City Manager Forsyth advised the recruitment and retention of qualified employees is a competitive process and gives rise to the issues of compensation commensurate with responsibilities. With the departure of the Public Works Director/Engineer in October, 2004, the City is again

challenged to recruit a qualified replacement. This generally requires increasing the compensation for the position in order to attract a qualified candidate in today's labor market. Recently, several of the department heads have accepted employment with other agencies in order to increase their earning potential.

The current annual salary for the position of Public Works Director is $79,931 per year. In consultation with the City's recruiter, Gary Brown of Avery & Associations, it was concluded that in order to conduct a successful recruitment, the salary should be increased by a minimum of 7%.

When adjusting the salary of an individual department head, all others in this group must be evaluated to ensure continuity within the City's established Master Salary Table. A review was conducted of each position in this group in regard to scope of work, requirements, responsibilities, and experience. Interim City Manager Forsyth recommended the following increases retroactive to January 1, 2005:

Police Chief	Current Range: 73E	Recommended Range: 77E
Community Development Director	Current Range: 71E	Recommended Range: 77E
Public Works Director	Current Range: 72E	Recommended Range: 75E
Finance Director	Current Range: 71E	Recommended Range: 75D
Community Services Director	Current Range: 70E	Recommended Range: 73D

Council discussed the importance stability and retaining the City's leadership rather than serving as a training ground for other higher paying cities to use as a recruitment resource, as well as the impact on the employees who work for these Directors. Employees leaving interrupt the continuity of work programs while the position is vacant and a new person is brought up to speed on the operation of the City. Council also discussed the importance of recruiting well qualified staff to carry out existing and new programs of the Council.

Council Member Rapada moved, Council Member Brockett seconded, to adopt Resolution No. 2005-002, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY ESTABLISHING A REVISED SALARY AND BENEFIT SCHEDULE FOR THE MANAGEMENT, CONFIDENTIAL, AND PROFESSIONAL/TECHNICAL EMPLOYEES OF THE CITY OF REEDLEY.

Motion unanimously **carried**.

15. CITY COUNCIL COMMITTEE ASSIGNMENTS

It was the **consensus** of Council to approve the Council committee assignments as follows:

- Council of Fresno County Governments - Brockett (Rapada alternate)
- Fresno County Rural Transit Authority (mtgs follow COG mtg) - Brockett (Rapada alternate)
- San Joaquin Valley Air Pollution Control Board - Citizens Advisory Committee - Ikemiya (appointed by Mayor Select Committee)
- Five Cities Board of Directors - Ikemiya (Rapada alternate)
- Southeast Regional Solid Waste Commission - Rapada (Soleno alternate)
- Fresno County Airport Land Use Commission - Rapada (Airport Commissioner Ray Remy alternate)
- Fresno County Tourism Committee - former Council Member Marge Gobby will continue to serve on Tourism Committee as she was appointed by the Fresno County Board of Supervisors
- Kings River Arts Council - Soleno
- Rail Trail Ad Hoc Committee - Soleno
- Sister City Committee (Tong Yeong, South Korea) - Ikemiya and Soleno
- Ex Officio (non-voting) member of the RDA Board of Directors and its Executive Committee-City Manager (Rapada alternate)
- Ex Officio (non-voting) member of Chamber of Commerce Board of Directors and its Executive Committee - Betancourt (Soleno alternate)

COUNCIL REPORTS

16. REQUESTS BY COUNCIL MEMBERS FOR FUTURE AGENDA ITEMS AND/OR REPORTS OF COUNCIL MEMBER ACTIVITIES

Council Member Brockett:

- Met at WWTP to tour facility with representatives of U.S. Senator Dianne Feinstein, Congressman Devin Nunes, and State Senator Charles Poochigian; explained the City's financing needs to repair and update the Plant.

Council Member Rapada:

- Think effort should be made to get information to local citizens about the current condition of the WWTP so they can better understand the costs involved; also think the City should quickly do something, perhaps rent a building, to provide a restroom and breakroom for the employees at the WWTP who currently eat and work in the same room where they test the effluent
- Spoke with Irv Isaac of KCUSD about possibility of City working with KCUSD to build a new Transportation Yard for the school district and a new corporation yard for the City on the 30 acres owned by KCUSD adjacent to the sports park property.

Council Member Ikemiya:

- Attended Five Cities meeting; Fresno County, represented by Supervisor Judy Case, is a new member of Five Cities; cities want to work together to prevent the cities from growing together, looking at sphere of influence boundaries, possibility of shared facilities.
- Spoke with Ernst Vitovec, Reedley Branch of Fresno County Library; Reedley branch is interested in expanding which would require relocation; the Rail Trail was discussed as a possible location for new library
- City of Madera has a program for graffiti removal involving volunteers who do the removal with supplies and equipment purchased by the City

Mayor Soleno:

- Thanked Council Member Brockett and Council Member Rapada for the efforts on the WWTP tours, as well as the help of Interim Public Works Director Webber and Plant Supervisor Goldstone.

STAFF REPORTS

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

- Thanked all Council Members who attended the Five Cities meeting last night hosted by City of Reedley and thanked City Clerk Vines for setting up the meeting and taking care of the food.

ADJOURNMENT

Mayor Soleno adjourned the City Council meeting at 9:10 p.m.

_____
Ray Soleno, Mayor

ATTEST:

_____
Kay L. Pierce, Interim City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING - FEBRUARY 01, 2005

The special meeting of the Reedley City Council was called to order by Mayor Soleno at 6:04 p.m. on Tuesday, February 01, 2005, in the City of Reedley Council Chambers, 845 "G" Street, Reedley, California.

ROLL CALL

Council Member

Present: Matthew Scott Brockett, Steven Rapada, Anita Betancourt, Donald Ikemiya, Ray Soleno.

Absent: None.

City Staff

Present: Ray Forsyth, City Manager; Don Neufeld, City Attorney; Douglas Johnson, Police Chief; Bruce Webber, Interim Public Works Director/City Engineer; Fred Brusuelas, Community Development Director; Lori Oken, Finance Director; Joel Glick; Community Services Director; David Brletic, Associate Planner; Elizabeth Vines , City Clerk.

Others

Present:

WORKSHOP

1. MEASURE C - TRANSPORTATION MEASURE UPDATE

Mayor Soleno turned the meeting over to Interim Public Works Director Webber.

Interim Public Works Director Webber introduced Rose Willems with the Advocate Office for the Measure C presentation measure. Ms. Willems will be giving an update regarding where Reedley is at with Measure C funds. Reedley is beginning the process for reauthorization of Measure C funds and getting some groups together to discuss the differences that we all have.

Ms. Willems explained that Measure C is a half cent sales tax for the transportation improvement program throughout Fresno County. It was passed in 1986 and it will sunset in 2007. For many of the citizens in smaller communities, the flexibility of the Measure C money might be the only money seen for transportation projects in the future. The State of California and the United States of America is using transportation dollars to fill the voids in other places. We in the Central Valley rely on transportation for our economy. Ms. Willems advised what tools Measure C has to go out and tell the public what their local tax dollars are doing for them. For those not aware why self-help counties came into place and the history of self-help counties throughout the State, Ms. Willems gave an explanation. We are experiencing times similar to that of the 80's. The Federal government and the State of California lost most of its transportation dollars for other purposes. What ended up happening in the State of California is there are several counties that said they think transportation is important to that county and we will implement a local sales tax where the county can go to the State and Federal government and ask them to match that money. Fresno County has been very successful in matching money. Fresno County is one of 18 self-help counties throughout the State. The problem is that many of the self-help counties that were imposed in the 80's are going to be sunsetting. How then do we get out and tell people what has been done with their tax dollars for the last 18 years? Unless people have seen a blue sign stating that this project is brought to you by Measure C or on a freeway project where Caltrans puts up a partnership stating" funds brought to you by Measure C on the move", then very few people will know what your local dollars have done. Ms. Willems is asking each City Council and Chamber of Commerce, each City Manager, each City Engineer that she visits is to become an ambassador for Measure C. To use every opportunity to tell people about Measure C whether it's in the breakroom, out to dinner, at your kids soccer game and

discussions come up, tell people about Measure C and ask them if they know what Measure C is and tell them the importance of the transportation system. To be able to share this information, Ms. Willems provided the Council with several different tools containing information. Some of this information tells how much money Reedley has received to date, which is approximately $3 million, and what Reedley has done with this money. If Reedley has a Measure C project going on and there is a need for someone to explain to the citizens what the project is, the Advocate's office has staff that will come to Reedley to help out. If there are people who are just not happy, the Advocate's office can take care of these concerns as well. The main thing that Ms. Willems wants people to understand is what Measure C is. Measure C is a sales tax that has provided over 14,000 jobs in the San Joaquin Valley. It has contributed over $1 billion to the local economy, has funded over 1,100 miles of improvement, has built freeway systems, has supported transit systems, and at the end of its 20-years, will deliver the largest transportation system that the public works have ever seen; over a billion dollars. Let people know about a traffic signal downtown being funded by Measure C funds. The bus or van used in Reedley is provided through Measure C money. Some of the questions brought up the Public Works Director Webber, such as what are the counties doing whose Measure C fund is sunsetting? In November of 2004, there were several self-help counties on the ballot. There were four that were renewed, which means they successfully went to the voters and received two-thirds majority and renewed their program. The most promising one is in San Diego where they renewed a 40-year program for 14 billion dollars. The money is split one-third for transit local streets and highways. There are two brand new counties that have joined the self-help coalition in November. Measure C was on the ballot in 2002 and 11-percent of the people that went to vote left the Measure C blank because they didn't know what Measure C is. Those of us who work in government and work on City Councils need to know what those answer are and how to tell people what Measure C is so they are informed. The Advocate's office has a Measure C road show that goes out to each community and someone will contact Reedley staff to include in the schedule. If Reedley is holding a special event that attracts a large amount of people, the Advocate's Office can show up at this event. It comes in a large black truck with a nine screen television and does the DVD in English and Spanish and tells the story of what Measure C is, what they have done with the money, why it's created and what it has done for Reedley. While people are watching this presentation, there is a free service offered when children can be fingerprinted and I.D.'d and this information is put on a disk for the parents to take home. There is another portion of the presentation called "spin and win." For example, a question is asked such as, "do you know how many jobs Measure C has provided?" If you don't know the number is 14,000, you get a prize. If you do know the answer, your name is placed in a drawing and you come back in an hour to see if you win another prize. They also play interactive games with children about ride sharing and riding bikes and alternative modes of transportation.

Ms. Willems went on to advise that Measure C is in litigation with several different stake holders. Many of the people that were not happy with what Measure C was going to become in 2002 are meeting at this very moment. It is now the Council and Staff's opportunity to tell their representative, who happens to be Council Member Brockett who is on the Council of Government's Board, want is needed and wanted in Reedley. If there is no Measure C money, there might not be any money for transportation. If there are changes made to the way Measure C is going to be implemented and the design of how things are going to be happening, now is the time to have a voice so we have to make sure that we understand Measure C and Council should ask Staff how to respond to those questions. Transportation is very important in all of our lives. Ms. Willems offered to come back and meet with Council and staff at a later date to answer additional questions if that is what Council desire.

Mayor Soleno advised that communication with the public is going to very important for this measure to pass when it comes up again. We need to let the public know how beneficial the measure is not only to Reedley, but to the entire county and we need to support it.

Council Member Ikemiya asked if the measure will remain at ½ cent? Ms. Willems advised that this is unknown and this is why staff and the representative to the Council of Governments is a part of shaping what the new Measure C renewing the tax will be. All the discussions heard up to this point is that it will remain at ½ cent. The unknown answer is whether or not it will be a 20-year time period or a 30-year time period or what? What would be ideal is that it never sunsets and this

Measure C would be something that is a staple for Fresno County and that we think transportation is important enough that this would just be part of an on-going project. The other thing that is yet to be decided is how the money will be split for the local cities, for transit, etc. We need to make sure that Reedley gets as much Measure C money as possible.

Mayor Soleno advised that this has always been one of the big questions. Why doesn't Reedley receive more of the Measure C funding? What does Fresno and Clovis receive so much? Reedley needs to have the same concept and in all the smaller communities. Ms. Willems advised that the annual report very quickly explains how the money is divided between the 15 cities, the population and the miles of road that Reedley has and the needs that Reedley has. It is a very equal system and if changes need to be made, now is the time to change it.

Council Member Betancourt asked if a two-thirds vote is needs and how close was the election? Ms. Willems advised it does take a two-thirds vote and if that 11-percent that went to the polls, but didn't vote on Measure C would have voted for it, it would have passed. This is why Reedley's citizens need to be educated on what Measure C funding does for Reedley. When Measure C was originally voted in 1986, only a majority vote was needed, which at that time came in a 57-percent. Most of the small communities were very supportive. Ms. Willems advised that there is currently legislation that would basically allow self-counties that are already in place when they go to renew, go to a 50-percent vote. That legislation supposedly will be voted on sometime this year. If any Council Member or staff has any pull with our State elected officials, we need to voice our concerns through COG. This would obviously make it easier to inform 50-percent of the people to get that vote rather than two-thirds.

2. KINGS RIVER CONSERVATION DISTRICT (KRCD UPDATE

Council Member Ikemiya has a conflict of interest with this item and will step down from the dias.

Interim Public Works Director Webber advised that members of KRCD will give the Council an update of where KRCD is with their proposal for providing electrical power generation to the local Reedley area.

Dave Orth of KRCD advised Council of KRCD's on-going efforts with the local communities to improve reliability, stabilize costs and establish local involvement in electrical service for the greater Fresno area through a community choice program. Mr. Orth advised that the KRCD was formed in 1951 by the water rights holders of the Kings River water shed. There is over 1.2 million acres in the service area. KRCD surrounds 14 incorporated cities, predominantly agricultural in base. KRCD's general mission over the last 53 years has it has evolved has been to provide flood protection, a balanced and high quality water supply and develop power resources for the region to benefit the greater public interest. KRCD has seven elected Board members that guide staff in the effort of accomplishing this mission. Mr. Orth advised that Norman Walner, who is present this evening, represents the land surrounding Reedley and Dinuba and land east, and also Mr. Joel Dononini, who represents District 3 which is the land surrounding Fresno/Clovis/Kerman norther portion of the district. The district has been in the power generation business for many years and have been delivering reliable and low cost renewable hydro power to the greater Fresno area from the Pine Flat power plant since 1984. The District was the first non-Federal owner/operator of a hydro facility anywhere in the United States at an Army Corps of Engineer's dam and Pine Flat is owned and operated by the Corps of Engineers. KRCD actually built the power plant on the face of it and generate that power and bring it right here into the region to address cost and reliability issues. In 2002, the district was selected based on the successes that KRCD had at the Pine Flat operation to construct another 97 megawatts of gas fired peaking capacity for the region. KRCD went through a pretty rapid and extensive study and ultimately determined that for interconnect reasons working with PG&E, that a site down the street from KRCD's headquarters in Malaga was the optimum place to build the plant. KRCD is rapidly constructing, under the watchful eye of the California Energy Commission, who would love to see the plant come on yesterday. KRCD expects the plant to be on line this June and provide peaking capacity during the summer as air conditioners are turned on and see the electrical load move up. Since 2001, the District has also been involved in an investigation and is now entering the fourth year of looking at the issues and alternatives that affect energy service for this region. KRCD has developed an incredible amount of data, much of which they have tried

to share with the communities through various efforts. The Board has been very supportive and to date KRCD has spent over a million dollars on this project. There is a strong interest within the Board and within the staff at KRCD to develop and address solutions to issues. Most recently, KRCD has become a participant in the rule making. The California Public Utilities Commission has initiated to define how Community Choice Programs will work. How costs will be allocated, how rates will be set and how the applications themselves will look.

Mr. Orth went on to highlight for Council some of the results of their energy investigation, which has been a three year study. KRCD continues to find, as supported by studies that are out there prepared by PG&E, California Independent System Operator and the California Energy Commission that the great Fresno area region, which includes Madera/Mariposa County to the north, Tulare County to the south, and everything in between, suffers from a reliability of energy service due to a lack of generation capacity and a lack of transmission. We are heavily dependent on imports of electricity at certain times of the season from other areas of the State, because we don't have enough local generation, and unfortunately, the transmission lines that we rely upon to move that energy here are now being upgraded and upsized to deal with the growth in electricity demand that we have in this region. Continued concerns by all of the parties who manage and operate electrical service in the State, there is widespread acknowledgment that this region is exposed to blackouts as early as this summer. There are concerns that with the summer of 2005, we could have rolling blackouts again because of the reliability issues. KRCD's ongoing studies have found the Community Choice is a great opportunity to address some of these problems.

Mr. Orth went on to summarize Community Choice advising that this is a program that the California Legislature enacted in 2002 under Assembly Bill 117. It permits cities and counties to aggregate loads of local customers, residents, businesses and Reedley's municipal facilities to purchase generation capacity from somebody other than the investor owned utility. There is opt- out process where once you determine that you want to become an aggregator, you notice that all of the customers within your service area and they can tell you, "thanks, but no thanks," we're going to stay with PG&E. There are also a couple of other provisions that are important, one being the legislator directed the investor-owned utilities to cooperate fully with communities seeking to develop aggregation programs and to date, PG&E has been very cooperate with KRCD and all cities looking at this effort. They have been an active participant in the Public Utilities Commission rule making. They continue to see this as a way to improve service to their customers as well. Finally, as distinguished from other municipal utility efforts, under an aggregation program, the investor owned utility, PG&E, continues to provide the delivery, the metering, the billing, the collection and the customer service to all of Reedley's customers. During an aggregation program, PG&E no longer bills customers for the generation component that PG&E would charge. PG&E bills Reedley's customers for the generation component that Reedley has developed out of its aggregation program. One of the benefits of Community Choice is lower rates. In some of KRCD's earlier financial modeling, they anticipate the capabilities of reducing energy costs up to 10-percent the total energy bill. That is primarily because KRCD power would develop a dedicated base load plant using tax exempt financing and without a profit motive, KRCD believes they can provide lower cost energy than what Reedley citizens are currently purchasing from PG&E. The key to this whole program is a dedicated power plant to provide these lower costs. KRCD's preliminary estimates are that the Reedley Service Area electricity customers could save somewhere in the range of $1.6 to $2.1 million per year in reduced electricity generation costs under KRCD's aggregation program. A couple of other benefits are, presently energy decisions are made in the headquarters of PG&E. They are also made relative to pricing and other programs with the California Public Utilities Commission (CPUC) in San Francisco. Community Choice gives Reedley Council Members and staff the opportunity to get locally involved. There is an opportunity through the Council for the public to come to the Council and talk to them about issues and have the Council work with the provides under the aggregation program go address those issues and set rates that are reflective of Reedley's interests, not the broader State's interests that the CPUC is more focused on.

Mr. Orth advised that KRCD's three years of study has developed a extensive financial model that can be used to do all sorts of variable rate forecasting to show where KRCD thinks energy rates will be. It is a comparison of KRCD's costs versus where PG&E's costs are forecast to go using various things such as exit fees, natural gas, demands and fluctuations to determine what the rate sensitivities are. The District has been involved in an ongoing public opinion polling and stakeholder interviews.

They are just wrapping up a second round of interview of key stakeholders in this region to get their thoughts on whether this is a good or a bad program. Two years ago, the public's sentiment was very much in support of alternative ways of addressing energy issues. KRCD is finding that just two or three years later, the stakeholders are still very concerned about reliability of electrical service and the instability of electrical costs. KRCD has developed some pubic awareness campaign media, both in television, print and radio trying to let the people in this region know who KRCD is and their capability of being part of this type of program. More recently, KRCD has conducted four workshops and invited each of the communities in their region to participate in these workshops. They first looked at the financial data that was collected, then reviewed generally what KRCD thinks an application for aggregation would look like, what would have to be presented to the PUC and then drafted a memorandum of understanding that would more formally unite those communities who want to move forward with KRCD in their effort in developing and submitting an application to aggregate. The District has participated in the first phase of the PUC rule making, which provided written and oral testimony. Many of KRCD's recommendations were incorporated in the decision of the Commission. KRCD asked for a strong indication of how exit fees would be calculated and along with the other communities in the State, received a favorable response. The Commission set the methodology and also set an interim exit fee rate of 3.1 cents per kilowatt hour. Some of the most conservative range forecasting looked at a 4-cent number and felt that they could still ultimately provide Reedley with the savings shared earlier. At 3.1 cent, KRCD is clearly in the ballgame and see this as an on-going viable venture for the region. The exit fee is recalculated once every year beginning in 2006. KRCD's forecast show that it will very likely decrease using the formula that the PUC identified.

Mr. Orth went on to advise that under the project outline and showing Council just a few of the milestones that KRCD has established for progress, KRCD is targeting execution of the memorandum of understanding by KRCD's district, along with any city. Two of the three counties that KRCD overlies was focused on Kings and Fresno County because they make up so much more of KRCD's service area than Tulare County. However, KRCD would ultimately want to get to Tulare County as well. KRCD wants to execute the MOU by March 1, 2005. To date, KRCD has three communities signed up or committed to execute and one more that has agreed to provide that authorization once it is brought back for final review. KRCD expects the PUC to complete all of the remaining rule making components by this summer, August, 2005, and under the MOU, KRCD would be developing an application that would be submitted shortly after August, 2005, and KRCD expects to be approved by February, 2006. KRCD then proposes to enter into purchase power agreements with communities who want to implement an aggregation program and begin service as early as next summer, June 2006, and then forecasting that the dedicated power plant would come on line sometime thereafter. June of 2008 for a power plant is probably out of reach. KRCD has had a number of months pass by and is probably looking more realistically at 2009 or 2010. It takes two years to permit and 18 to 24 months to construct the plant of the size being planned. A price tag of permitting in $3 to $5 million range. KRCD is not going to move forward with that permitting effort until they are further along with community choice.

Mr. Orth went on to briefly summarize the memorandum of understanding that KRCD drafted. The MOU was drafted in part with assistance from Reedley staff. The MOU has a number of sections, the first one defining the participants to include any of the 14 incorporated cities and any of the three counties that KRCD overlays. Presently, Mr. Orth is on calendar to appear before 12 of the 14 communities. Only the cities of Parlier and Hanford have yet to schedule, but have been communicating with KRCD. KRCD will be meeting with Kings County in a couple weeks and trying to schedule time with Fresno County this month. The MOU provides for a two track process. Under track one KRCD would develop a final round of financial data and after review of that financial data which Reedley staff and Council, prepare an application and submit that to the PUC and seek their guidance on how a community choice program for this region should be structured. Once that decision from the PUC comes back, then KRCD will go into track two under the MOU and implement whatever program the PUC has developed. There is an oversight process every participant to the MOU has a voice on a management committee. It has been structured such that it is all for one and one for all. In the first track, KRCD didn't want to have weighted voting; every person has an equal voice and KRCD wants consensus before they move forward. If KRCD can't have everyone in the region feeling comfortable with this program, then it doesn't make sense to move forward at this point in the process. Cost sharing; under the MOU, there is an initial payment

of $7,000 from each participant, each community. That would fund the first two steps under track one, the financial analysis and then a second installment about six months later of $13,500 to fund the balance of the track one costs. The KRCD Board has agreed to fund the difference between the total track one budget and the amount of money received from the communities under the MOU. Presently, the track one budget estimate is approximately $340,000. KRCD's commitment to that project is slightly less than half of the $340,000. KRCD continues to put up money and press forward. There are three off-ramps in the MOU. Again, KRCD wants to give people an opportunity that once the initial investment is given, if a city finds that the community choice doesn't provide that city with economic benefits that the city seeks or for some other reason that city doesn't think that their community interests are served, that city can step away. The off-ramps are defined as, after the first payment of $7,000, KRCD gives that city some financial information which will be reviewed with each city and if that city finds there is no reason to proceed, that city can step away from the MOU and there is no further obligation. If a city chooses to move forward, then the second payment of $13,500 would be due and at the completion of track one, there will be more data, there will be conditions set by the PUC and at that point, the city may decide they don't want to move forward and can off-ramp at this point. This is a sequential process and people should have the opportunity to move away. Finally, regarding the program management component, all of the communities were adamant that KRCD continue to take the sole and leading role as the manager of the program. KRCD is charged without any liability transferred to the other participants with developing the data, securing the contracts with consultants that are necessary to support this project. In conclusion, Mr. Orth and the KRCD Board remain very excited about this project. They think this is a great opportunity for this region to address issues of energy, reliability and electrical costs. It's a great opportunity for communities and KRCD is seeing a great deal of response and support from a number of communities. KRCD hopes that as they move forward with Reedley, that they can come back as appropriate and present the MOU in more detail if necessary, and seek Reedley's support and participation in this project.

Interim Public Works Director Webber advised that he spoke to Reedley's City Attorney who received a copy of the MOU for review. Reedley's City Attorney has reviewed the MOU and stated that it was a very well written MOU, very clear and concise and explained what Reedley's responsibilities and roles are and that they felt it was a very good MOU. City Attorney's office agreed with Public Works Director Webber that it looks reasonable that we might want to consider going through the first steps at least to the next off ramp to see if it is economically feasible to be a part of this. Public Works Director Webber advised he would be bringing this MOU back for official Council action on February 15, 2005.

Mayor Soleno asked if another dam is planned to be built up in the mountains? Mr. Orth advised that KRCD was the leader in developing two water supply hydro facilities, the analysis that hopefully lead towards the construction of both Rogers Crossing and Dinky Creek. Mr. Orth advised that he felt that someday there will be another dam built, but the environmental values have changed so much, that it makes it very difficult to see in the current political environment how we could ever succeed in successfully permitting that type of facility. KRCD is relative to Rogers Crossings, authorized by the United States Congress, as the only public agency to look at the feasibility of a storage hydro facilities at the Rogers Crossing location. Unfortunately, it takes several million dollars to do that work and the other part of the congressional act that addressed that issue says the Congress ultimately has to approve the construction of any facility at that breach in the river. KRCD finds themselves in a dilemma where they can't spend the two or three million dollars to do the permitting work knowing that ultimately Congress gets the call, which is a higher hurtle than many other facilities in the State. Again, because of the politics and environmental values that seem to be predominant, it's just unlikely that we'll see that in the near 10-year future. Mayor Soleno advised that he is asking this information because there is information stating that the Valley population will double by 2040 in population and this would be a positive thing for the Valley. Mr. Orth advised there is no question in his mind that additional hydro generation capacity is a far better way of us meeting the energy demands that this region is going to experience. As a region, we are worried about air quality and yet where we find ourselves is as the only viable, large fuel source for efficiently generated electricity, it now becomes natural gas. There are air quality issues related to natural gas and KRCD is confident they can overcome them, but a hydro facility would be renewable and cheaper and far more efficient and yet right now, we haven't gotten our arms around those kinds of issues. We as a people.

Council Member Brockett asked Mr. Orth what the maximum capacity is and advised that Mr. Orth was talking about 15 communities and three counties areas. Mr. Orth advised that the load forecasting that was done in 2002 showed the entire KRCD service area, which are the three counties and the 14 cities, at slightly over 2,000 megawatts of peak demand. Obviously, KRCD does not expect the entire service area to initially sign up. At this point, they have the City of Fresno, Kerman and Dinuba and just among those cities they are rapidly getting to 500 megawatts of peak demand. Council Member Brockett asked again what the maximum capacity is? Mr. Orth advised that the current capacity is small. The peaking plant is going to generate 97 megawatts of peaking capacity. The hydro plant generates 165 megawatts, but that's committed through the year 2029 to the State of California and it is doubtful that KRCD will be able to get them out of that deal because it is lucrative for them. The capacity that KRCD wants to build to serve this project comes from a 500 to 1,000 megawatt gas fired base load plant that they would propose to build once they got an application with PUC approval.

Interim City Manager Forsyth advised that Public Works Director Webber has offered to bring this matter back to the Council on February 15th. He asked the Council if this is their direction to have Mr. Webber come back with a recommendation upon which the Council can act? Mayor Soleno advised he felt that would be good.

3. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) UPDATE

Interim Public Works Director Webber advised that he had originally intended to come before Council with an update on the high speed rail status, but it couldn't be fit into the schedule for this evening. What he did do was included in the Council's packet an email from Clark Thompson, who is the Council of Fresno County Government's representative to the High Speed Rail Committee. They recently had a meeting last Wednesday and some actions were taken in relation to the location, alignment and other issues. The email summarizes what decisions were made at that committee meeting.

Interim Public Works Director Webber went on to advised that he will be discussing the National Pollution Discharge Elimination System, or NPDES requirements placed upon the City of Reedley. Reedley is controlled under the phase two rule of NPDES requirements. In 1987, Congress amended the Federal Clean Water Act to require the U.S. Environmental Protection Agency to issue regulations addressing storm water discharges under the National Pollution Discharge Elimination System, or NPDES program. In 1990, the EPA implemented the permit requirements for operators of large municipal separate storm sewer systems or MS4's, as they are called, with the those cities with the population of 100,000 or greater, and other MS4's specifically designated by the permitting authority. This was phase one of the NPDES program. On March 13, 2003, the NPDES phase two rule went into law, which regulated small MS4's, and that is for cities with populations between 10,000 and 100,000. Under the Clean Water Act mandate, MS4's regulated under the NPDES program must, at a minimum, achieve technology based requirements, that is must reduce pollutants in the MS4's to the maximum extent practical, or what is known at MEP, and must effectively prohibit non-storm water discharges into their storm water collection systems in an effort to achieve applicable storm water standards. The EPA has determined that the appropriate implementation of the NPDES requirements means that the municipalities must develop and implement a comprehensive storm water management program. The Federal Government has delegated the authority and enforcement to the State Water Resources Control Board which has delegated the enforcement to the Regional Water Quality Control Boards.

Interim Public Works Director Webber went on to advise Council that the storm water enters the storm water collection system at the drainage inlets which are usually located in the gutter pan of a street. The storm water entering the drainage inlets contains numerous pollutants including, but not limited to, oils and other fluids deposited on the roadway by motor vehicles; pesticides and herbicides from farming and landscaped areas; animal wastes from residential yards and public parks; paints, solvents and other contaminates poured into the storm drain collection systems by citizens and businesses; soil sediment from construction sites; construction materials and chemicals used on construction sites; leaves, grass clippings and fertilizers from landscaped areas, among other sources contamination. These pollutants are carried by the storm water to the storm water collection system's point of discharge, which is usually a ponding basin, canal, river, or other surface water

body. Discharge into a ponding basin contributes to these pollutants getting into the groundwater system contaminating the domestic water supply. Discharges into a canal, river, or other water body can pollute the surface waters the storm water is discharged into. Pollution of this sort may degrade the fish and plant habitat for that water body and degrade the use of that water for such beneficial uses such as domestic water supply, drinking water and recreational uses. The degradation of such water systems can adversely effect the quality of life for the residents of the region.

With regard to the NPDES regulations, Interim Public Works Director Webber advised that a municipal separate storm sewer system or MS4, is a conveyance or system of conveyances owned by a State, city, town or other public entity that discharges into the waters of the United States. When it states "the waters of the United States," that is a very ambiguous term. Basically, waters of the U.S. could mean anything from a canal to a river to a lake. The system is designed or used for collecting or conveying storm water. The system is not a combined sewer, meaning storm water and raw sewage, and not part of a publicly owned treatment works or wastewater treatment plant for example. The general permit requirements that regulates small MS4's require the operator of the MS4 to develop, implement and enforce a program to reduce the discharge of pollutants to the maximum extent practicable (MEP), protect water quality and satisfy the appropriate water quality requirements of the Clean Water Act. Something that we need to understand is that the requirements of the Clean Water Act are impossible to achieve. Nobody can achieve what is required in the Clean Water Act. So what we're talking about here is a process that slowly moves us into that direction. We will not be able to meet all of the Clean Water Act standards and no one has ever heard anyone say that this law requires that we do so. The general permit requires the agency to implement Best Management Practices (BMP's) in each of the following six minimum control measures in order to control the pollutants entering the storm drain system. The six minimum control measures include public education and outreach; public participation and involvement; illicit discharge detection and elimination; construction site run-off control; post-construction Storm Water Management in new and redevelopment projects; and pollution prevention and good housekeeping for municipal operations. The minimum control measure specifically targets city and county operations.

With regard to the first measure, public education and outreach, Interim Public Works Director Webber displayed a sample flyer for Council and explained that these flyers are available on the internet as well as much more information available on the internet that staff can use in the program. These flyers and information can be downloaded for free and taken to a print shop for any number of copies needed for distribution to Reedley's citizens. Most of the material available for distribution is printed in English and Spanish.

Council Member Brockett asked when the annual water quality report would be sent out by the public works department to Reedley residents? Interim Public Works Director Webber advised he will get this information and get back to Council. Council Member Brockett advised that this would be a good opportunity to include the public education notices along with the water quality report. Interim Public Works Director Webber agreed this would be a good idea.

Interim Public Works Director Webber advised that the basic requirements for the public education and outreach control measures include communicating impacts of storm sewer discharges and steps to reduce storm water pollution; use of public education program or equivalent program for outreach activities, establishing specific activities, schedule for implementation of those activities and goals to be achieved through the implementation of this control measure; and report annual to the Regional Water Quality Control Board. Staff will have to submit a report every year at the end of June to discuss what was done the previous year. The activities under this minimum control measure must distribute educational materials to the community, or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water run-off. The BMP's for this minimum control measure may include, but not be limited to, developing and distributing brochures on proper septic system maintenance, the effects of pollutants on water bodies, or types of targeted pollutants such as oils, paints, pesticides, etc.; target specific groups regarding the types of pollutants entering the storm drain system from their operations such as restaurants, dry cleaners and auto repair shops; and should also include a storm drain inlet stenciling program in which public works crews go around and either paint or stamp the concrete stating "do not dump, goes to river" or something similar. This has been done to some degree in Reedley at new construction sites, but we are required to do this at all storm drain

inlets as part of Reedley's storm water master plan. All but 25% of Reedley's storm water drain inlets have been stenciled so far.

Interim Public Works Director Webber then advised that the basic purpose of the public participation and involvement measure is to tap community resources; network to other programs; reduce opposition; speed implementation and getting the community involved. The activities under this minimum control measure must comply with State, Tribal and local public notice requirements. The activities under this minimum control measure should also provide opportunities for the public to participate through local storm water management committees and volunteer monitoring. The program should also target elected officials, homeowners, businesses and industries, government employees, ethnic, civic and religious groups, media, children environmental groups and community leaders. The BMP's for this minimum control measure may include, but not be limited to setting up a local Storm Water Management committee which includes members of the public; establish a volunteer water quality monitoring program; establish stream clean-up days; use volunteer groups to find and map storm water collection system outfalls such as to a river, canal or lake; and set up a hot line for water quality complaints. The hot line is a requirement that will need to be set up to allow residents to call in and talk about illegal dumping that they may have witnessed so that crews can go out and respond and check out the complaint.

The third minimum control measure is illicit discharge detection and elimination. A door hangar, also downloaded from the internet, can be used by crews if staff determines there is a problem in a storm drain system where an illegal discharged has been identified. Staff can go in and take the door hangar, identify what pollutants were found in the storm drain system in that area and then hang the door hangars on various resident's doors to inform them that there are problems with a particular discharge. This is not a citation, just a method of letting people know of the dangers and hazards associated with illicit discharge. On the back of the door hangar is more explanation of why the City is trying to eliminate these types of discharges and what can be done to eliminate those discharges. The basic purpose of this minimum control measure is to eliminate discharges of sanitary waste water that should go to the sanitary sewer collection system; eliminate effluent from septic tanks; and to eliminate improper auto and household toxic disposal. Not all storm water discharges must be eliminated. There are provisions for allowing waterline flushing and fire control with certain BMP's in place, dechlorinated swimming pool water and water from residential car washing has not been prohibited, although it is recommended that measures be taken to minimize such discharges. The activities under this minimum control measure must develop and storm sewer system map of all outfalls and the names of all receiving waters. In Reedley's case, we are going to be putting our system on an Auto Cad system tied to a GIS system so that it will be very easy to locate the system, the outfalls, the D.I.'s and everything else. Under the minimum control measure we must also prohibit non-storm water discharges through an ordinance or other means and implement appropriate enforcement procedures. The BMP requires that we establish and adopt a storm water quality ordinance that will respectfully set the standards that Reedley will expect its residents, developers and businesses to abide by. The ordinance not only needs to explain what the requirements are, it needs to set up procedures for enforcement and include penalties. We must also implement a plan to detect and address non-storm water discharges and to inform the public of hazards associated with illegal discharges and improper disposal of waste. The activities under this minimum control measure should also provide a plan and procedures for locating priority problem areas, trace the source of an illicit discharge, remove the source and program evaluation and assessment and also promote public reporting of illicit discharges. The BMP's for this minimum control measure may include, but not be limited to collecting all existing information on outfall locations and verify through field surveys; coordinate volunteers for locating outfalls or stenciling storm drain inlets; locate problem areas for detailed screening using methods such as public complaints, visual screening, which is to go up to a gutter that might have water and if there is a pollutant such as oil on it, there is going to be film on the water and these are the types of things to look for in visual screening. Also water sampling during dry weather. Another BMP are procedures to be followed for identifying the sources of illicit discharges.

Interim Public Works Director Webber went on to advise that another minimum control measure is construction site storm water run-off control. This information was also downloaded off the internet and be enlarged to poster size and be distributed to the contractors and developers so that they can put them out at their construction sites to inform their employees of the BMP's that are required at

a construction site. The basic purpose of this minimum control measure is to reduce sediment and other construction site specific pollutants from entering the storm drain system. The activities under this minimum control measure must develop a program to reduce pollutants from construction activities that disturb one acre or more of land. Prior to March 13, 2003, the limit was five aces or more. With implementation of the phase two rule, that acreage went down to one acre or more. That means that any construction project now has to have a storm water management plan. The activities under this minimum control measure also must use an ordinance or other regulatory means, with penalties, that requires appropriate erosion and sediment controls and requirements to control wastes and to have procedures for site plan reviews, site inspections and enforcement and public input. The activities under this minimum control measure should also include site plan reviews in which the erosion, sediment, waste and pollution controls are reviewed to determine if required controls are incorporated into the construction process; include procedures for inspection and enforcement, steps to identify priority sites based on the history of compliance of the project, site topography, soil conditions and receiving water quality; and to provide appropriate education and training measures for construction site operators. When it talks about having procedures for site plan review, site inspection and enforcement, the EPA delegated all of the enforcement and authorization on this act to the State Water Resources Control Board, which in turn delegated the enforcement to the Regional Water Quality Control Board. The RWACB knows that they cannot inspect all of the construction sites in the State of California that are one acre or more. That responsibility is being delegated to the local agencies. So when it talks about stepping the site inspections, staff is now going to have to go out and inspect the construction sites to make sure that their storm water pollution prevention plan is on site and available and it's up to date, any illicit storm water discharges are recorded and documented with the Regional Board, and the BMP is identified in the Storm Water Pollution Prevention Plan for the construction site are in place, operational and being maintained. This is going to put a big burden on the City. We have to enforce these control measures. If we don't, the City can be held as liable as the construction site for penalties. There is some liability that Reedley is having to assume with this. Mr. Webber's basic approach for a small city is that staff notify the contractor, notice the offender, if nothing is done to eliminate the problem, a second notice informing them that if the situation isn't cleared up immediately, staff will have no other choice than to notify the Regional Water Quality Control Board of the violations. The BMP's for the minimum control measure may include, but not be limited to developing an ordinance that requires controls for polluted run-off from construction sites that disturb one acre of more of land and include procedures for enforcement and penalties; develop procedures for site plan reviews and site inspections; and provide guidance or training for construction site operators on erosion and sediment controls.

Interim Public Works Director Webber advised Council on the Post-Construction Storm Water Management in new development and redevelopment. The basic purpose of this fifth minimum control measure is to assist in the management of pollutants entering the storm drain system from completed developments and redevelopments by including Best management Practices in the final design of the project. The BMP's should mitigate the increased run-off from the site due to loss of permeable ground surface such as pavement, buildings, etc., and use non-structural measures such as master planning or structural measures such as filtration systems in the newly constructed drainage inlets. The activities under this minimum control measure must development a program using an ordinance or other regulatory means to address run-off from new development and redevelopment projects that disturb one acre or more of land; implement strategies with a combination of structural and/or non-structural BMP's; and ensure adequate long-term operation and maintenance of the BMP's. The activities under this minimum control measure should also be appropriate for the local community; minimize water quality impacts; attempt to maintain pre-development run-off conditions. This means that when the project is finished, the amount of run-off coming from this site is no greater than it was before the development was in place. This means that sometimes the development has to pond the water that is on-site. They cannot discharge the water to Reedley's drainage system. Additionally, activities under this minimum control measure should participate in watershed planning efforts, assess existing ordinances, policies and programs that address storm water run-off quality; and provide opportunities for public participation. This will be a reoccurring theme throughout the process and that is the public education and participation themes.

The BMP's for this minimum control measure my include, but not be limited to, the following. For non-structural BMP's, that will include updated storm water master plan; updated watershed master

plans; promote low impact development; establish Smart Growth policies; establish site-based local controls such as buffer strip and riparian zone preservation such as we have along the Kings River; minimize the amount of land disturbed at one time, and that would be staged grading. For instance, for a large project, they may not need to grade all of it at one time. They might be able to go in and grade half of it, get that portion stabilized before they go in a grade the other half. The more one has graded, the more likelihood there is going to be illicit discharge into the storm drain system, and sediment is considered an illicit discharge. We must also minimize the amount of impervious area in the development such as pavement and maximize open space such as landscaping and neighborhood parks. Structural BMP's include incorporating storm water storage system into the project such as detention and retention basins and promote infiltration systems such as infiltration basins or trenches, dry wells and porous pavement.

Interim Public Works Director Webber advised that the last minimum control measure, which will particularly affect Reedley's operations is pollution prevention and good housekeeping for municipal operations. The purpose of this minimum control measure is to have local agencies review and revise the procedures used by agency staff in order to minimize impacts of the City's operations on storm water quality. The activities under this minimum control measure must development an operations and maintenance program to prevent or reduce run-off from City facilities and operations. This means possibly setting up a program where the crew goes in with a vactor truck and clean out all of the sanitary sewer lines in various sections of the City over the year and do this as part of a regular maintenance procedure. It could also include employee training to prevent and reduce water pollution from activities such as the management of parks and open space, buildings and storm water systems. The activities under this minimum control measure should also establish maintenance activities and schedules and long term inspection procedures; establish controls on discharge of pollutants from streets, salt/sand storage areas, waste transfer stations, etc.; establish procedures for disposing of waste from the MS4 and ensure new food management projects assess impacts on water quality. The BMP's for this minimum control measure may include, but not be limited to establishing maintenance activities, maintenance schedules and long term inspection procedures for structural and non-structural controls; establish procedures for the proper disposal of waste removed from the MS4 including dredge spoil, accumulated sediments, refuse and other debris; and develop programs that promote recycling, minimize pesticide, herbicide and fertilizer use, protect material storage sites, etc. When we're talking about illicit discharge, we're not just talking about liquids, but garbage as well. Just about anything that isn't storm water should not be going into the gutters anymore once this planned is approved. We have to take steps to ensure from that point on nothing but storm water enters our storm drainage system.

Public Works staff will have to begin looking at how dirt, asphalt, sand, aggregate base and cold mix are stored at the Corporation Yard. Staff will have to begin protecting these storage areas from the rainfall.

Failure to comply with these rules will result in fines from the EPA and may be up to $27,500 per day per violation under the Clean Water Act. In addition to the EPA penalties, fines from the State for the same violations under the Porter Cologne Act may be up to $15,000 per day per violation and $20 per gallon of estimated polluted discharge and cost of the investigation of the violation. In addition, any person who knowingly violates can be fined up to $10,000 or imprisoned for up to two years according to the Clean Water Act Section 309(c)(4). If a discharge ever does happen, we are required by law to submit a report of waste discharge. That might result in penalties, but if it is not reported, it will definitely result in penalties. In most cases, if it something that wasn't negligent and was just one of those things, the developer probably won't get fined. He or the City might get a slap on the wrist, but probably no fines will be generated.

The current draft of the City of Reedley's Storm Water Management Plan includes the following Best Management Practices (BMP's) for the six minimum control measures. The Public Education and Outreach program, also known as PE Program, includes inter-agency cooperation which is PE-1. This is where Reedley works with other agencies. For example, Reedley might work with several different agencies to have a Kings River litter pickup day. They are trying to get community groups together to work on this problem. This is inter-agency cooperation. The PE program also includes illegal dumping of household hazardous waste. There are several different BMP's that fall under this category. The first would be to educate the residents on the proper disposal of trash (PE-2);

place signs at illegal dumping sites stating it is illegal to dump at these sites (PE-3); make presentations on storm water quality (PE-4). These presentations can be made to community groups such as the Lyon's Club, schools, school faculty, environmental groups, or any one who would like to have staff come and talk and make a presentation to as many people as possible. This also includes modifying the City web page to include information on storm water quality (PE-5). Under the commercial activities, we would distribute information to restaurants regarding the importance of maintaining grease traps (PE-6); distribute information to garage and auto repair shops regarding proper disposal of oils and other automobile fluids (PE-7); and distribute information at auto parts stores to target automobile repairs at home (PE-8).

ADJOURNMENT

Mayor Soleno adjourned the special meeting at 10:40 p.m.

Ray Soleno, Mayor

ATTEST:

Kay L. Pierce, Interim City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING – FEBRUARY 3, 2005

The special meeting of the Reedley City Council was called to order by Mayor Soleno at 5:10 p.m. on Tuesday, February 3, 2005, at the Community Center, 100 N. East Avenue, Reedley, California.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Council Members

Present: Donald Ikemiya, Steven Rapada, Matthew Scott Brockett, Anita Betancourt, Ray Soleno

Absent: None

City Staff

Present: Ray Forsyth, Interim City Manager; Doug Johnson, Police Chief; Lori Oken, Finance Director; Bruce Webber, City Engineer; Joel Glick, Parks and Recreation Director; Mark Johnson, Fire Department; Elizabeth Vines, City Clerk.

Others: None

PUBLIC COMMENT – None

WORKSHOP

1. VISIONING/GOAL SETTING SESSION (PART 2)

Staff presented the report to Council for consideration.

The City Council took a break at 7:15 p.m. Mayor Soleno reconvened the special meeting at 7:20 p.m.

ADJOURNMENT

Mayor Soleno adjourned the meeting at 7:50 p.m.

Ray Soleno, Mayor

ATTEST:

Kay L. Pierce, Interim City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING - FEBRUARY 15, 2005

A meeting of the Reedley City Council was called to order by Mayor Soleno at 6:56 p.m. on Tuesday, February 15, 2005, in the City of Reedley Council Chambers, 845 "G" Street, Reedley, California.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

ROLL CALL

Council Member

Present: Donald Ikemiya, Steven Rapada, Matthew Scott Brockett, Anita Betancourt, Ray Soleno.

Absent: None.

City Staff

Present: Ray Forsyth, Interim City Manager, Fred Brusuelas, Community Development Director; Bruce Webber, City Engineer, Lori Oken, Finance Director; Elizabeth Vines, City Clerk

Others Present: Mario Valmonte, Robert Woods and others.

PUBLIC COMMENT - None.

WORKSHOP

1. REVISIT NON-RESIDENTIAL (COMMERCIAL) DEVELOPMENT IMPACT FEES

Mayor Soleno advised that this is a workshop only and no decisions will be made, but direction may be given to staff.

Community Development Director Brusuelas advised there was some discussion about the non-residential classification that comprises commercial, limited industrial and heavy industrial. There was discussion that due to the significant increase in the amount of those development impact fees from the current fee, that some consideration had to be given so that it would not thwart efforts to develop commercial or industrial property with an amount had to be determined that appeared to be fair and reasonable given that the fees, for example, in the commercial end went from a current fee of $1.80 to $11.76 per square foot. The limited industrial fee went from $1.11 per square foot to $7.36 per square foot and on heavy industrial it went from $1.47 to $9.11 per square foot. The Council decided that they would not go with the full amount that the study had identified and decided to use 50% of the total amount. As the new fee stands now, what will in place as of March 28, 2005, will be $5.88 per square foot for commercial; $3.68 for limited industrial; and $4.55 for the heavy industrial. The Council decided that in approving the development impact fees for non-residential, they wanted to have the ability to review this particular fee schedule and discuss what may or may not be modified or changed based upon some of the activities going on in the community and whether or not the amounts may be counter-productive to motivate people to come Reedley to build either industrial or commercial category. The Council asked that a workshop be held so there can be some dialogue about what some of the other considerations might be. Staff spoke with Mr. Bravante regarding the light industrial projects at the industrial park who was given the figures of $3.68 per square foot and indicated to staff that amount would not be a deal killer and this amount would be incorporated into the projects. They did not like the increase, but the increase was not an amount that would have them reconsider building in Reedley. The other regarding commercial going from $1.80 to $5.68 might be a bit more problematic for some that have projects in the community that were anticipating developing in the near future and looking at the fees and they might reconsider and either scale down a project just postpone the project altogether. There hasn't been anything

presented to staff that indicates this is the nature, but it is a concern. This workshop is to discuss these non-residential categories and determine whether or not Council wants to modify the fee that would go into effect, or consider some other options to either reduce them further or have a graduated fee, review it in another year or whatever Council desires.

Council Member Rapada asked when was the last time DIF's were raised? Community Development Director Brusuelas advised the most substantial increase was in 1993, with some subsequent increases due to the index. Council Member Rapada advised that Council could set up the fees where it built up over a three to five year period. The urgency fees could be a starting point and then every year review the fees to incrementally raise the fees until it reached the $11.76, $7.36 and $9.11. Community Development Director Brusuelas advised is an option. The rule of thumb is that you cannot exceed the maximum amount that is established, but can chose any amount below that and can annually review the fees and decide whether to increase them or not.

Council Member Ikemiya advised that the 1993 report assessed the fees based on a total acreage, not square footage of the building. In the 2004 report it converted some of that to square footage. Was there a mistake by the consultant when converting acres to square footage of building developed? Community Development Director Brusuelas advised that the consultant indicated that some of the projects listed before the purpose of the fees being collected were underestimated in terms of its costs. Those projects were then re-evaluated at today's costs. They also looked at the amount of changes done to the general plan, specifically the Reedley Specific Plan and there was an increase in multiple-family residential land uses. There were land use changes so the consultant also factored this in. Today the DIF's are charged on a square foot basis. Community Development Director Brusuelas will contact the consultant to get more accurate information on the conversion from acres to square footage.

Chairman Soleno asked how often the city bring back recommendations to the Council as far as impact fees? Community Development Director Brusuelas advised that should be brought back on an annual basis for consideration. The consultant is recommending that with the adoption of the current development impact fee report, the Council review it on an annual basis.

Council Member Rapada advised that it is time to start reviewing all the fees in the city so that if it is done on a consistent basis and build the fees incrementally, it will be much easier for people to digest than waiting every 3, 5 or 12 years and then raise fees six and one-half times.

Council Member Ikemiya suggested reviewing fees during the budget review and on July 1, if any changes are needed, they can be implemented at that time.

Council Member Rapada advised that the Board needs to reduce the approved fee amount and decide if the $11.76, $7.36 and $9.11 are the ultimate amounts to be reached over a period of time and what would that period of time be; 3 years, 5 years or what time limit. Staff then could make recommendations for a starting point for the Board to review along with a five-year plan to reach the ultimate fee amounts. Potential developers can then receive information that the DIF's over the next five years will be increased and include that fee schedule.

It was the consensus of the Board for staff to obtain the DIF's from surrounding cities for comparison to Reedley's. The Board would also like staff to build a five-year plan to get to the maximum development impact fees. The Board would also like staff to get accurate information from the consultant on the conversion from acres to square feet. The Board has requested that this information be brought back to a Council meeting as an agenda item.

2. GROWTH MANAGEMENT POLICY FOLLOW-UP

Community Development Director Brusuelas advised this item is regarding the wastewater treatment plant capacity and the issues facing the city, what issues need to be addressed immediately and what is going to be the disposition of new development in Reedley regarding the wastewater treatment capacity. He advised the Council there were previous discussions on the 10-year trend that has occurred in Reedley regarding annual development of residences. A power point presentation was given to the Council on this topic. 180 new single family homes and 19 multiple family residential

projects were constructed in 2003 as compared to only 9 single family homes in 2001. Over a ten years period, there was an average of 78 single family homes and 11 multiple family residences constructed. It appears this trend will continue. Staff showed 330 lots from subdivisions where homes are being constructed. A second category shows approved tentative maps with approximately 547 single family homes. There is still a tremendous demand for those contractors that want to come to Reedley and build single family residences. From tentative maps, projects under construction, maps within the department that still need to be processed, there is a grand total of approximately 2,500 dwelling units waiting to be built. However, staff needs to look at the capacity of the wastewater treatment plant and therein lies the issue facing the city. The city could possibly accommodate 1,400 to 1,500 dwelling units today and this would reach 100% capacity at the wastewater treatment plant. Staff came up with an illustration of what might occur if it was assumed the ten year average construction rate for single family residential dwellings. That figure of 100 new units each year would take us out to 2014 and put the plant at 94% capacity. The most fair approach on restricting construction would be to declare a moratorium on all new applications for projects coming into the city and do not accept any more annexation proposals. Only accept those applications that have already been submitted. The other approach is to accept all tentative maps that have been approved and not take anymore subdivision projects through the public hearing process. If that were to happen, that might affect four subdivisions projects that the Community Development Department is currently processing. A decision can be made with regard to exercising a policy so that we do not get any further down the road. Perhaps the Council can direct staff in the direction the Council feels is the fair and reasonable way to address this issue.

Council Member Brockett asked what the daily capacity currently is at the wastewater treatment plant and what is the margin of error? Community Development Director Brusuelas advised speaking with the WWTP Operator who stated his figures have not changed from the 2.5 because that is the average peak and that is what the Regional Water Quality Control Board demands cities work with. What appears to be a strong motivation on the part of the Council to want to initiate efforts to get the wastewater treatment issue resolved by having a plan of financing and construction. It is known that this could take from five to seven years to have this done. Five to seven years out is 2010 to 2012 and at 100 dwelling units per year, this will bring the plant to 92% to 93% if that construction trend holds true. The idea being that the city would have 7% to 8% that could be allocated for commercial or residential. If we are looking at a five to seven year period where we have reason to believe that is when the new wastewater treatment plant facility could be completed and operational. Council Member Brockett advised that the Council approved awarding the contract to Carollo Engineers proving that the Council is working on this issue and the City also has appropriation applications to the federal government so that the city can get some emergency funding for a possible portable clarifier to help ease some of the demand until the city can get an oxidation ditch, it's really not going to do anything for the capacity, just the reliability of the plant.

Council Member Rapada advised if we can bring in the portable clarifier, which we found are available, and take care of some of the repairs and redundancy issues we have at the treatment plant, it could lend for the city to get to the oxidation ditch more quickly. The Council is being proactive in trying to get this issue worked on now to gain some capacity. In the award to Carollo Engineers, their direction in that plan was to set the plant up to retrofit the existing wastewater treatment plant after a new one is built so that the city can have the capacity in Reedley so that this Council and future Councils will not have to revisit that issue in our lifetime. He asked Community Development Director Brusuelas if he has a listing of all the maps that have been presented to the city already and are there any contractors present that have maps that have not been submitted to the city. He asked how much the number of tentative maps has grown since that last workshop? Community Development Director Brusuelas advised it has grown by over 300 lots. However, that does not take into consideration other inquiries about bringing in large blocks of land, which is really premature to even think about.

Council Member Ikemiya advised the issues at hand are three tiered. One is the annexation of all the new subdivisions. Even with these alone, the city is exceeding the plant capacity with those that are both on the books and those that are inquiring about building by over 1,000 homes. Do we separate and allocate a certain amount to commercial and industrial so that we can reserve that portion of the WWTP capacity for those and maybe a third one is to reserve a certain amount for in-fill. Such as that old lot that has been sitting for maybe years empty and somebody wants to do an

in-fill project, would we have to tell them no because there is a moratorium on building. With the first option, we can go 150 homes a year for a certain capacity or for those that have already invested a significant amount of money to their developments might be shut out if they are 151. This year we might have capacity for another 1,300 homes, but because of the year, we hit 151 early, they get shut out, which doesn't seem fair to those who have invested in installing the infrastructure, the roads, the water, the sewer, everything, they are going to be cut out from recouping their investment on an annual basis. On the master plan, looking at short term solution, maybe in two years we may have something built and the capacity to have another half an mgd available.

City Engineer Webber advised that what is being discussed in the short term will not increase capacity. It will only improve redundancy, it will not give any new capacity. Putting in a clarifier will not give any more capacity. It will be at least three years before the oxidation ditch is built. Council Member Rapada advised that is better than seven.

Council Member Betancourt advised that the city needs to take care of the current population before allowing new growth although it will not be easy. When Council approved the cold storage for the industrial park and they stated at their peak season it will take the place of 80 dwelling units, that will only leave 20 of those 100 units to be built in one year. The city needs to allow something for additional commercial. We were fortunate to be able to allow Mr. Bravante's project, but if someone else comes in with a commercial development to possibly provide jobs to reduce Reedley's 20% unemployment, we need to take care of the people currently living in Reedley. If it means cutting off new projects, we don't know what is going to happen in the next couple years or so, so we need to do something right now so that the situation does not get worse. She advised her concern that with all the news homes coming in, there is no low income housing included or multi-family housing. Where will we provide for those people that will not be able to afford single family homes and have to live in apartments? It seems there is nothing provided in the future for these people and now that future is farther away. These people are part of our city and we need to be able to accommodate everyone as far as income and housing. The one thing that would help this situation is the in-fill in the east part of town where we could build homes in those in-fills that would provide for low income housing because there are people that will not want to live over there and those homes will not be as expensive. This would cover some of those people that need low income housing. These people work in Reedley and need to have housing available to them.

Mario Valmonte, 80081 W. El Monte, Dinuba, asked if anyone knew how much the new wastewater treatment plant addition would cost. Council Member Brockett advised that it was between $25 million to $30 million. Mr. Valmonte advised that Reedley will need all of the development in order to pay for all the things that need to be done. He asked if the city is borrowing money from the State to pay for the WWTP addition? Council Member Rapada advised the city is working on an application to the federal government and other financing. He advised there is a big misconception among people that the DIF funds are going to build the wastewater treatment plant or storm drains or other infrastructure, but that is not going to happen. The DIF funds are for maintenance of these issues. The loan for the WWTP would be over a 26-year period. The DIF funds are maintenance only, which the city has never had in the past and why we are in the situation we are today. There are clarifiers at the WWTP that have not been such down for general maintenance for over eight years. The DIF funds are not going to be used to build the WWTP. Staff is attempting to obtain grant money and appropriation money. It will come down to a bond and people have to take into consideration that the city is working on this problem, but not looking to use DIF funds as the solution.

Mr. Valmonte advised he has a good development for the City and has been a contractor for over 30 years. He has been raising funds for developing but it is getting very expensive for the developer making it difficult to develop projects. The additional fees are also making it hard for developers. Council Member Rapada advised that Council is being very proactive and staff should also be applauded because staff is having to make a mid-stream change. They have gone from passive Council to one that very aggressive and wants to see things get done faster. Council is aware that the WWTP has to be dealt with and that everyone wants to build right now, but it has come down to how to make it fair in doling out building permits right now until the WWTP capacity is resolved. In-fill projects are really great because it is taking away vacant lots that have been vacant for over

30 years and Council supports growth, but this is a difficult time for Council and developers. Council and staff both welcome any suggestions that might help in these tough times.

Robert Woods, Generation Homes, advised it was his company was one that initiated that action which lead to a moratorium on annexations to do the specific plan over six years ago. His company currently has millions of dollars invested in a project and several hundred thousand dollars owed to his company in reimbursements for major infrastructure that is being presented. His company is working into the last phase of the project. In the world of development, once you are into moving forward with approvals, there is usually significant commitments to landowners, infrastructure, financing institutions and the people that are in those categories have committed themselves in many ways. Generation Homes wants to finish what they started and they feel they have done a very good job in building an outstanding community in Reedley. He does not have any advice for Council other than the annual permit restriction causes an inordinate amount of stress upon both the development community and city staff because staff will have to decide what is fair and the development community will be rushing to get theirs first. There are others that Council should contemplate and these will not be easy, but some are more fair from an investment standpoint.

Dave Krinklaw of West Star advised that Council does have many challenges and to take them on in a timely manner is impressive rather than trying to put it off and let it fix itself. As long as developers know which direction everyone is going, then they can make adjustments and to in that direction. One of the processes of filing a map before it goes to Planning and Council, staff has to prepare what is referred to as a negative declaration. This document basically mitigates environmental concerns of the project and any services relative to the city such as sewer and water. Before the project can go to Planning, staff has to fill out a negative declaration and it asks if there is sufficient capacity in the city sewer system. It cannot be filled out without stating there is potential significant impact. It would be hard for proposal that have not yet gone in front of Planning and Council to move ahead just based on the negative declaration. This is part of the process that keeps subdivisions from instantly being approved without proper water and sewer. Until the Council reaches a conclusion on how the WWTP will be expanded and a timetable, permits will have to be limited. Limiting the number of permits can be a disaster as there is no fair way of dividing up the permits because of the timing issue. Mr. Krinklaw advised he has been working on his project for almost 18 months and is no where close to breaking ground and after that will take two years to build out the 133 lots. He advised that it was good Council is moving ahead fast, but Council will find that the homes will not just go up overnight.

Community Development Director Brusuelas advised that what Mr. Krinklaw is referring to is that part of the review that staff conducts when looking at projects and staff must conform to the California Environmental Quality Act, which is called an initial study. In this initial study there are a number of questions that are asked regarding many things such as air quality, water quality and much more. It then gets to a section regarding what type of impacts there might be with respect to the city's infrastructure such as water, sewer, storm drain, etc. Staff has to indicate that this project will not have an impact or have a significant impact and at that time, this is what is used to determine whether or not this project requires an EIR or it the project cannot happen at all because there is a capacity issue. Staff recognizes that is where it is going to happen if we continue the way were are without a policy from the Council. It will eventually get to that point with one of the four subdivision maps currently in staff's office. It will all depend on what policy the Council might have to insure that there is a certain percentage set aside for commercial and/or industrial development. This is why staff has reserved making any environmental determinations at this point in these projects until staff gets from Council the policy on how Council wants to address future development. All of the projects in staff's office are predominantly residential subdivisions which have the biggest impact. What staff is looking for in the way of policy or direction is if Council would like to set aside a certain amount of WWTP capacity for commercial and industrial, this would then serve staff in reviewing the residential subdivisions knowing that staff can estimate gallons per day, a set aside for commercial and industrial and then staff will know how much capacity to work with for those other subdivision projects currently in staff's office. Until staff receives from Council policy direction, can staff make that determination on the projects that are currently with staff. What does Council want to prioritize in the way setting aside the WWTP allocation.

City Engineer Webber clarified a point in the preliminary environmental study where is discusses capacity. Once this is filled out, staff is required to submit that to various agencies that may have jurisdiction. One of those agencies is the Regional Water Quality Control Board. They have a right to review that study. Staff is already receiving comments back from them and the first comment is asking if the city has the capacity at the WWTP. They are already aware of Reedley's issues. City Engineer Webber has to prepare a letter to the Regional Board telling them how Reedley is going to mitigate the impacts.

Council Member Brockett advised it is obvious that the City is going to have to submit a plan. We have to have a course of action on Reedley's growth or else the Board is going to place a moratorium on Reedley altogether. It is rather difficult to limit the number of building permits the city can issue in a year particularly when you are the one with all the money that is tied up. However, if we don't come up with a good, organized, detailed plan on how the City is going to control this growth, then we might not have that luxury to be able to give any building permits. As far as allowing any more maps to be brought in, the City cannot do it. The City has more than enough now for capacity and need to deal with and honor what we have already promised and allowed, by law. Unless the State comes in a places a cease and desist order on the City. Council is going to have to give direction to staff to stop accepting any more maps, with one consideration to allow some set aside for in-fill projects, which is a good thing for this community. We also have to consider putting aside some capacity for commercial and the recommendation would be 4,500 gallons per day usage for commercial. But for the next three years, it is all about how much of a percentage we want to tax an old, beat up WWTP.

Council Member Rapada asked if the WWTP master plan is going to be enough for the State and the Regional Water Quality Control Board as Reedley's plan of action? City Engineer Webber advised that staff is going to have to show a multi-pronged plan of action. First and foremost is the master plan which has to be done in order to be able to expand the WWTP. They are also going to want to see how the City is going to mitigate the growth and the demand on the WWTP until the new capacity is in place. The Regional Water Quality Board is going to want to see more than just the master plan. They will want to see a growth management plan in place until the City has capacity at the WWTP to handle growth and development. The Board is already asking these questions as they know Reedley is getting close to capacity and staff had to notify them this year. That is why they sent a letter stating they want to know Reedley's plans.

Mayor Soleno asked if Community Development Director Brusuelas can bring back options for Council to review and make a decision on the WWTP. Director Brusuelas advised that with the comments he has received at this workshop regarding these issues, if the Council directs staff to come back with a report where the report would include some quantitative information on the amount of in-fill land that is available and appears to be developable and with the in-fill projects already received by staff, staff can give this information to Council as to where the in-full requests are, how many units and the equivalent WWTP capacity for these projects. Staff can also bring back some percentage or adjustment on commercial/industrial wastewater based on 15%. Staff will also include in the report the outstanding projects that are presently in the Community Development Department along with the number of lots in each project and when they were submitted so that Council can look at the projects being considered. Council can then evaluate the in-fill and percentage for the commercial/industrial. Council can then decide which way to go in the way of a policy or a moratorium or some other way to then give direction to staff on how to administer any future projects coming in, whether it be in-fill or commercial or new annexation. Staff will bring this back at the Council meeting of March 8th.

ADJOURNMENT

Mayor Soleno adjourned the meeting at 8:27 p.m.

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Ray Soleno, Mayor

ATTEST:

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Kay L. Pierce, Deputy City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING - FEBRUARY 28, 2005

The special meeting of the Reedley City Council was called to order by Mayor Soleno at 6:04 p.m. on Monday, February 28, 2005, in the City of Reedley Council Chambers, 845 "G" Street, Reedley, California.

ROLL CALL

Council Member

Present: Matthew Scott Brockett, Steven Rapada, Anita Betancourt, Donald Ikemiya, Ray Soleno.

Absent: None.

City Staff

Present: Ray Forsyth, Interim City Manager; Don Neufeld, City Attorney; Douglas Johnson, Police Chief; Bruce Webber, Interim Public Works Director/City Engineer; Fred Brusuelas, Community Development Director; Lori Oken, Finance Director; Joel Glick; Community Services Director; David Brletic, Associate Planner; Dana Ritschel, Engineering Technician; Elizabeth Vines , City Clerk.

Others

Present: Andy Mangano, David Stringfield, Penny Carlo, John Dutton and others.

Mayor Soleno turned the meeting over the Interim City Manager Forsyth. Interim City Manager Forsyth requested a closed session at the end of the New Business item regarding potential litigation. City Attorney Neufeld advised City Manager Forsyth that this request will need to be added to the agenda. This can be done by making the findings by two-thirds vote of the Council that the need for the item arose after the time the agenda was posted and that there is a need to act prior to the next meeting of the Council.

Mayor Soleno asked the Council if there was a motion to approve this request. Council Member Brockett moved, County Member Rapada seconded to approve the request for the addition of a closed session.

Motion unanimously carried,

PUBLIC COMMENT - None.

NEW BUSINESS

1. AWARD OF CONTRACT TO ROMTEC FOR PURCHASE OF PRE-MANUFACTURED RESTROOMS/STORAGE/CONCESSIONS BUILDING FOR CITIZENS PARK

City Engineer Webber advised that in September, 2002, the city was authorized by the Department of Parks and Recreation to begin work on Citizen's Park, phase two improvement project. Funding for this project is being provided by Roberti-Z'berg-Harris Urban Open Space and Recreation grant in the amount of $383,000. In March, 2003, the city entered into an agreement with Hoerner-Vigen Alliance for the design and preparation of building plans and specifications for this project. The engineer's estimate of construction costs in July, 2003, was $255,385. Construction is now estimated to be over $370,000 based on an increase of construction costs of 45-percent. In November, 2004, staff was directed to move forward with the project. In an attempt to stretch the construction dollars further, staff looked into the possibility of purchasing and installing a pre-manufactured building. In January, 2005, staff issued a request for proposals soliciting designs and bids for the purchase of pre-manufactured buildings. Seven RFP's went out and only one reply was received from Romtec in Roseburg, Oregon. Their proposal includes staff plans, specifications and the manufacturing and delivering to the site one 24' x 40' restroom, storage and concession building

for a cost of $162,976, less the $14,537.46 that is a CMAS discount, for a total of $148,438.54. When tax, freight and engineering and CMAS service fee is added in, the grand total is $171,103.50. This does not include the cost of constructing the foundation and erecting the building once delivered to the site. It is estimated that this cost will be about $100,000 making the total cost of placing the pre-manufactured building on the site of approximately $271,000. In addition, staff has received a communication from Romtec that they are willing to discount the $171,103.50 by an additional $4,500 if we will purchase the building now. They will then hold onto the building until the city is ready for delivery in either May or June. Staff recommends that the building is purchased at this time to save this money. The original design for the park ended up being too expensive for what was originally budgeted. It is estimated that the total figure for this park project will be approximately $600,000. We are currently $217,000 short of what it will take to finish this park. Going to the pre-manufactured building will save approximately $100,000 which can go towards other park improvements. There is $317,000 left from the original grant.

Mayor Soleno asked what caused the delay in construction of the park? City Engineer Webber advised that when the design from the architect was received, it was so high that staff realized the building could not be built. Staff then went back to the architect and asked them to cut back on the building to reduce the cost, but that didn't work.

Community Services Director Glick advised that the Engineering Department had a heavy workload which also had a time frame to receive grants for various projects and the Citizen's Park project was just one of many on a priority list of projects.

Council Member Rapada moved, Council Member Brockett seconded to approve Resolution No. 2005-023 - A RESOLUTION OF THE CITY COUNCIL AWARDING THE PURCHASE CONTRACT FOR A PRE-MANUFACTURED BUILDING FOR CITIZENS PARK.

Motion unanimously **carried.**

CLOSED SESSION

Mayor Soleno adjourned the Council meeting to a closed session at 6:16 a.m. Mayor Soleno called the Council meeting back to order at 6:32 p.m. and announced that no action was taken in CLOSED SESSION which was required to be announced.

WORKSHOP

2. WWTP MASTER PLAN REVIEW, PROCESS, & PORTABLE CLARIFIERS

3. ECONOMIC DEVELOPMENT, REDEVELOPMENT, & FACADE PROGRAM

Community Development Director Brusuelas distributed copies of a Redevelopment Implementation Plan to the Council as well as copies of the Facade Program. He advised that redevelopment is a tool that was created by State law to assist local governments in eliminating blight conditions within their city. This included economic blight, physical blight and social blight. A large portion of Reedley is in a redevelopment area because it has at least one of the types of blighted condition. The redevelopment tools which would give cities the ability to assemble land for development; to utilize tax increments and issue bonds as a source of revenue to develop land; the ability to invest in infrastructure where cities could lure private enterprise; and the ability to create affordable housing for segments of the population. Blight is defined as things that cause the reduction of or the lack of proper aspects of a community that prevent positive things from occurring in an economic, social or physical way. Typically, it has to do with land that has been neglected, or has buildings that under-utilized such as abandoned packing houses or substandard housing that is 50 or more years old and is deteriorating. It could neighborhoods that have no curbs, gutters or sidewalks or inadequate sewer or water utilities. A Redevelopment Agency is a body that is separate in its authority and power as the City Council. In Reedley, the City Council Members are also Board Members of the Redevelopment Agency and this is quite common. The community redevelopment law provides for establishing the Redevelopment Agency by action of its governing body such as the City Council. The powers the Council has a Redevelopment Board are vested in the California

Community Redevelopment Law and it prescribes the powers of the Redevelopment Agency. They can prepare and carry out plans or improvement, rehabilitation and redevelopment of those blighted areas in the community. Redevelopment Agencies are a very effective way to attack blight that you couldn't as a City Council through the general fund. It provides and allows a different source of revenue that is called Tax Increment Financing. This allows revenue to come into the redevelopment agency and do things that a City Council cannot. It has powers and authorities that go beyond that of a City Council. There are certain things that a Redevelopment Agency can do that private enterprise cannot. It is when the Redevelopment Agency partners with private enterprise that they can accomplish the greatest things by partnering.

Community Development Director Brusuelas advised Council on the financing on redevelopment which is through tax increment revenue. There are other sources of revenue such as loans, grants, and issuance of tax allocation bonds. Typically, agencies use the tax increment funds to leverage financial assistance from various agencies of the State and federal government and private sources. Tax increment financing has to do with diverting tax revenues from other taxing entities such as the school districts, hospital districts and others where the year that the redevelopment agency is formed establishes the base year of whatever taxes that were being derived and being given to those tax entities is frozen for a period of time whether it's a 20-year of 30-year period of time. As the land appreciates, any additional tax increase on that land would be diverted towards the Redevelopment Agency. That is why schools and counties don't like redevelopment agencies, because they're are diverting revenue streams from going to those specific entities. There is a way to equalize this and that's by having pass-through agreements. Everyone sits down and decides how the money will be divided. The success of revenue to the Redevelopment Agency rests in the Agency's ability to make something happen on the land. The taxes won't increase unless the value of the property is increased and this is typically done by development. We must develop and build and engage in the process of the fiscal development of the city with the goal of eliminating blight. Blight can be vacant land because there is lost opportunity where a building can be put on this land that can be used for creating jobs or services to people.

Mayor Soleno asked Mr. Brusuelas to explain the agreement the City has with the school district on the tax increments? Finance Director Oken advised that the agreement with KCUSD is different that with other entities. She advised the City takes the growth tax increment, deduct the County's administrative collection fees, the county pass through is deducted, the county library, the Consolidated Mosquito Abatement district, the State Center Community College District, all the other pass-throughs are deducted from the gross, the 20% low and moderate housing set aside is deducted from the gross and then whatever is left over, there is 9-percent calculation made upon that amount and that is passed back and paid back directly to KCUSD. The City of Reedley has an agreement in place that those funds which the city pays the KCUSD are to be used for projects that are jointly approved by the School Board and the City Council.

City Attorney Neufeld advised that applies to existing agreements. The Community Redevelopment law and the Health and Safety Code was changed about three years ago to eliminate new pass-through agreements. It has a complex statutory formula that provides that after the date that was enacted, there is a certain percentage that goes to each taxing entity according to a sliding scale that is in the Redevelopment law and is in place of any other new pass-through agreements. The agreements just discussed are existing agreements and are in force according to their terms. If a new taxing entity were to come along such as a district, they would not have the right to come to the city and tell the city they can't do any redevelopment area until they negotiate a new pass-through agreement with KCUSD. The law prohibits this and the percentage is already set out.

Community Development Director Brusuelas advised that another aspect of the redevelopment law was the fact there is a requirement that 20-percent of the revenue that comes into the Redevelopment Agency must be set aside for low-moderate income housing. This is to assure that there was provisions for allowing for a residential base within those particular areas. He advised there is an adopted five-year implementation plan that was a part of the redevelopment plan that was adopted. Staff has hired a consultant for assistance in preparing the next five-year implementation plan. The five-year implementation plan identifies the various projects to be achieved over a period of time. The first goal is to preserve and enhance the economic prosperity of the community and aid business development and retention. The second goal is to work to promote and increase the supply of very

low, low and moderate income housing opportunities for both ownership and rental markets to all segments of the city's population. Goal three is to sponsor necessary public improvements when necessary. These are goals are very common in most redevelopment implementation plans, but where it is specific is when one looks at the particular objectives of what Council wants to achieve. The are very specific as to certain streets, neighborhoods or pieces of property that Council would want to identify as a particular goal. Staff will be giving the consultant information on various things, a public hearing will be held and Council will then be able to interject some objectives on some of the overall goals discussed. Staff will be presenting Council with the new updated 5-year implementation plan.

Community Development Director Brusuelas advised Council requested information on a the Facade Improvement program through the RDA and this document was distributed to Council. This program was established to help renovate and rehabilitate the central business district. This money was set aside as a grant to assist the owner of the property and building to improve the appearance of the building through exterior improvements. He also distributed to Council the Reedley Downtown Architectural Guidelines which accompanies the Facade Improvement program. There is $25,000 budgeted this year in the Facade Improvement program. There are currently two ongoing applications which will be completed soon and they will be requesting reimbursement from the program.

Mayor Soleno advised he received a Redevelopment Agency booklet that explains about the Redevelopment Agency and expressed that other Council Members should receive this same booklet which answer many questions about the Agency.

Council Member Ikemiya advised that other businesses in Reedley should have the opportunity to apply for the facade improvement grant. Community Development Director Brusuelas explained that the provisions in the Facade program indicate that the primary focus in along "G" Street. However, if there are properties outside this corridor, but in close proximity, the Council can give a review and authorization to staff to include this request. Areas on "I" Street or the railroad corridor would take a modification approved by the Redevelopment Board, but can be done.

Council Member Rapada advised that under the section of "Purpose" it states "primarily within the downtown commercial corridor." The word "primarily" could be viewed as where Council wants the improvements to be allowed. He referred to older buildings downtown and under the heading "Eligible Improvements" it states "...other exterior store front and rear entry improvements." There are some buildings where the rear entrance intrudes on the next property owner's property. If these business owners can't get agreements with their next door property owner to give them a right-of-way to put an exterior rear entry improvement, it doesn't say exterior rear entry improvement, can the funds be lent to help the property owner install a rear entry that involves going inside the building but has a doorway that comes out to the exterior? If someone wants to come in and renovate one of those buildings that has second floor and the California Building code tells them if they want capacity, they have to have a second exit, if the RDA can help with that, it would lend to have more people wanting to renovate the buildings that have second stories.

Community Development Director Brusuelas there are several business downtown that have rear access into their business such as The Pub, Mainstreet Cafe and Gourmet Gardens. These are examples of rear entry improvements. It doesn't say interior/exterior, but the implication is dealing with the exterior. It may involve some encroachment depending upon whether there was alcove or other setting, but it doesn't mean going deep into the interior of the building. With the nature of a landing or access onto somebody else's property, then you are dealing with private property owner who also has rights. The Redevelopment Board does have the authority of eminent domain to do certain things depending upon the nature of the public good. Staff could confer with legal counsel for input.

City Attorney Neufeld advised that the whole landscape on eminent domain for purposes of redevelopment where the Redevelopment Agency steps in solely for the purpose of assuming land and giving it to another owner to do a better, more tax increment producing project is, right now, under review by the U.S. Supreme Court. That whole landscape might change. As of this time, if the city can show that it is for purposes of redevelopment where there is rundown properties that are

economically stagnant, they can be taken by the Redevelopment Agency and the public purpose would be, in fact, to acquire it, perhaps assemble it with other properties and then turn it over to another developer or another owner through a disposition and development agreement that would provide that they meet certain standards. The Board could set the standards. With regard to the question brought up regarding interior improvements, if it were done through a rehabilitation grant or loan provided that the findings were made that it was necessary to alleviate blight, it would be possible. The justification for the facade program as it stands right now is beautification of the exterior for the benefit of the overall downtown. Additional findings would have to be made to use redevelopment funds to go inside. Traditionally, with the exception of low and moderate income housing, Redevelopment agencies can put in infrastructure, clean site, construct building pads, but with the exception of affordable residential housing, they are prohibited from actually building the building. In this case, if the findings were made for rehabilitation purposes, it could probably be justified on that basis as long as the work was done by someone else.

Council Member Betancourt asked if the Agency could provide for low and moderate income housing for people who find it impossible to purchase a home, but be able to rent a decent apartment where they can live? On the east of Reedley where there are many apartments, also has much blight that has come out of it because there are many rental houses. She would like to see some of the Redevelopment funds used to clean up this east side area. She is also concerned because with the housing situation and the housing going up constantly, she would like to see a balance of apartments throughout the city and if there is a possibility of getting more government homes similar to the housing across from the community center and how it has been cleaned up and also Riverland, which is Housing Authority housing also and they are also well kept up and the housing is safe. These are people who work in the fields and because of the seasonal work their incomes flucuate so they don't have a steady income and these folks need to be provided with places that they can rent according to their budgets. Is there any way that the Agency could buy property and make it available for the Housing Authority to come in and build different housing? The low income projects have changed a lot over the years and can fit into the neighborhoods. Housing is a basic issue and it is important that we provide for the people that work around the area.

Community Development Director Brusuelas replied the answer is yes. These are things that the Redevelopment Board has the power and authority to do.

ADJOURNMENT

Mayor Soleno adjourned the special meeting at 10:40 p.m.

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Ray Soleno, Mayor

ATTEST:

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Elizabeth Vines, City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING - MARCH 15, 2005

The special meeting of the Reedley City Council was called to order by Mayor Soleno at 5:04 p.m. on Monday, March 15, 2005, in the City of Reedley Council Chambers, 845 "G" Street, Reedley, California.

ROLL CALL

Council Member

Present: Matthew Scott Brockett, Steven Rapada, Anita Betancourt, Donald Ikemiya, Ray Soleno.

Absent: None.

City Staff

Present: Ray Forsyth, Interim City Manager; Don Neufeld, City Attorney; Douglas Johnson, Police Chief; Bruce Webber, Interim Public Works Director/City Engineer; Fred Brusuelas, Community Development Director; Lori Oken, Finance Director; Joel Glick; Community Services Director; David Brletic, Associate Planner; Dana Ritschel, Engineering Technician; Elizabeth Vines , City Clerk.

Others

Present: James Pace, Glenn Pace, Mark Zahn, Ken Enns, Mike Thurlow, John Olson, Marsha L. Hunter, Beth Warmerdam and others.

PUBLIC COMMENT - None.

CLOSED SESSION

Mayor Soleno adjourned the Council meeting to a closed session at 5:05 p.m. Mayor Soleno called the Council meeting back to order at 5:32 p.m. and announced that no action was taken in CLOSED SESSION which was required to be announced.

WORKSHOP

2. WWTP UPDATE - PRESENTATION BY CAROLLO ENGINEERS

Carollo Engineers gave a brief update of plans for the expansion of the WWTP.

3. SPHERE OF INFLUENCE

Community Development Director Brusuelas advised of future planning efforts to what is going to be needed in the way of availability of land to continue economic development, residential development and overall growth issues. With regard to the current general plan, there is not sufficient commercial land to accommodate new retail developers. There is a need for more commercial land if there is going to be an invitation for other retail traders to come to Reedley. That has to take the form of a general plan amendment and looking at what land is available in Reedley's currently sphere of influence area. Currently, there is not sufficient land in the sphere of influence to accommodate that type of commercial/industrial growth that is needed. Staff presented a map to Council on an updated general plan. This map shows all the urban area that the city will develop out towards the urban area boundaries or our sphere of influence boundaries. Most of the area is currently developed. Reedley currently has a population of approximately 22,000. This proposed expansion is for a population of 35,000. Currently, there is not enough land within the city limits to accommodate future growth; everything has to be annexed in. Because of the wastewater treatment plant capacity, the location of other lands and insufficient infrastructure for wastewater, some of the area in Reedley's urban area boundary is not presently suitable for development, particularly the area to the north and east. River Ridge Subdivision represents the last development

that could occur in this area without major infrastructure being installed along Buttonwillow Avenue out to the wastewater treatment plant. This is an issue that has to be addressed. In addition to the wastewater treatment plan capacity, it's the sizing and infrastructure of the sewer lines to accommodate growth in this area. There has to be an overall look at the general plan and talk about where future growth might be. Community Development Director Brusuelas presented Council with an overlay of the currently sphere of influence boundary. There can be no expansion south due to the Tulare County line. We can go north, east and west. There are some constraints to be considered. Dinuba's sphere of influence boundary is approximately 1 ½ miles from Reedley. Council has to look 20 to 30 years into the future when deciding where Reedley's growth line will be. It is unknown what surrounding communities will do and how close they will move towards Reedley's boundaries. How far east should Reedley go without wanting to encroach into north Dinuba? Looking west is Parlier and Kearney Ag Station, who has voiced their opinion and concerns regarding urban encroachment, particularly from Parlier. Kearney Ag wants to maintain as much distance from urban improvements as possible, whether it is from Parlier or Reedley. Going north in the next 30 to 50 years, Council must take into consideration Highway 180. Too much urban growth northerly will encroach on the airport area and this should not be allowed to happen. The lack of future planning has created major problems around airports in surrounding communities. There has to be a conscious effort in identifying boundaries. In creating boundaries, we must think twice as long or even three times a long as normal because time has a way of creeping by and 20 years passes by quickly in terms of planning and urban development. These are caveats that are important to consider when the City Council looks at wanting to expand Reedley's sphere of influence boundary for particular reasons. These reasons have to be looked at and then get the boundary in a shape and location that is going to be meaningful for that reason. If it is commercial development that is needed, Manning Avenue is the main corridor for transportation and commerce into the sub-region. Manning Avenue goes from Highway 63 all the way to Interstate 5 and is a major Fresno County thoroughfare and the main drag for commerce. This makes Manning the logical location on which to establish commerce. The next questions is how far out in all directions.

In creating greenbelts and open space areas and distances to establish a distinction between communities, there are various techniques or tools that can be used to do that. Sometimes it is a matter of just identifying open space areas, taking out the sphere of influence boundary, but keep it at a land use that is an open space land use, not necessarily an urban land use. There can be development rights that are purchased, agricultural easements that are established and other ways of generating revenue to buy land development rights or to buy agricultural easements to keep into perpetuity open space. Those areas that you don't want to grow are then prime for development right acquisition or agricultural easements or open space land use designation. When it comes to residential development, one should look at something concentric and something that is able to feed off major collector streets. Up to the north is Buttonwillow, Frankwood and Reed Avenues, which were at one time small county roads. As the city design is expanding, there will be a need to identify future arterial-type streets; four lanes that are divided with landscaping or various types of collector streets as part of master planning. In the San Joaquin Valley in general, there has been a major trend where the community development department has had contacts from prominent community builders that are interested in larger tracts of land anywhere from 100 acres to 1,000 acres, or they are interested in acquiring that land and master planning it over a period of time. These master planning efforts could take over three years to do an EIR or work with the community to come up with a design. The idea being that taking hundreds of acres, master planning it and accommodating all the public infrastructure for school land, park land, land for open space and this is all put into a master plan that has certainty and can be accomplished with development agreements and contracts. This is something to keep in mind for Reedley. This would mean amending the current sphere of influence currently depicted in yellow. The new sphere of influence would need to be incorporated with the wastewater treatment plant expansion and what type of capacity will be needed. Community Development Director Brusuelas recommended that Council consider going up to Adams on the north and possibly South Avenue; Englehart to the east and Lac Jac to the west. There will have to be justification for changing boundaries because LAFCO will be requiring certain criteria for this to be changed. The City of Selma has substantially larger sphere of influence boundaries than Reedley currently has and they have been very aggressive in what they want to do.

Mayor Soleno asked about the greenbelt discussed between Dinuba and Reedley. Community Development Director Brusuelas advised the general discussion that both cities were in agreement

that they did not want to grow together in an urban way. The only thing that has changed is with Reedley's effort to acquire the Peloian property for the future sports park. Mayor Soleno suggested a joint meeting with Parlier to discuss these same issues. Community Development Director Brusuelas advised that the sphere of influence for both Parlier and Selma is one-quarter mile away.

Council Member Rapada advised that at the Five Cities meeting, Kearney Ag Station brought up a concern and also mentioned that USDA was also now located in Parlier since being crowded out of their former Peach Avenue location due to urbanization. Parlier's sphere of influence has Kearney Field Station engulfed and that would be a tragedy to lose Kearney Ag. When doing the boundaries, we need to look at Reedley's boundaries far enough out to build some greenbelt areas within Reedley's sphere of influence. Not the opposite where we build our sphere of influence and then hope a greenbelt stays in between. The need is to go out further in every direction and designate that these areas will not be developed so that Reedley can build its own greenbelt. We need to be progressive and do a large enough are so that we are not coming back in two years asking to do this again. We need to have a long range plan. If we do get a developer who wants to develop a larger piece of land, it will simplify the process in dealing with one entity rather than 15 or 20.

Council Member Ikemiya advised that the South Valley Six, which includes Kingsburg, will also request some input from Dinuba so far as how do these impacts in the southern valley cities grow and not overlap each other, not become a burden on each other and share some of the same resources. None of the surrounding cities what to become a mini-L.A. Most of the growth is happening along major freeways and travelways.

Council Member Betancourt asked if the Five Cities meeting discussed the agricultural lands since that is where a large amount of employment comes from in this area. Community Development Director Brusuelas advised that there has to some goals and objectives to sustaining the agricultural economy.

Council Member Rapada advised that if Reedley is to become strong and viable again, we need economic development and bringing in economical development means different types of job. We cannot rely on agriculture as our only source of economic stability any longer. There are also larger fruit packing facilities in Reedley that are looking towards the west side to develop land for ag, but keeping their packing facilities in this location. If Reedley does not grow and bring in a different demographic, then we will not have the industrial type of manufacturing plants, distribution centers or retailers look towards Reedley to relocate if we do not have the proper demographics.

Council Member Brockett asked what the steps would be to establish a greenbelt. Would that be the three to five years which would coincide with the treatment plant? What kind of money needs to be set aside in the budget to address this issue. The master plan will obviously need to be amended and that will also cost money.

Community Development Director Brusuelas advised the next step is for staff to establish a budget item that Council can look at for money set aside to do a sphere of influence amendment and a general plan amendment. It will cost a substantial amount to have this done properly over a period of time and could cost several hundred thousand dollars. The EIR for just the Walmart project started at $160,000 and ended up costing $225,000, and this amount did not include attorney fees or planning staff. However, the time put into these amendments would be for a 20-year or greater time period for master planning. That environmental document will help carry future projects. It will evaluate traffic, the road systems, what kind of road systems are needed, what size are needed, etc. The next step is for staff to incorporate into the budget money to prepare an amendment to the general plan and a sphere of influence and environmental document. The next step would be for the Council to adopt a budget and have this item in there as part of the duties for the Community Development Department. With these budgeted funds, the Community Development Department can to out and search for a consultant to assistant in the preparation of this document. This will be an 18-month to 24-month process of public meetings and committees that are put together, with one major committee assigned the task of overseeing this. These committees would be similar to what was done on the Specific Plan which also had members from the public involved such as the real estate community, affordable housing community, a diverse group of people that will have input on the number of issues that are there that can be useful in presenting a draft of interests and policies

and goals which would ultimately get to the Planning Commission in a draft form, public hearings will be held and then eventually come to the Council for their review. Council would then have a clear idea as to what the issues are in the community and what the priorities would be. From this the Council can then make a decision to move forward in adopting a new general plan and new sphere of influence.

Council Member Ikemiya asked if the update of the specific plan would be done at the same time? Community Development Director Brusuelas advised that would be evaluated as part of this. The new general plan is going to supersede everything else. The specific plan and the Kings River Corridor Specific plan will also be re-evaluated and addressed in some way. In the end, there will be just one document that will supercede everything. This Council will have the opportunity to thoroughly go through the land use goals and polices and come up with something that fits the vision of this Council. Council Member Ikemiya does not want to lose Reedley's awarding-winning specific plan. Community Development Director Brusuelas advised that the specific plan has worked very well and some things can be modified to make it better and as a result, have a much better plan because we learned the first time around what can be done better. He asked the Council if there is any particular view that the council has with regard to the notion of a master planned community? Is there strong sentiment one way or the other for it, or is there an issue of wanting to see something first before commenting on it, or does Council have any general comments for staff?

Council Member Ikemiya asked if staff is getting inquiries from people and if so, for how many acres? Community Development Director Brusuelas advised he has been receiving inquiries since the end of last summer in the 500 acre category. He advised Reedley currently has 190 acres standing that are master planned within Reedley's sphere of influence boundary. He has had at least five inquiries with substantial parties who have the wherewithal to make that kind of acquisition and do this type of project. Many of these inquiries are from out of state. The most recent contact would be considered serious and substantial. There is a strong interest in wanting to pursue this on the basis of timing in that if the city is going to undergo a transformation in the general plan and sphere of influence boundary, they want to have some indication of that and know when they find some time in the near future where they can enter and participate in some what and be a part of it.

Council Member Ikemiya advised he is familiar with master planned communities that include swimming pools, parks, bike trails and more. With a large master plan coming into the Reedley, it seems like it would be replacing what the Council is supposed to be doing as far as providing the infrastructure and parks and trails and other amenities. This stems from a lack of money on the part of the city. He would like to see conceptually what is being tossed out as it would definitely change the face of the city.

Council Member Rapada there is nothing wrong with partnering with the private sector. If the City doesn't have the funds and money and Kings Canyon Unified doesn't have the funds and the money to buy school sites, park site, police station sites, fire sites and the private sector is willing to come in and help augment this, all that will do is make our community that much stronger. When you talk about a 500-acre parcel and maybe 2,200 or 2,500 homes, what's the difference between that and this group sitting here in Fred's office talking about 3,000 homes on the books, just in smaller increments which now take us more time and more effort to deal with. Then, if we start talking about these planned community type developments, you then have the ability to say that the City of Reedley needs a section of your planned community to have more affordable housing. Maybe then there will be a middle of the road and maybe they'll do some of the estate type housing, but in that, if they are encompassing bringing in park land and school sites and all that type of thing with it, it just makes it better for the whole community. If we look at it that way, we have some better control over what is going to be developed in there and that makes it a very good partnership. It's much like a company bringing a huge distribution center to Reedley similar to the Sears in Delano or Walmart in Porterville, and we know that will bring hundreds of jobs to Reedley and a great tax base, maybe we, as a city, can help develop the infrastructure with the private sector doing the majority of it. These are things we can start to request from developers. If Reedley moves the sphere of influence to a grander scale and have this kind of mentality, maybe this takes Reedley to its building-out and look at Reedley becoming a 35,000 to 40,000 population. The uniqueness Reedley has of having Tulare County to the south, the Kings River to the west and a good green belt between Reedley and

Orange Cove and Sanger being on the other side of the river, we can keep our uniqueness, but yet get to a size that warrants people to come and take a look at and invest in Reedley.

Council Member Betancourt asked where the additional population would find jobs?

Council Member Rapada advised that is why Reedley needs this type of growth so that industries will look at this area to come here and bring distribution centers and manufacturing plants to Reedley. It will be Reedley's responsibility to help these people get trained so that we have a good trained workforce. If agriculture is not going to be our number one economic base that drives Reedley, we have to take the people that are here now and help train them so they are prepared if a manufacturing plants comes to Reedley. We talk about the $30 million a year that leaves this town.

Council Member Betancourt advised that Dinuba already has a Best Buy distribution center and a Patterson and a Walmart and they didn't do all of what Council Member Rapada is suggesting and they still garnered the businesses. They have jobs for their people and they didn't have to go out and build big communities and have the bigger population. Ag is important to Reedley. We feed a lot of people with our agriculture. We have a bigger responsibility and there is a concern about expanding.

Council Member Rapada advised one cannot compare Reedley to Dinuba or Parlier or other cities. Orange Cove and Parlier are only two of 11 cities in the whole country that have the designation of Enterprise Zone cities. They can give businesses things that Reedley cannot give. Dinuba being in Tulare County also can give things that Reedley cannot five to businesses. Unfortunately, Reedley is like that middle class person that is always complaining about getting nailed more on their taxes than the rich people or the poor people. We are a middle class city. We have to make our opportunities and invest in ourselves and come up with new progressive ideas. Many of Reedley's growers are moving to Chili and other South American countries where they can produce cheaper fruit. It is costing the farmers in Reedley $12.00 a box to produce a box of fruit, yet they are only getting $10.00 for that same box. Agriculture will always be around, but it will be the large growers that continue it. Many big growers are moving to the west side because land is cheaper.

Council Member Ikemiya suggested incorporating into the general plan other aspects of whether it is conservation or ag easement as did the City of Madera. The farmers got paid from the government to keep the land in farming rather than sell out to developers. That might be something to look at in Reedley's general plan and sphere of influence. Reedley is currently surrounded by preserved ag land.

Council Member Brocket advised staff to begin talks with Parlier and Dinuba on the greenbelts.

4. REDEVELOPMENT FIVE-YEAR IMPLEMENTATION PLAN

Community Development Director Brusuelas advised that staff has talked with the Redevelopment Board and the Council about the issue of the Redevelopment 5-Year Implementation Plan. Staff has hired a consultant to prepare an update to the 5-year plan. At a previous workshop, staff reviewed the implementation plan and talked about the goals and objectives. Currently, the consultant is needing information to incorporate into the document that requires the Council as the Redevelopment Board the types of projects or programs that it wants to see implemented over the 5-year period of time. This is driven by State mandates and the redevelopment laws. Each agency is required to have programs and projects as goals to achieve over the 5-year period of time as well as how the money will be spent on redevelopment projects. Staff spoke with our Finance Director regarding the present expenditure of the redevelopment funds. Redevelopment funds are set aside for housing, economic development efforts and redevelopment administration. Comparing the past and current budgets, a substantial amount of the money that redevelopment receives is already allocated and not much money is left over. This amounts to approximately $200,000 in the housing account. It requires the Redevelopment Board to accept the current programs and projects or during the budget process, to look and see if the Board wants to eliminate any of these projects and put this money towards something else. The RRDA has the Housing Emergency Grant Program that helps many people during the winter with leaking roofs or heating systems and other public safety and health safety issues. There is also the painting program for seniors or other low income

homeowners. There is money set aside for the Downtown Association, the Chamber of Commerce, community events, tourism and more. This is money that is going into these programs as opposed to brick and mortar or curbs, gutters and sidewalks. Does the Board want to continue in this direction or add new programs. A lot of the Redevelopment money goes into administration for staff and other departments. Does the Board want this money to go for larger projects such as street widening, sewer improvements, new water line infrastructure and other infrastructure. The redevelopment law requires that staff at least have a list of projects that the city would try to accomplish over a five-year period.

Council Member Ikemiya asked if the RDA funds be used to hire an Economic Development Director or consultant that could bring jobs or industry to Reedley?

Council Member Rapada advised that is how many other cities pay for staff people. He advised that redevelopment funds are broken down into many small projects. The Downtown Association and Chamber received RDA funds with the thought that they will be the economic developers or tourism developers for Reedley. But are they really doing that? This money needs to be assessed as to what it is tied into and see if the goals and ideas need to be changed to make just one or two programs to accomplish something with these RDA funds.

Council Member Brockett advised that staff should do more homework on the current list of projects and would also like to see past expenditures and history on what RDA money has been used on the last three years.

Community Development Director Brusuelas advised that looking at these items would be part of the budget review. He asked Council to suggest a program or project that they are really interested in having accomplished. Since most of the current RDA funds are from the housing area, the Council will need to focus on housing related issues. When it comes to other available funds, there needs to be a priority list. It can also be used to hire a grant writer to obtain grants associated with the RDA. In replying to a question from Council Member Betancourt regarding the definition of blight, he advised that blight is defined as those things either being physical, social or economic. Unemployment is blight and jobs need to be created. Physical deterioration of buildings or streets is also blight, and this includes neighborhoods. The social blight includes the combination of economic and physical because there are societal issues that occur with people living in deteriorating conditions.

Council Member Betancourt referred to the Olson house which was purchased by the city for victims of domestic violence and asked if the RDA could purchase a house for homeless people since that is also an issue in Reedley. Community Development Director Brusuelas advised the RDA funds can be used for something along this line, but that is where the priority list comes into play. RDA funds are used for special needs housing, whether it is for seniors, the disabled or homeless people.

ADJOURNMENT

Mayor Soleno adjourned the special meeting at 7:55 p.m.

_____
Ray Soleno, Mayor

ATTEST:

_____
Elizabeth Vines, City Clerk

REEDLEY CITY COUNCIL REGULAR MEETING – March 22, 2005

The regular meeting of the Reedley City Council was called to order by Mayor Soleno at 7:00 p.m. on Tuesday, March 22, 2005, in the City Hall Council Chambers, 845 "G" Street, Reedley, California.

INVOCATION

The invocation was given by Council Member Betancourt.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Council Member Ikemiya.

ROLL CALL

Council Members

Present: Matthew Scott Brockett, Steve Rapada, Anita Betancourt, Donald Ikemiya, Ray Soleno.

Absent: None.

City Staff

Present: Ray Forsyth, Interim City Manager; Dale Bacigalupi, City Attorney; Doug Johnson, Police Chief; Fred Brusuelas, Community Development Director; Lori Oken, Finance Director; Joel Glick, Community Services Director; Bruce Webber, Interim Public Works Director/City Engineer; David Powell, Volunteer Fire Chief; Elizabeth Vines, City Clerk.

Others

Present: Sal Gonzales, Anthony Jewell, Pete Goodell, Dana Ritschel, Pamela A. Acuna, Theodore Tartaglia, Henry A. Nunez, Mark Givens, Pete Perez, Craig Ito, Corey File, Cyndy McPherson, Greg Quiring, Andy Mangano, Doug Cords, Darren Indart, Ruben Ramirez, Amy Allen James Hansen, Todd Barsoom, Floyd M. Barsoom, Mike Schuil, Don Beckenhauer, Kevin Beckenhauer, Ken Enos, Doug Beckenhauer, Randel Mathias, Pam Mathias, Victor Santos, Mario A. Valmonte, Sandra Staats, Dave Crinklaw, Rachel M. Brockett, Charlotte Brusuelas, John Dutton, Raymond Enns, Fred Hall, Beth Warmerdam, Dianne Guzman, and others.

PUBLIC COMMENT

None.

Interim City Manager Forsyth advised Council that an item arose after the posting of the agenda and which required action before the next Council meeting. He requested that this item, consideration of this item, Consideration of Approval of an Agreement for Interim Community Development Director Services, be added to the agenda after agenda item no. 6.

Council Member Ikemiya moved, Council Member Brockett seconded, to find that the item arose after the posting of the agenda and action is required prior to the next agenda, and pursuant to Government Code 54954.2(b)(2), said item be added to the agenda as requested.

Motion unanimously **carried**.

CONSENT AGENDA

Council Member Betancourt requested agenda item no. 2 be removed from the CONSENT AGENDA.

Council Member Rapada moved, Council Member Ikemiya seconded, to remove agenda item 2 from the CONSENT AGENDA, and to approve and adopt all other items listed under the **CONSENT AGENDA** as follows:

1. WARRANT REGISTER DATED MARCH 22, 2005 - Council approved

2. *RESOLUTION NO. 2005-027 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY AWARDING THE CONSTRUCTION CONTRACT FOR THE REEDLEY 3 SUPPLEMENTAL LANDSCAPE IMPROVEMENT PROJECT (Rail Trail Parkway approximately between Buttonwillow and Fisher Avenues) - Removed from CONSENT AGENDA for discussion.*

3. RESOLUTION NO. 2005-029 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY AUTHORIZING THE SUBMITTAL OF AN APPLICATION, ACCEPTANCE OF AN ALLOCATION OF FUNDS, AND EXECUTION OF A GRANT AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR A MATCHING GRANT FOR FEDERAL AVIATION ADMINISTRATION (FAA) APPROVED PROJECT UNDER THE AIRPORT IMPROVEMENT PROGRAM (AIP) NO. 3-06-0196-07

Motion unanimously **carried.**

2. *RESOLUTION NO. 2005-027 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY AWARDING THE CONSTRUCTION CONTRACT FOR THE REEDLEY 3 SUPPLEMENTAL LANDSCAPE IMPROVEMENT PROJECT (Rail Trail Parkway approximately between Buttonwillow and Fisher Avenues) - Removed from CONSENT AGENDA for discussion.*

Council Member Betancourt stated the staff report states the City has already paid $10,000 for landscaping for this project. She asked where those funds came from. Interim Public Works Director Webber advised that they had come from the TEA21 program (Transportation Enhancement Act).

Council Member Ikemiya moved, Council Member Rapada seconded, to adopt Resolution No. 2005-027, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY AWARDING THE CONSTRUCTION CONTRACT FOR THE REEDLEY 3 SUPPLEMENTAL LANDSCAPE IMPROVEMENT PROJECT (Rail Trail Parkway approximately between Buttonwillow and Fisher Avenues).

Motion unanimously **carried.**

UNFINISHED BUSINESS

4. DEVELOPMENT IMPACT FEES - CONSIDERATION TO INITIATE ADDITIONAL CHANGES

Community Development Director Brusuelas advised that Council adopted new Development Impact Fees (DIF) in January, 2005, and set the DIFs based upon a study that was prepared by the firm of Berryman & Henigar. Those new DIF rates go into effect March, 25, 2005. Discussion of the DIF rates during and after the decision-making process included interest by the City Council to re-evaluate the fee schedule and make adjustments if necessary, to two types of DIFs: (1) reducing commercial and industrial fees to less than the current 50% of the maximum; and (2) reducing residential fees less than the current 100% for infill residential projects. For commercial project DIFs, Reedley DIFs (established at 50% of maximum) are about the same as those charged by Parlier, but lower than most of our neighboring cities. Council discussed the importance of not discouraging retail and commercial businesses from locating in Reedley, but also the necessity to

have sufficient DIFs to take care of the City's infrastructure. The Council considered starting the DIFs out lower and raising over time, as well as how that approach in the past has resulted in the City never collecting enough from DIFs to improve parks and infrastructure. It would be necessary to establish a scheduled incremental increase so that developers would know in advance what the amount would be and so the City would not fall further behind by failing to increase it over time. How to pay for the City's infrastructure as the City grows is a big problem that can be improved by establishing DIFs that can help pay new development's impact on the City, while keeping them at a reasonable rate so as not to discourage development.

The Council also discussed lowering the DIF rate for single-family infill projects to encourage vacant land in the community to be developed. When empty lots are developed, it helps remove blight and problems for neighbors. Plus the infrastructure for infill properties has typically been built for some time, and to some degree already paid for by property taxes on those empty lots.

Community Development Director Brusuelas advised that the Council had previously adopted the DIFs at 50% of the amount recommended by the Study for residential and at 25% of the Study's recommended DIF for commercial. Theodore Tartaglia stated that previous Council's had failed to raise fees on a regular, incremental basis, with the result that City reserves were low or depleted. The Council's first obligation should be to the existing citizens who have paid their fair share in the past. Developer who want to build here should pay their share to be part of the community. Expansion of the WWTP is not necessary to serve the existing citizens, but rather for new development, yet existing residents are going to have to pay for the expansion, too. The DIF rates should be set at the amount necessary to recover all the cost to provide services to new residential and commercial in Reedley rather than basing the DIFs on what other cities charge. Anthony Jewell concurred with Mr. Tartaglia's opinion. He noted that higher DIFs might cause sticker shock for new development, but the City is paying for $500,000 fire engines that it needs now.

Doug Beckenhauer, Kevin Beckenhauer, Doug Cords, and Craig Ito asked Council not to raise DIFs too quickly because it may deter development in Reedley. Another concern was how it might have a negative impact on existing commercial which may want to expand in the future. Mario Valmonte stated that he believed 50% was too high for infill residential and also asked if the new fees would impact infill projects that have approved tentative maps? He was advised that only those projects which have already taken out building permits would not be impacted by new DIFs.

Council discussed their concerns about the impact of DIFs on infill residential, particularly projects for low-income people. Council discussed the need, if the DIFs are to be increased over time, to do so over only a few years, rather than wait until the population reached 36,000, as by then the City would have again fallen behind. Council considered charging infill projects 10% less than whatever rate is eventually established. Council also noted that DIFs cannot be used to solve existing problems, but could be used for the WWTP expansion, street widening to accommodate growth caused by new development.

Council Member Rapada moved, Council Member Brockett seconded, to direct staff to bring back for Council consideration at the next meeting modifications to the existing DIF rates, based on 25% reductions for single-family residential (infill only), single-family low-income (infill only), multiple-family (infill only), and a 25% discount for expansion of existing commercial, limited industrial, and heavy industrial, with commercial, limited industrial and heavy industrial to remain at the rate that goes into effect March 25, 2005, and increased by 25% every year beginning July 1, 2005, until the maximum DIF rates are reached, and further directed staff to develop definitions of "infill" property and "single-family low income".

Motion **carried** by the following vote:

AYES: Brockett, Rapada, Ikemiya, Soleno.
NOES: Betancourt.
ABSTAIN: None.
ABSENT: None.

Mayor Soleno called for a brief recess at 8:35 p.m. and called the meeting back to order at 8:45 p.m. with all Council Members present.

5. WASTEWATER TREATMENT PLANT (WWTP) - CONSIDERATION TO INITIATE URGENCY ORDINANCE TO LIMIT NEW DEVELOPMENT AFFECTING WWTP CAPACITY.

Council Member Ikemiya announced that he had a conflict of interest and left the Council Chambers.

Community Development Director Brusuelas advised that based upon previously approved development projects, approximately 6.3% (540 equivalent dwelling units) of capacity remains at the Wastewater Treatment Plant. He requested Council give direction to staff to initiate an urgency ordinance to prohibit and/or limit new development application approvals on the basis of potential impacts to the Reedley Wastewater Treatment Plant and reviewed five potential options to serve as the basis for five allocation formulas.

Council Member Betancourt expressed preference for Option 2 because it would prohibit all unapproved annexation projects, allow new residential and non-residential projects up to a maximum of 200 dwelling unit equivalent, and would establish a minimum 340 dwelling unit equivalent (4% of capacity) as a contingency.

Council Member Brockett and Council Member Rapada suggested Option 3 would serve the City better as it would allow for the completion of one additional annexation (Workman Bros) which is already in progress, would allow space for residential, commercial, industrial, and institutional projects, and still allow for a 2% of capacity as a contingency. Council Member Brockett noted that he would not want developers to get the impression that Council was just going to allocate more capacity for additional annexations; at this time, the allocation is strictly for the Workman Bros. Project based on how far along in the approval process it was, essentially from the City's general practice of application approval on a first come (submittal), first serve (approval).

Several developers and their representatives spoke to ask that Council give additional allocation for their annexation projects. John Dutton, of Provost and Pritchard, distributed to Council a memo they had prepared on behalf of Mangano Homes suggesting ways to increase capacity at the WWTP in the short term, such as adding additional oxygen to the oxidation ditch. The short-term solutions would allow more annexation projects to move forward until the long-term expansion of the WWTP capacity could be completed. Council Member Brockett stated that limiting development based on WWTP capacity is a short-term solution only, and would not want anyone to think the City's purpose was to prohibit new development. The issue is strictly temporary to prevent the remaining WWTP from being over extended during the next five to six years when it is being expanded. Council Member Rapada agreed, noting that if the things change regarding the WWTP, this issue could be revisited again before the Plant expansion is completed.

City Attorney Bacigalupi advised Council that whichever option is selected, he would recommend that all future conditions of approval on building permits requires that no development be built without certainty of capacity at the WWTP for that project or permit.

Council Member Rapada moved, Mayor Soleno seconded, to direct staff to initiate an urgency ordinance based on Option 3: that will (a) allow an allocation of 125 dwelling units for current residential annexation projects in process, (b) allow 70 dwelling units for residential infill projects, (c) allow 75 dwelling unit equivalent for commercial, (d) allow 75 dwelling unit equivalent for industrial, (e) allow 25 dwelling equivalent for institutional, and (f) establish a contingency of 170 dwelling unit equivalent (2% of capacity), and also to include language to require a condition of approval that no development be built or issued a permit without certainty of capacity at the WWTP for that project or permit.

Motion **carried** by the following vote:

AYES: Brockett, Rapada, Soleno.
NOES: Betancourt.
ABSTAIN: Ikemiya.
ABSENT: None.

Mayor Soleno called for a brief recess at 10:05 p.m. He called the meeting back to order at 10:11 p.m. with all five Council Members present.

NEW BUSINESS

6. AWARD OF CONTRACT FOR PURCHASE AND INSTALLATION OF PLAYGROUND SHADE STRUCTURE FOR CITIZENS PARK (Res. No. 2005-028)

Interim Public Works Director Webber advised that requests for proposal were sent to seven companies with only one company, Shade Structures, submitting a proposal to install a sail-design shade structure over the playground at Citizens Park. The cost to design, manufacture and install the proposed sail-design is $99,611.25. Shade Structures is the same company who developed and installed the shade structure in Mueller Park.

Council Member Ikemiya moved, Council Member Rapada seconded, to adopt Resolution No. 2005-028, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY AWARDING THE PURCHASE AGREEMENT FOR THE CITIZENS PARK PLAYGROUND SHADE STRUCTURE.

Motion unanimously **carried.**

(The following item was added to the agenda by vote of the City Council previously in this meeting.)

6B. AGREEMENT FOR INTERIM COMMUNITY DEVELOPMENT DIRECTOR SERVICES

Interim City Manager Forsyth requested Council authorize execution of an agreement with Dianne Guzman for Interim Community Development Director services at the rate of $10,000 per month. The cost would come from the General Fund-Planning, and from Redevelopment Agency Fund-Low&Moderate Income Housing. Ms. Guzman is the retired Visalia Assistant City Manager for Community and Economic Development. She has served in similar positions in the City of Sacramento, and the Counties of Santa Cruz, Santa Barbara, San Diego, and San Bernardino. She is a member of the American Institute of Certified Planners and the College of Fellows, American Institute of Certified Planners. The monthly rate was based on the $65 per hour paid to the Interim Public Works Director/City Engineer. That rate would equal approximately $11,000 per month. Ms. Guzman was offered the same hourly rate or a flat $10,000 per month; she requested the later.

Council Member Rapada moved, Council Member Brockett seconded, to authorize the Interim City Manager to execute an agreement with Dianne Guzman for Interim Community Development Director services at the rate of $10,000 per month.

Motion unanimously **carried.**

COUNCIL REPORTS

7. REQUESTS BY COUNCIL MEMBERS FOR FUTURE AGENDA ITEMS AND/OR REPORTS OF COUNCIL MEMBER ACTIVITIES

Council Member Rapada:
- Attended the Fresno County Airport Land Use Commission meeting; he is the official member with Reedley Airport Commissioner Ray Remy serving as his alternate.

Council Member Ikemiya:
- Attended Five Cities goal setting meeting. Established goal of keeping each city area as a separate identity with a few regional designations Sierra Kings District Hospital and Reedley College.

- Congratulated Community Development Director Brusuelas on the new position he has accepted with the City of Visalia and wished him well.

Mayor Soleno:
- Many street lights out around the City; requested staff check at night and give PG&E a repair list.

Council Member Brockett:
- Asked what could be done about the burned house on Ann Avenue; has heard that property owner abandoned it and ownership reverted to the finance company. Interim Public Works Director Webber advised that staff is reviewing with abatement process and will move forward with resolution of problem.

STAFF REPORTS

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

Interim Public Works Director Webber:
- A "no right turn" sign has been approved and ordered as suggested at a previous Council meeting; sign will be installed on traffic island at Reedley and North Avenues as soon as it arrives.

Interim City Manager Forsyth:
- Requested the special meeting scheduled for March 28th, be rescheduled to Tuesday, April 5th, at 6:30 p.m. to accommodate a conflict with a Council Member's schedule. **Consensus** of Council to approve change of special meeting date to April 5, 2005.

ADJOURNMENT

Mayor Soleno adjourned the City Council meeting at 10:37 p.m.

Ray Soleno, Mayor

ATTEST:

Kay L. Pierce, Interim City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING – April 5, 2005

The special meeting of the Reedley City Council was called to order by Mayor Soleno at 6:30 p.m. on Tuesday, April 5, 2005, in the City Hall Council Chambers, 845 "G" Street, Reedley, California.

ROLL CALL

Council Members

Present: Matthew Scott Brockett, Steve Rapada, Anita Betancourt, Donald Ikemiya, Ray Soleno.

Absent: None.

City Staff

Present: Ray Forsyth, Interim City Manager; Bruce Webber, City Engineer; Elizabeth Vines, City Clerk.

Others

Present: Dave Stringfield, Rich Brandis, Nicki Tallman.

WORKSHOP

1. WWTP UPDATE - PRESENTATION BY CAROLLO ENGINEERS

City Engineer Webber advised there is a trailer in place for the lunch room at the wastewater treatment plant, the utilities are just about complete and it just needs some cabinets and tables to complete this lunch room which will be ready to use in a couple weeks. As a result of the two front page newspaper articles in the Fresno Bee about a week ago, City Engineer Webber received a call from Wells Fargo Bank who is interested in participating in Reedley's WWTP expansion by funding a portion of the expansion. They advised they can be as competitive as the infrastructure bank and probably a lot less paperwork. This information is for the financial consultant to consider.

Dave Stringfield with Carollo Engineers gave a power point presentation to the Council. He gave a brief overview of the scheduled advising that the contract was signed in February, 2005. The clarifier and demolition memos were due April 8. The facilities plan and EIR were due on January 8, 2006. A sewer rate study was not due until March of 2006. He advised that everything is ahead of schedule. With regards to the rate study, Carollo is preparing an early draft sewer rate study which is targeted to raise sewer rates in fiscal years 2005-2006. The goal is to improve the City's bond rating and increase the cash on hand before the construction project. Reedley will then be in a superior financial position this summer when bonds are needed, or if the City wants to borrow money from Wells Fargo. The clarifier emergency response plan was finalized on March 3. It calls for identification of contractors and suppliers who can mobilize equipment within 24-hours. With this plan, Carollo does not anticipate any actionable violations. Reedley has a plan in place to mitigate any plant upsets. The demolition technical memorandum was also finalized on March 3, 2005. It clears the area for the headworks, which is located to the right of the oxidation ditch, and clears the area where Carollo will place the headworks, the blue chamber, a splitter box, an anoxic basin and a storm water collection basin. It identifies and quantifies the facilities to physically being removed and Carollo is estimating this between $500,000 and $800,000 to do this work. Carollo is now ready to prepare their demolition plans and specs at staff's direction. The 3rd clarified technical memorandum was also finalized and recommends an 85-foot diameter clarifier west of the existing clarifiers. Carollo has identified as a long term need of three larger clarifiers and the fact is we need to install the first clarifier now which could relieve any issues about overloading or failures and is a integral part of the expansion. That first clarifier is estimated at $1.5 million. Carollo is ready to prepare the clarifier plans and specs at staff's direction. Mr. Stringfield advised that next item Carollo has been working on is the review of the existing facilities. Carollo's engineer/operator specialist has evaluated Reedley's existing facilities with Richard Goldstone and the area where the equipment replacement is desired has been documented. Mr. Stringfield advised his main reason for this meeting is to review the population projections. Although there will be a short term

population spike, the long view is what is going to drive his analysis for the planning process. The average population growth rate from 1990 to present is 2.23%, which is the compounded annual average. He showed population projects of 2.23% and 3%. Reedley is currently at a population of 21,000 to 22,000. The population would double at a 3% rate in approximately 2027. Carollo needs a growth rate to proceed with their flow projections. The short term flow projections of the current average annual flow rate is 2.3 million gallons per day, which is about 80% of the ditch capacity. At a 3% growth rate, the average annual flow would reach about 3 mgd by 2013. The maximum month, which is what the permit allows, might reach 3 mgd by 2010. With the new secondary clarifier and the building limitations that staff has undertaken, the treatment plant should remain in compliance somewhere between 2010 an 2013. The long view flow projections will take three to five years of planning, design and construction before the new plant is running. Then from that point we want to look at a minimum of 20 years beyond that. Mr. Stringfield presented Council with various graphs for comparison. 20 years would put the growth planning out to 2030. Flows stay close together for 10 to 15 years. If too high a growth rate is chosen, that just means it will last 25 years rather than 20 years. Mr. Stringfield recommended choosing an expansion between 5 mgd and 7 mgd. Mr. Stringfield asked for direction from Council and staff on moving ahead with those items presented.

Council Member Ikemiya advised that the emergency response plan is cut and dry and looks good. With regards to demolition of the old plant, he asked if other options were looked at such as leaving it rather than spending the money to demo it? Mr. Springfield advised that many cities to leave the old plant and previous Reedley Councils have left the old plant. However, it is valuable property located against the river and the old plant will eventually have to be removed. It will make Carollo's job harder to have to build the headworks on the other side of the old facility.

Council Member Brockett asked what is California's projected growth rate. Planning Director Guzman advised she could bring this information back to Council. She advised it would be a good idea for council to look at the different growth rates because left to our own devices we might select an inappropriate percentage. We need to factor in some of the regulations coming down the pike and other issues where we would need to modify the growth rate. California is projected to grow tremendously as we have the highest birth rate of all the other states and a lot of migration. One of the questions asked is how does a city's projected treatment plant capacity fit with a city's projected growth rate. It has to show that the whole thing fits together.

The consensus of Council is to direct Carollo Engineers to prepare plans to demolish both old plants to make way for the new expansion. Additionally, to direct Carollo Engineers to design a third clarifier for this project.

2. WWTP FINANCING OPTIONS - PRESENTATIONS BY BRANDIS-TALLMAN

Richard Brandis of Brandis-Tallman in San Francisco, advised that his firm specializes in public financing which provides financial advisory and underwriting services for cities and public agencies that need to issue debt for capital improvement projects. Nicki Tallman of Brandis-Tallman advised this firm has worked with the City of Reedley in the past regarding refunding relating to the wastewater treatment plant and they are familiar with the treatment plant. The job of Brandis-Tallman is to develop a financing plan and strategy which could include grant funding, a loan from the infrastructure bank, or to access the capital market place by issuing bonds for the remaining amount needed for the project. Brandis-Tallman analyzes the sources that the city has to repay the debt and they work directly with the engineering firm to review and understand the rate structures that will be put together to insure that they are in place to repay the annual debt service. They also work closely with the rating agencies and bond insurance companies. On Reedley's existing debt for the treatment plant, we have an underlying credit rating and were able to secure bond insurance, which really brings down the interest cost on the financing. The rating agencies review Reedley's financial statements, budget and look at management policies and procedures and Reedley's adherence to these polices and procedures to make sure there is some historical adherence. The rating agencies like to see adherence to the polices and procedures. This also includes rate increases. Brandis-Tallman will reply to Council and city staff what is needed to increase Reedley's rating to get the best rating possible. Brandis-Tallman also works to implement the financing strategy through the issuance of debt. They will work with Reedley's grant writer and will assist with the application for the construction bank to get to Reedley as much of that money as possible because that is the

least expensive. They also work to issue bonds for Reedley for the remainder of the debt as they can access the capital market place directly and this is how Brandis-Tallman gets paid, through the issuance of the bonds. Mr. Brandis advised that they would be working on contingency and their compensation would only happen if bonds are sold and the issue is closed and settled and proceeds are given to the city. Part of the funding is the cost of issuance. Ms. Tallman advised that in issuing the bonds, they work to select and coordinate the financing team. Members include bond council, disclosure council, possibly a trustee and other consultants if required. They prepare and present the transactions to the rating agencies. In addition to the preliminary work that they do with those agencies to try to figure out in two or three years where does the city need to be with their reserves and adherence to their policies in order to get an A or A- or a triple B+ rating. Brandis-Tallman works over this time period with city staff and with city polices to get the city to that point, or as close as possible. Then they make the presentation and final stage to the rating agencies and the insurance companies and prepare staff for the presentations. Most of the time, the rating agency would like to meet with the staff members and even come to the city to tour the future facility site. With that in mind, staff needs to be prepared for that presentation, which is very important because the better the underlying credit rating, the bond insurance will be less expensive to the overall costs over the 25 to 30 years that the city will be paying off the debt.

Ms. Tallman advised that the bonds will then be brought to market and then insure a successful closing and transfer of funds. They also support an active secondary market for their clients and if their clients buy the bonds, the they actively trade them throughout the year to keep the market supportive for the client's debt. Brandis-Tallman also works with future planning to determine what other encroachments there might be to the rate for what might be seen in the net 15 years and how to structure that today to allow the ability to finance more in 15 or 20 years if that is when the project needs the beefing-up.

Mr. Brandis advised that the financing planning compliments the engineering plans because when the project is built, it should be built to last so that the city does not have to come back and add more money because it will be more expensive. It is the same with financing, when it is financed, you want it to be over with. You don't want to have to add more money later because not only will the interest rates change, but the cost more to bring that financing to market.

Ms. Tallman advised that they compliment the perspective of doing it right and doing it one time rather than piece meal because the perspective of the investor is that they are loaning people money and they want those people to have their act together, but if they come back in five years stating they didn't plan for enough, then the red flag goes up and it will definitely be more expensive to secure financing in the future.

Council Member Brockett asked if Brandis-Tallman got a percentage rate of the city's current bond as Council had talked about refinancing that bond and including it in this current project bond. Ms. Tallman advised they have not yet looked at that.

Mr. Brandis advised that it cannot be prepaid for a number of years as it has a call provision which keeps the city locked out from prepaying it off for possibly seven years. That was done in 2001 so it will be 2008 before the city can prepay that off. This would preclude the city from including that with this new project bond. In 2001, the interest rates were very attractive, so the amount of money the city was saving then was probably very close to the rates of today.

Ms. Tallman advised that part of the plan will outline what the call provisions are and they will look at the rate. If the financing need is in one, two or three years, they can then determine at that point if that bond is able to be re-planned and rewritten. Ms. Tallman gave Council a packet to review and a brief summary of their scope of services. In February, 2005, staff was given a general informational packet on financing options. The letter is a summary and the financing options speak to the operating and financial criteria. There are three main types of bonds to finance federal projects and they are COP, a revenue bond and Mello-Roos bond.

Mr. Brandis advised that in 2001 when they worked with the city on the current debt, Standard and Poors is rating agency that issued the rating prior to 2001. The credit rating was the triple B rate. That was enough to get bond insurance and the bond insurer and bank was one of the largest insurers in the municipal bond industry. With the current financing plan and engineering plan together,

Brandis-Tallman's job will be to submit the presentation to Standard and Poors again to hopefully improve the city's credit rating, which will make the next financing, which is much bigger than the previous, much easier for the city financially.

3. CAPITAL IMPROVEMENT PROGRAM

Finance Director Oken referred to the information provided in the Council packet. The information will explain what a Capital Improvement Program (CIP)is, how it developed, how it is possibly funded and how to integrate through the annual budget process. The creation of a CIP is usually a time consuming effort as outlined in the staff report. Given the current staffing levels as well as the timing for the 2006 budget, Council may wish to discuss a CIP more conceptually tonight and actually move forward with a project sometime in the future as opposed to trying to get it all in place now and integrate it with the 2006 budget.

Council Member Brockett asked how long it would take staff to prepare the CIP so that next year at this time there will actually be plan and something that Council can put together. Finance Director Oken advised that typically a CIP is going to focus on a future five-year period and will be a rolling type of document that changes each year. Currently, there nothing in place. It was tried approximately 7 or 8 years ago, and it was something that we were able not to adhere to because staff was constantly having to put out fires and be reactionary rather than proactive. It would really require staff to evaluate what the current infrastructure is now and what equipment is in place, that is a starting point. Then they will need to determine what staff might need to replace that existing equipment or infrastructure over the next five years. It will be very time consuming for the Public Works Department, somewhat for the Police Department and Parks and Recreation.

Interim City Manager Forsyth advised that in his experience, once the CIP is in place, staff usually has to begin five to six months in advance of the new fiscal year to begin to prepare or update that plan so it does take a great deal of work.

Council Member Rapada asked if the CIP can be structured so that staff knows Council wants to put this CIP together so that whether it is the City Manager or Finance Director that gives the department heads the outline of what they should be looking at as far as equipment, facilities or other things. Can Council give direction to everyone now that Council would like to see the CIP by January of 2006 so that staff does have time if there are projects out there that staff wants to include and staff can work on those projects. In January, 2006, Council can then take a look at what everyone has developed and that gives council time from January to budget time in 2006 to sit down and be able work with staff. Interim City Manager Forsyth advised that Council Member Rapada is right, that he is logically looking at having the first CIP in place by next year's fiscal budget. He will be talking to the new City Manager regarding a CIP and some ways to fund the CIP and what the time line should be and what Council's desires are where he believe Council wants to go with the CIP. Council Member Rapada advised there is software available to help with the CIP and staff should look into this software.

Council Member Ikemiya advised the importance of having a CIP in place is to have projects ready when funding is available. Interim City Manager Forsyth advised that Council is going to have to prioritize the capital improvement projects presented by staff as to degree of importance. Hard decisions as to what will come first will have to be made.

Council Member Brockett advised the DIF funds are going to help with the expansion as stated previously. The police vehicles we currently have were purchased as used vehicles. He has a problem with purchasing used versus new police vehicles. Reedley's police officers deserve to have the safest cars of any other department, yet Reedley buys used cars that are then used for over 100,000 miles or more. The Public Works Department has a truck from 1968. We have already made a commitment to the DIF funds to be able to expand our services and we need to take care of what we now have. That is why this Capital Improvement Program is so important because we need to take care of today as well as tomorrow, which we have already begun to plan for. One thing we do need to look at is having a computer in the mechanic shop so he can start logging in his hours per each vehicle so that staff can start tracking which vehicles are costing too much money and need to be replaced. Once we go into a capital improvement program and we start buying new police cars, there will be a warranty and we will then save money on maintenance. We can then sell the older

cars at 70,000 or 80,000 miles and recapture back some revenue. In the long run, a program such as this will increase safety for city employees, give a better image of the city and will be cost saving in the long run. He would like to direct staff to make plans to be able implement this type of capital improvement program.

Interim City Manager Forsyth advised that is what Council needs to do. Direct staff to put in place a Capital Improvement Program within the coming year. It will then be up to staff to see to it that the CIP is prepared.

ADJOURNMENT

Mayor Soleno adjourned the special City Council meeting at 8:16 p.m.

_____
Ray Soleno, Mayor

ATTEST:

_____
Kay L. Pierce, Interim City Clerk

REEDLEY CITY COUNCIL REGULAR MEETING – April 26, 2005

The regular meeting of the Reedley City Council was called to order by Mayor Soleno at 7:00 p.m. on Tuesday, April 26, 2005, in the City Hall Council Chambers, 845 "G" Street, Reedley, California.

INVOCATION

The invocation was given by Father Andy Watson of the Good Shepherd Episcopal Church.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Council Member Betancourt.

ROLL CALL

Council Members

Present: Matthew Scott Brockett, Steve Rapada (arr. 7:13 pm), Anita Betancourt, Donald Ikemiya, Ray Soleno.

Absent: None.

City Staff

Present: Ray Forsyth, Interim City Manager; Dale Bacigalupi, City Attorney; Doug Johnson, Police Chief; Dianne Guzman, Interim Community Development Director; Bruce Webber, Interim Public Works Director; Lori Oken, Finance Director; Joel Glick, Community Services Director; David Powell, Fire Chief; Elizabeth Vines, City Clerk.

Others

Present: Melissa Knaak, Jan Minami, Ralph Urbano, Beth Warmerdam, and others.

PUBLIC COMMENT

Dr. Charles F. Jones invited the City Council and public to participate in Kids Day which his office will be sponsoring on May 15th from noon to 3 p.m. There will be free activities and food for the kids, safety information, etc.

CONSENT AGENDA

Council Member Ikemiya moved, Council Member Brockett seconded, to accept, approve, and adopt all items as listed under the **CONSENT AGENDA** as follows:

1. WARRANT REGISTER DATED APRIL 26, 2005 - Council approved.

2. FINANCIAL REPORTS FOR QUARTER ENDING MARCH 31, 2005 - Council received and filed.

3. RESOLUTION NO. 2005-044, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY DECLARING NINE CITY VEHICLES AND EQUIPMENT AS SURPLUS - Council adopted.

Motion **carried** by the following vote:

AYES: Brockett, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Rapada.

PUBLIC HEARINGS

4. DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) WITH BRAVANTE-CURCI INVESTORS, L.P. TO PURCHASE 12.05 ACRES OF LAND AT THE REEDLEY INDUSTRIAL PARK (Res. No. 2005-045)

Interim Community Development Director Guzman advised that the DDA contains the terms governing the sale of this property. The DDA obligates the developer to construct 70,000 square feet of industrial buildings and a free-standing office on the property. It also covers each development phase, including predisposition, disposition, construction, and post construction. The purchasers have agreed to the conditions in the DDA. This project as well as the Flexo Technologies project (agenda item 5) are both eligible for the 25% Development Impact Fee (DIF) discount.

Mayor Soleno opened the public hearing at 7:10 p.m. Hearing no requests to testify either in favor or in opposition, the public hearing was closed.

Council Member Ikemiya moved, Council Member Betancourt seconded, to adopt Resolution No. 2005-045 (Redevelopment Agency Resolution No. 121), A JOINT RESOLUTION OF THE CITY COUNCIL AND OF THE REDEVELOPMENT AGENCY BOARD OF DIRECTORS OF THE CITY OF REEDLEY APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF REEDLEY AND BRAVANTE-CURCI INVESTORS, L.P., AND MAKING CERTAIN FINDINGS.

Motion **carried** by the following vote:

AYES: Brockett, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Rapada.

5. DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) WITH FLEXO-TECHNOLOGIES, INC., TO PURCHASE 3.08 ACRES OF LAND AT THE REEDLEY INDUSTRIAL PARK (Res. No. 2005-046)

Council Member Rapada arrived at 7:13 p.m.

Interim Community Development Director Guzman advised that the DDA contains the terms governing the sale of the Industrial Park Property to Flexo-Technologies. It obligates the developer to construct a 20,000 square foot production facility for a water-based ink and adhesive on the property to be sold. The DDA covers each development phase, including predisposition, disposition, construction, and post construction. Although Mr. Eric Braun, owner of Flexo, has not yet submitted his site plan, he is eager to begin work on the project.

Mayor Soleno opened the public hearing at 7:14 p.m. Hearing no requests to testify either in favor or in opposition, the public hearing was closed.

Council Member Ikemiya moved, Council Member Brockett seconded, to adopt Resolution No. 2005-046 (Redevelopment Agency Resolution No. 122), A JOINT RESOLUTION OF THE CITY COUNCIL AND OF THE REDEVELOPMENT AGENCY BOARD OF DIRECTORS OF THE CITY OF REEDLEY APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF REEDLEY AND FLEXO-TECHNOLOGIES, INC. AND MAKING CERTAIN FINDINGS.

Motion unanimously **carried**.

6. INTERIM URGENCY ZONING ORDINANCE TO TEMPORARILY PROHIBIT MEDICAL MARIJUANA DISPENSARIES PURSUANT TO HEALTH AND SAFETY CODE § 11362.83 AND TO GOVERNMENT CODE § 65858 (Ord. No. 2005-04)

Police Chief Johnson advised that the Compassionate Use Act (Health and Safety Code § 11362.5 et seq.) was adopted by California voters in 1996 to ensure that patients and their primary caregivers who obtain, cultivate, or use marijuana for medical purposes are not subject to criminal prosecution. In 2003, the State Legislature adopted SB420 which provided additional statutory guidance regarding medical marijuana use. The amendment to Health and Safety Code § 11362.83 states in part, "[n]othing in this article shall prevent a city or other local governing body from adopting and enforcing laws consistent with this article."

The Compassionate Use Act allows a person to be the primary caregiver to an unlimited number of patients. It also allows a primary caregiver to obtain, possess, cultivate, transport, and distribute vast amounts of marijuana without restrictions. As a result, some California cities have begun having problems as caregivers have used the provision to set up Medical Marijuana Dispensaries. Those problems include smoking marijuana in and around the facility, congregating and smoking marijuana in nearby parks, attempted burglaries of the dispensaries, increase in crime near the dispensaries, negative impact on nearby businesses, and an increase in the number of people coming from out of town to obtain recommendations and drugs.

Staff proposed an urgency ordinance be adopted to temporarily prohibit Medical Marijuana Dispensaries, both fixed and mobile. During the moratorium, City staff would begin a review process to consider appropriate zoning and regulations for Medical Marijuana Dispensaries. Public hearings will be held by the Planning Commission and a recommendation made to Council. City staff wants to ensure that input from both sides of this issue will be heard and thorough, thoughtful consideration of the needs of our citizens will be given. Zoning issue and regulations will also need to be examined before the General Plan and Municipal Code is considered for amendment. Without the urgency ordinance, given that the City has no current regulations governing this issue, Medical Marijuana Dispensaries could operate within the City without restriction. These review efforts will ultimately be more of an effort of the Community Development Department, than the Police Department. In order to protect the health and safety of the community, staff recommended that Medical Marijuana Dispensaries be temporarily prohibited by the adoption of urgency Ordinance No. 2005-04.

Council asked if Dispensaries could be located in the County area or neighboring cities? Police Chief Johnson advised that most of the neighboring cities have recently adopted similar urgency ordinances or are working on adoption, as is Fresno County. This is an issue that most Police Chiefs if not all, in California cities are working on in order to develop reasonable regulations. There are currently no Medical Marijuana Dispensaries in Reedley that staff is aware of.

Mayor Soleno opened the public hearing at 7:21 p.m. Hearing no requests to testify either in favor or in opposition, the public hearing was closed.

Council Member Brockett moved, Council Member Rapada seconded, to read by title only and adopt Ordinance No. 2005-04, AN INTERIM URGENCY ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REEDLEY, PURSUANT TO THE PROVISIONS OF GOVERNMENT CODE SECTION 65858, TO PROHIBIT MEDICAL MARIJUANA DISPENSARIES, BOTH FIXED AND MOBILE, IN ORDER TO STUDY POTENTIAL AMENDMENTS TO THE REEDLEY GENERAL PLAN AND REEDLEY MUNICIPAL CODE FOR SAME.

Motion unanimously **carried**.

7. PROPOSED ANNEXATION OF TRACT NO. 5410, RIVER RIDGE (UNIT III) INTO THE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1, ZONE J, OF THE CITY OF REEDLEY (Res. No. 2005-039)

Interim Public Works Director Webber advised that Council adopted Resolution No. 2005-021 on February 22, 2005, initiating proceedings and setting a public hearing for April 26, 2005, relative

to Landscaping and Lighting Maintenance District (LLMD) No. 1, Annexation Zone J, in the City of Reedley. The purpose of annexation of this subdivision into the LLMD No.1, Zone J, is to collect funds to maintain the landscaping, street trees, decorative masonry block wall, and street light utility cost within the public right-of-ways and/or easements. The estimated maximum annual maintenance cost is $37,225 which would be assessed against the benefitting properties within Zone J.

Mayor Soleno opened the public hearing at 7:24 p.m.

Testimony:

City Attorney Bacigalupi announced that the ballot had been received from the property owner and opened by the City Clerk. The ballot was cast in favor by the owner of all 68 lots in this development.

Robert Wood advised that the developers had dedicated land for the basin park and trail. He asked when the City would be developing those areas? Interim Public Works Director Webber advised that no date had been setby City staff for those projects yet, but Mr. Wood would be notified when the City schedules the project.

Mayor Soleno closed the public hearing at 7:29 p.m.

Council Member Ikemiya moved, Council Member Brockett seconded, to adopt Resolution No. 2005-039, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND ORDERING THE ANNEXATION AND INCLUSION OF TRACT NO. 5410, RIVER RIDGE (UNIT III) INTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1, OF THE CITY OF REEDLEY AND LEVY OF ASSESSMENT (ANNEXATION ZONE J).

Motion unanimously **carried.**

NEW BUSINESS

8. REQUEST OF REEDLEY DOWNTOWN ASSOCIATION TO RELOCATE THE FARMERS MARKET FROM "G" STREET TO THE RAIL TRAIL PARKWAY BETWEEN 10TH AND 11TH STREETS

Melissa Knaak, RDA Coordinator, requested the City allow the RDA's Farmers Market to be located adjacent to the Rail Trail Parkway between 10th and 11th Streets. Doing so would have several benefits including increased safety by moving off the street, more exposure for the Rail Trail Parkway, better access and visibility for the entrance and exit of the Market, City restroom facilities at this location, and more parking in the adjacent parking lot without taking parking space away from downtown merchants. In response to Council questions, Ms. Knaak advised that she would check with adjacent restaurants to be sure Farmers Market would not interfere with their businesses, nor should there be competition for parking spaces with people attending the nearby Croissant Auction, as most park on the Auction grounds. As to cleaning up trash, there hadn't been a trash problem at prior Farmers Markets, and the RDA would check after each Market to ensure it wasn't a problem. If necessary, the City would be contacted for additional trash containers.

City staff had no objections to the relocation except that the parking lot improvement project was scheduled to begin in the next few weeks. Staff will keep the RDA informed so that the Farmers Market can temporarily locate on "G" Street until the parking lot improvements are completed.

It was the **consensus** of Council to approve the Downtown Association's request to locate the Farmers Market to the Rail Trail Parkway site except during the period of time determined by Interim Public Works Director Webber that the parking lot will need to be closed for improvements.

9. RECOMMENDATION OF STREETSCAPE COMMITTEE TO PURCHASE A NEW PUBLIC ADDRESS SYSTEM FOR USE IN THE DOWNTOWN AREA

Interim Public Works Director Webber advised that the Streetscape Committee has recommended the purchase and installation of a public address system as proposed by Central California Electronics for the City's Downtown Parking and Business Improvement Area. In fiscal year 2003-2004, the Streetscape assessments generated $20,266 with expenditures of $14,453. The funds collected have been used for improvements in the Downtown Streetscape area including bricks in the sidewalks, landscape irrigation system, street trees, ground cover, corner flower pots, and benches.

The existing public address system is 25 to 30 years old and is too outdated to be repaired or upgraded. The proposal would include new equipment and new wiring within the boundaries of the Downtown Streetscape area. The cost, as proposed by Central California Electronics, is $32,366. The new PA system would provide music in the downtown area during business hours and promote downtown businesses through programmed advertisements. Advertisements could be programmed at a minimal cost, giving priority to downtown events and businesses. The PA would also be used during special events such as parades, Street Faire, and Taste of the Town. The speakers will be wired into three broadcast zones so that the music and announcements can be broadcast to all three or a specific zone. The sound system equipment would continue to be housed in the Downtown Association office at 1713 Eleventh Street; the rental agreement with the Downtown Association and the actual owner of the building will need to be amended.

Under the Streetscape Committee's proposal, the Streetscape District funds would contribute $5,000 toward the purchase with the balance of $27,365 to be borrowed from the City. The Streetscape District revenue would repay the loan over a ten-year period with a 3% interest rate. The Reedley Downtown Association has committed $150 per month in advertising revenue for a minimum of five years. An estimated $3,000 per year can be collected in advertising monies and would be used by the Streetscape Committee to repay the loan to the City as well as for any maintenance of the new PA system.

Council discussed reduction or elimination of the 3% interest rate as well as the possibility that some other sources of City funds may be available to pay part of the cost of the PA system. It was suggested, that as an incentive for early payback, the 3% interest could be eliminated if the loan was paid back within five years rather than the ten-year period. Council also discussed extending the PA system to Pioneer Park for use during the Fiesta and other events in the park. Since this would be outside the Streetscape District boundaries, this cost would have to be paid by the City.

It was the **consensus** of Council to contact the vendor to determine the cost and feasibility of extending the proposed PA system to Pioneer Park as a separate zone and for staff to review possible City funding sources to pay for the extension to the Park and that may be available to assist with payment of the system within the Streetscape District boundaries.

Council Member Brockett moved, Council Member Rapada seconded, to approve the recommendation of the Streetscape Committee by authorizing the purchase and installation of a public address system within the Downtown Streetscape boundary, and, if the loan is repaid within five years, the 3% interest would be waived.

Motion unanimously **carried**.

10. DENTAL AND VISION INSURANCE AVAILABILITY TO PART-TIME FIRE DEPARTMENT STAFF

Fire Chief Powell advised that as a component of the Volunteer Fire Department's employee recruitment and retention goals, insurance was ranked as one of the highest priorities. The City's health insurance program is through PERS and part-time employees are not eligible to participate. However, dental and vision insurance are not part of PERS and the Fire Department's part-time employees are eligible to participate, if approved by Council. The current dental and vision insurance premiums total $120 for family coverage. Interested Fire Department employees would

pay the premium in advance to the City who would then pay a single group premium for all enrolled employees. Therefore, there would be no cost to the City.

Interim City Manager Forsyth advised that this was one of the items which the Fire Task Force had requested some months ago, but had fallen through the cracks and hadn't been addressed by the City.

Council Member Brockett moved, Council Member Ikemiya seconded, to authorize participation of the part-time Fire Department staff in the City's group dental and vision insurance programs with premiums to be paid in advance by participating Fire Department staff.

Motion unanimously **carried**.

11. BUDGET AMENDMENT AND AUTHORIZATION TO PURCHASE NEW MICROPHONE SYSTEM FOR COUNCIL CHAMBERS (Res. No. 2005-043)

Community Services Director Glick advised that there have been ongoing problems with the microphone system in the Council Chambers. The microphones and sound components need to be replaced. One bid has been received and a second bid expected in the next few days. He requested approval for a budget amendment in the amount of $9,000 from General Fund Reserves and authorization to proceed with selection, purchase, and installation of a new microphone and sound system for the Council Chambers.

Council Member Rapada moved, Council Member Brockett seconded, to adopt Resolution No. 2005-043, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY AMENDING THE 2004-2005 FISCAL YEAR BUDGET, AUTHORIZING SPENDING $9,000 FROM THE GENERAL FUND RESERVES TO PURCHASE A NEW MICROPHONE SYSTEM FOR CITY COUNCIL CHAMBERS.

Motion unanimously **carried**.

COUNCIL REPORTS

12. REQUESTS BY COUNCIL MEMBERS FOR FUTURE AGENDA ITEMS AND/OR REPORTS OF COUNCIL MEMBER ACTIVITIES

Council Member Betancourt:

- The LUPE organization recently started meeting again and working with Community Youth Ministries to try to address issues on the east side of the City; recent survey indicated transportation was a major issue, though it has improved; gang problems and neighborhood watch program discussed; LUPE group made a presentation at Reedley High School; the number one need stated was affordable child care for the many farm workers who work extended hours, and lack funds for good child care; LUPE hopes to work with the City to develop a child care facility similar to those in Parlier and Orange Cove; next meeting of LUPE is Saturday, May 7th, at 6:00 p.m. at the Community Center, Council invited to attend
- Have had various citizens express concerns from gangs to shortage of low-income housing in the City; LOVE, Inc. is interested in a City-operated program similar to Dinuba where temporary housing is available for youth until they can find a place to live or go back home
- Attended Marjaree Mason Center open house along with school staff to become familiar with the MMC program
- Will be attending the Great Valley Center training conference in Sacramento and will miss the May 10th Council meeting

Council Member Brockett:

- With staff, met with James Gordon to set grant writing priorities; Gordon was optimistic re availability of grants for WWTP expansion and improvement project
- Attended Volunteers Breakfast; thanked Police Department for coordinating the event
- Attended COG meeting; main issue is changing Hwy. 99 to an Interstate

Council Member Rapada:

- With staff, met with Self-Help Enterprises and Fresno County Housing Authority reviewing possible sites in Reedley for low- and moderate-housing opportunities and multiple-family housing; there was interest in three particular sites
- Have made contact with all the local sports and youth groups for input on the Sports Park Master Plan
- Attended Fresno Airport Land Use Commission; most of the meetings involve Fresno; Community Services Director Glick may have to bring a report to Council re matching funds from State which may no longer be available
- The Measure C committee is planning to put on the ballot in 2006 or 2007 and may contact the City for support of the measure

Council Member Ikemiya:

- Attended Reedley Airport Awards dinner
- Attended Volunteer Breakfast
- Was recently asked if Reedley would be interested in a 60-room motel; told the person "yes" and gave information to contact the City Manager
- Met with Fresno County EDC President David Spauer; interested in a workshop on business retention for local business feedback
- Next Five Cities meeting is May 9th in Fowler
- Requested staff check to see if he could take a tour of Marjaree Mason Center before they officially move in

Mayor Soleno:

- Suggested Community Services Department consider a new youth sports commission with one youth from each local sports group
- Thanked the Police Department and Fire Chief for organizing the Volunteer Breakfast; good event recognizing the importance of all volunteers in the Community

STAFF REPORTS

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

Interim Public Works Director Webber:

- Met with KCUSD re joint facility for transportation (buses) and City yard; both sides felt there was potential for major cost savings if developed jointly; one possible site owned by KCUSD is 38 acres east of City's industrial park; will need to work together on a Master Plan for the joint facility

ADJOURNMENT

Mayor Soleno adjourned the City Council meeting at 8:48 p.m.

_____
Ray Soleno, Mayor

ATTEST:

_____
Kay L. Pierce, Interim City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING – JUNE 6, 2005

The special meeting of the Reedley City Council was called to order by Mayor Soleno at 5:20 p.m. on Monday, June 6, 2005, in the Senior Room at the Community Center, 100 N. East Avenue, Reedley, California.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Council Members

Present: Donald Ikemiya, Steven Rapada, Matthew Scott Brockett, Anita Betancourt, Ray Soleno

Absent: None

City Staff

Present: Brian Nakamura, City Manager, Doug Johnson, Police Chief, David Powell, Fire Chief, Joel Glick, Parks and Recreation Director, David Brletic, Associate Planner; Bruce Webber, City Engineer.

Others: Amy Robler, Dennis Klinenhoffer, Mark Garcia

PUBLIC COMMENT – None

PUBLIC HEARING

1. EXTENSION OF INTERIM URGENCY ZONING ORDINANCE NO. 2005-04 TEMPORARILY PROHIBITING MEDICAL MARIJUANA DISPENSARIES PURSUANT TO HEALTH AND SAFETY CODE § 11362.83 AND TO GOVERNMENT CODE § 65858 (Ord. 2005-05) – Report, Discussion, and/or Council action to approve, modify and/or take other action as appropriate.

Staff presented the report to Council for consideration.

The public hearing was opened at 5:23 p.m. There being no comment, the public hearing was closed at 5:23 p.m.

Council Member Brockett moved, Councilmember Ikemiya seconded the motion to adopt Ordinance No. 2005-05, EXTENTION OF INTERIM URGENCY ZONING ORDINANCE NO. 2005-04 TEMPORARILY PROHIBITING MEDICAL MARIJUANA DISPENSARIES PURSUANT TO HEALTH AND SAFETY CODE § 11362.83 AND TO GOVERNMENT CODE § 65858.

Motion unanimously **carried.**

NEW BUSINESS

2. NOTICE OF INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENTS FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 OF THE CITY OF REEDLEY AND SETTING THEDATE FOR A PUBLIC HEARING ON JULY 26, 2005 (Res. No. 2005-066) – Report, Discussion, and/or Council action to approve, modify and/or take other action as appropriate.

Councilmember Ikemiya stated he had a conflict of interest and left the room. Staff presented the report to Council.

Council Member Rapada moved, Council Member Betancourt seconded the motion to adopt Resolution No. 2005-066, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY TO LEVY AND COLLECT THE ANNUAL ASSESMENTS FORLANDSCAPING

AND LIGHTING MAITENANCE DISTRICT NO. 1 OF THE CITY OF REEDLEY AND SETTING DATE FOR HEARING on July 26, 2005.

AYES: Brockett, Betancourt, Rapada, Soleno.
NOES: None.
ABSENT: None.
ABSTAIN: Ikemiya

WORKSHOP

3. COMMUNITY FACILITIES DISTRICT

Staff presented the report to Council for consideration.

ADJOURNMENT

Mayor Soleno adjourned the meeting at 6:56 p.m.

Ray Soleno, Mayor

ATTEST:

Kay L. Pierce, Interim City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING – JUNE 7, 2005

The special meeting of the Reedley City Council was called to order by Mayor Soleno at 6:40 p.m. on Tuesday, June 7, 2005, at the Fire Station, 1060 "D" Street, Reedley, California.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Council Members

Present: Donald Ikemiya, Steven Rapada, Matthew Scott Brockett (arrived at 6:44 p.m.), Anita Betancourt, Ray Soleno

Absent: None

City Staff

Present: Brian Nakamura, City Manager; Doug Johnson, Police Chief; David Powell, Fire Chief; Joel Glick, Parks and Recreation Director; Dianne Guzman, Community Development Director; Bruce Webber, City Engineer; Lori Oken, Finance Director; Elizabeth Vines, City Clerk.

Others: Beth Warmerdam, Lt. Garza, Lt. Wright

PUBLIC COMMENT – None

WORKSHOP

1. GENERAL FUND BUDGET

Staff presented the report to Council for consideration.

ADJOURNMENT

Mayor Soleno adjourned the meeting at 9:13 p.m.

Ray Soleno, Mayor

ATTEST:

Kay L. Pierce, Interim City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING – JUNE 20, 2005

The special meeting of the Reedley City Council was called to order by Mayor Soleno at 5:48 p.m. on Monday, June 20, 2005, at the Community Center, 100 N. East Avenue, Reedley, California.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Council Members

Present: Donald Ikemiay, Steven Rapada, Matthew Scott Brockett, Anita Betancourt, Ray Soleno.

Absent: None

City Staff

Present: Brian Nakamura, City Manager; Lori Oken, Finance Director; Doug Johnson, Police Chief; Bruce Webber, City Engineer; Dianne Guzman, Community Development Director; Sylvia Plata, Assistant to the City Manager; Elizabeth Vines, City Clerk.

Others: None

PUBLIC COMMENT – None

WORKSHOP

1. DRAFT BUDGET REVIEW – SPECIAL REVENUE, ENTERPRISE FUNDS, AND ALL OTHER NON-GENERAL FUND ACCOUNTS

Staff presented the report to Council for consideration.

ADJOURNMENT

Mayor Soleno adjourned the meeting at 7:38 p.m.

Ray Soleno, Mayor

ATTEST:

Kay L. Pierce, Interim City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING – JUNE 21, 2005

The special meeting of the Reedley City Council was called to order by Mayor Soleno at 6:37 p.m. on Tuesday, June 21, 2005, at the Community Center, 100 N. East Avenue, Reedley, California.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Council Members

Present: Donald Ikemiya, Steven Rapada, Matthew Scott Brockett, Anita Betancourt, Ray Soleno.

Absent: None

City Staff

Present: Brian Nakamura, City Manager; Doug Johnson, Police Chief; David Powell, Fire Chief; Lori Oken, Finance Director; Joel Glick, Community Services Director; Dianne Guzman, Community Development Director; David Brletic, Associate Planner; Elizabeth Vines, City Clerk.

Others: None

PUBLIC COMMENT – None

WORKSHOP

1. ECONOMIC DEVELOPMENT

Staff presented the report to Council for consideration.

ADJOURNMENT

Mayor Soleno adjourned the meeting at 8:35 p.m.

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Ray Soleno, Mayor

ATTEST:

_____

Kay L. Pierce, Interim City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING – June 23, 2005

The special meeting of the Reedley City Council was called to order by Mayor Soleno at 7:00 p.m. on Thursday, June 23, 2005, in the City Hall Council Chambers, 845 "G" Street, Reedley, California.

ROLL CALL

Council Members

Present: Matthew Scott Brockett, Steve Rapada, Anita Betancourt, Donald Ikemiya, Ray Soleno.

Absent: None.

City Staff

Present: Brian S. Nakamura, City Manager; Doug Johnson, Police Chief; Dianne Guzman, Interim Community Development Director; Bruce Webber, Interim Public Works Director; Lori Oken, Finance Director; Joel Glick, Community Services Director; David Powell, Fire Chief; Elizabeth Vines, City Clerk.

Others

Present: Ken Caves.

CLOSED SESSION.

Mayor Soleno adjourned to a CLOSED SESSION at 7:01 p.m. to consider the following:

1. CONFERENCE WITH LABOR NEGOTIATORS

   Agency Negotiators: Dr. Ken Caves; Brian Nakamura, City Manager

   Employee Organizations:

   a. General Services Unit (Stationary Engineers, Local 39)

   b. Law Enforcement Unit (Reedley Police Officers Association)

   c. Confidential, Professional/Technical Employees

Mayor Soleno called the City Council meeting back into open session at 7:45 p.m. and announced that no action was taken in CLOSED SESSION which was required to be announced.

ADJOURNMENT

Mayor Soleno adjourned the City Council meeting at 7:45 p.m.

_____
Ray Soleno, Mayor

ATTEST:

_____
Kay L. Pierce, Interim City Clerk

REEDLEY CITY COUNCIL REGULAR MEETING – September 13, 2005

The regular meeting of the Reedley City Council was called to order by Mayor Soleno at 7:07 p.m. on Tuesday, September 13, 2005, in the City Hall Council Chambers, 845 "G" Street, Reedley, California.

INVOCATION

The invocation was given by Frank Pinon of LOVE, Inc.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Council Member Betancourt.

ROLL CALL

Council Members

Present: Matthew Scott Brockett, Anita Betancourt, Donald Ikemiya, Ray Soleno.

Absent: Steve Rapada.

City Staff

Present: Brian S. Nakamura, City Manager; Dale Bacigalupi, City Attorney; Doug Johnson, Police Chief; Dianne Guzman, Community Development Director; Rocky Rogers, Public Works Director; Lori Oken, Finance Director; Joel Glick, Community Services Director; David Powell, Fire Chief; Elizabeth Vines, City Clerk.

Others

Present: Pam Acuna, Pete Perez, Juanita Gutierrez, Julian Gutierrez, Renee Harder, Sheri Wiedenhoefer, Arnelle Work, Bill Brewer, Corey File, Dottie Hoeltzen, Russ Hoeltzen, Andy Garcia, Darlene Blomgren, Lorraine Hansen, Sue Garo, Jerry Peters, Lydia Beckenhauer, Donald K. Beckenhauer, Mike Schuil, Jenifer Gross, Frank Pinon, and others.

PUBLIC COMMENT

None.

CONSENT AGENDA

Council Member Ikemiya moved, Council Member Betancourt seconded, to accept, approve, and adopt all items listed under the **CONSENT AGENDA** as follows:

1. MINUTES OF THE AUGUST 23, 2005, REGULAR CITY COUNCIL MEETING AND THE MARCH 7, 2005 SPECIAL CITY COUNCIL MEETING - Council approved.

2. WARRANT REGISTER DATED SEPTEMBER 13, 2005 - Council approved.

3. FINANCIAL REPORTS FOR FISCAL YEAR ENDING JUNE 30, 2005 - Council received and filed.

4. CLAIM FOR DAMAGES - ISABEL CECILIA CORNELSEN - Council denied claim and referred to insurance adjuster.

5. RESOLUTION NO. 2005-099, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY IN SUPPORT OF VOLUNTARY HIGH QUALITY PRESCHOOL BEGINNING WITH ALL FOUR YEAR OLDS IN FRESNO COUNTY - Council adopted.

6. RESOLUTION NO. 2005-107A, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY APPROVING THE SUBMITTAL OF A CLAIM TO THE FRESNO COUNTY TRANSPORTATION AUTHORITY FOR THE 2005/06 LOCAL TRANSPORTATION PURPOSES APPORTIONMENT - Council adopted.

Motion **carried** by the following vote:

AYES: Brockett, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Rapada.

Mayor Soleno thanked Council Member Ikemiya for representing him at the September 10th Spanish Heritage Day event. Mayor Soleno read the proclamation regarding Spanish Heritage Day and presented it to Pam Acuna, representing the Spanish Heritage Day committee. Ms. Acuna accepted the proclamation on behalf of committee chair Karim Nunes and the committee members. She stated that she was hopeful that a second Spanish Heritage Day event could be held next year. Council Member Ikemiya stated that it was a great event and that committee members are to be commended for their efforts. Council Member Betancourt concurred and added that she hoped it would be an even bigger and better event next year. Council Member Brockett concurred.

PRESENTATIONS

7. PRESENTATION BY ANGELA DUNDORE, PROJECT ADMINISTRATOR, HOUSING ASSISTANCE CORPORATION

Angela Dundore gave a PowerPoint during which she advised that the Housing Assistance Corporation's (HAC) mission is to provided and assist local governments to provide housing for low and moderate income people who are in need of affordable, decent, and safety housing and related services, as well as to provide, expand and assist local government entities to provide and expand economic opportunities for low and moderate income persons through community-based economic and commercial development activities. Ms. Dundore stated that HAC in the past has primarily focused on housing-related projects. HAC currently owns and operates 1,780 units with 373 units in the development stage. HAC is also currently working with Fresno County on a Del Rey Water Treatment Expansion project.

Ms. Dundore advised that a preliminary analysis of Reedley by HAC indicated the City needed 140 to 160 additional affordable housing units. Although HAC does not have a housing project to propose to the City, if HAC did so, based on the identified need of 140 to 160 units, HAC would typically only be willing to building 50 to 80 units or about 40% of the total need.

Council Member Betancourt stated that she believed it to be important to spread affordable housing units and apartments around the City in areas with different economic values rather in only one part of the City. Ms. Dundore advised that HAC tries to build affordable housing units that do not look affordable and that blend in so the units accepted in various areas of a City. However, another important factor to consider when selecting a site is the cost of the land, which in the current building boom is getting more expensive.

City Manager Nakamura thanked Ms. Dundore for her informative presentation. He advised Council that no affordable housing projects are planned at this time with HAC [soon to be changed to Better Opportunities Builder (BOB)], but wanted the Council to be aware of the HAC programs which could help provide affordable housing and possibly job training in Reedley in the future.

8. PRESENTATION BY FRANK PINON ON LOVE, INC. PROGRAMS

Frank Pinon advised that Love, INC, stands for "Love In the Name of Christ." It is a network of churches that link volunteers to people in need. Love, INC. also works in a cooperative effort between churches and services agencies to provide effective help for the disadvantaged. They also have training and development programs to help network churches to prepare for ministry opportunities. Jane Miller explained that Love, INC. addresses human needs by offering various services including development, discipleship and mentoring, "food pantry" service, case assessment and management, referral, and hope to offer positive parenting courses in the future. She advised that their organization also hopes to be able to team with the City in the future to provide transitional housing to low-income people. Arnelle Work advised that Love, INC. is working on a new project: "Operation Church Welcome." In the aftermath of hurricane Katrina, Love, INC. and the Reedley Ministerial Association have launched a combined community effort involving churches, services clubs, merchants, private individuals to come together to help rebuild lives affected by this disaster. It is hoped that the City of Reedley will also participate in this joint effort to bring adopt five families, bring them to Reedley, provide short-term shelter (up to six months), food, clothing, shelter, counseling, medical needs, educational needs, job placement, etc.

Council Member Brockett advised that he and Mr. Pinon were at a Department of Commerce workshop which provided information about working with faith-based organizations which would enable the City to gain more funding to provide these services. Mayor Soleno stated that he believed these would be good programs to work together on.

9. PRESENTATION BY SHERI PLETT-WIEDENHOEFER ON COMMUNITY YOUTH MINISTRIES (CYM)

Sheri Plett-Wiedenhoefer, representing Community Youth Ministries (CYM) explained the programs offered primarily to unwed teen mothers and children. The target families live in the rural, migrant communities in Reedley and Orange Cove where approximately 36% of all families live below the poverty rate. The specific population target is young Hispanic parents, ages 13-24, and they children. Hispanics account for 73% of all teen moms in Fresno County and are the majority of high school dropouts. CYM expanded its services significantly in the past three years in response to the increasing needs of youth. Almost $750,000 has come into the Reedley community through outside funding sources. The City of Reedley provided a $4,000 start-up grant in 2001 for CYM's development of transitional housing for unwed teen moms, day care, and Learning Center.

Ms. Plett-Wiedenhoefer advised that CYM works to break the cycle of teen moms raising their children in poverty by providing a number of programs that target both the mom and their children. Currently CYM provides day-care for moms to complete high school or GED and to enable them to go to college. There are after-school programs and peer counseling for their kids. CYM now plans to expand the Learning Center to provide further assistance to teen parents and children under five years of age by teaching the skills for effective parenting, improving social skills, and improving bonding between parents and children. This will also include vocational training to help the participants to become self-sufficient, enhance their confidence, and establish and achieve personal and professional goals. CYM hopes to convert the building on the northwest corner of "G" and 8th Streets to the "Fresh Start Café" where the young women will receive vocational training in restaurant services. In addition to personal growth and confidence, the young women will receive a salary which may assist them in paying college costs with the ultimate goal of obtaining work in a profession that will provide a level of income to remove mother and child from a cycle of poverty. Any profit from the Café would be placed back into the CYM programs. Ms. Plett-Wiedenhoefer asked that the City continue working with CYM as they had in 2001 by supplying grants ($30,000) and other forms of partnership as the "Fresh Start" program and café are developed.

Mayor Soleno called for a brief recess at 8:12 p.m. Mayor Soleno called the meeting back to order at 8:25 p.m.

PUBLIC HEARINGS

10. CONTINUED FROM AUGUST 23, 2005 COUNCIL MEETING — NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS; FRANKWOOD-FLORAL REORGANIZATION, ANNEXATION NO. 2004-6; GENERAL PLAN AMENDMENT NO. 2004-2; CHANGE OF ZONE NO. 298; AND MILESTONE, TENTATIVE SUBDIVISION MAP, TRACT NO. 5417

    A. NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS (Res. No. 2005-103)
    B. FRANKWOOD-FLORAL REORGANIZATION, ANNEXATION NO. 2004-6 (Res. No. 2005-104)
    C. GENERAL PLAN AMENDMENT NO. 2004-2 (Res. No. 2005-105)
    D. TENTATIVE SUBDIVISION MAP, TRACT NO. 5417 (Res. No. 2005-106)
    E. CHANGE OF ZONE NO. 298 (Ord. No. 2005-06)

Associate Planner David Brletic advised that the Planning Commission conducted a public hearing on August 11, 2005 and subsequently directed staff to bring back revised resolutions on September 1, 2005 for the Commission's consideration. On September 1, 2005 the Planning Commission approved Tentative Subdivision Map, Tract No. 5417, on a vote of 4 to 1, and unanimously approved all other applications associated with this project. During the Planning Commission's public hearing, among the relevant issues discussed were:

Floral Avenue

The proposed annexation is a logical extension of the community as it represents the southern boundary of Fresno County with Tulare County. The project includes development of Frankwood, Floral, East, and Lilac Avenues as collector streets as called for in the General Plan and Specific Plan as it serves as a backbone of the circulation system. The developers oppose development of Floral Avenue and proposed an alternative plan that does not include Floral Avenue. City staff believes exclusion of Floral Avenue requires an amendment to the Reedley Specific Plan EIR and to the General Plan EIR. The Planning Commission concurred with staff's recommendation to require Floral Avenue.

Subdivision Design/Reedley Specific Plan

The Reedley Specific Plan is better use of land resulting in a strong sense of community and livability in new neighborhoods. It strives to create a more visually appealing streetscape by various means including use of front porches, reduction of garage dominance, elimination of long stretches of blank walls, street circulation design, park strips, street trees, landscaped medians, etc. The Reedley Specific Plan states, "Subdivision design in the specific plan area should not result in large areas of blank walls." The Planning Commission required revisions to the proposed map to achieve compliance with that requirement. The Commission's changes eliminated unnecessary block walls, double fronting lots, and cul-de-sacs. Where cul-de-sacs are used, they will be required to connect to major streets and provide pedestrian access.

Wastewater Treatment Plant Allocation

In consideration of the limited capacity remaining at the City's Wastewater Treatment Plant (WWTP), the Council previously adopted Resolution No. 2005-031 allocating WWTP space equivalent to 125 dwelling units for this project. The Planning Commission recommended this application receive an additional 44 dwelling units of WWTP capacity from the 2% contingency established in Resolution No. 2005-031. That recommendation was made because the revisions to the tentative map, which were mandated by the Reedley Specific Plan and also recommended by the Planning Commission, resulted in an additional 44 single-family lots, thereby increasing the project size from 125 units to 169 units. The Planning Commission's split vote for tentative map approval was due to the need for increased WWTP allocation. The current City policy does not provide for allocation of the 2% reserve, so the Council would need to amend the current policy requiring a 2% reserve for this or any other project to receive additional allocation.

Mayor Soleno advised that the public hearing was still open having been opened and continued from the August 23, 2005 Council meeting.

Bill Brewer, representing the applicants, advised that this project began about 18 months ago when they met with City staff in May, 2004. He advised that the applicants would like to keep the application on track for consideration and approval in October, 2005, by LAFCO. Mr. Brewer stated that he objected to the long delay after City accepted the map application as complete in early December, 2004, and that he believed that the map is deemed approved under provisions of the Subdivision Map Act.

Mr. Brewer stated that there was no dispute with 4 of 5 parts of this process, but the applicants object to the map suggested by staff.

Floral Avenue

Mr. Brewer requested that Floral Avenue not be included in the Milestone map. He stated that it was the applicant's belief that Floral Avenue had not previously been designated as a collector street by the City and that prior to new City staff involvement in the application, the previous City staff told the applicants that Floral Avenue would not be required. However, as time went on new City staff became involved, and added more and more conditions, including the requirement for Floral Avenue. In Mr. Brewer's PowerPoint presentation, he offered the following information which he stated heavily supported the applicant's position that Floral Avenue should not be required:

- 2012 General Plan Text and Map: neither identifies nor designates Floral Avenue as a collector street across the subject property/sphere of influence (SOI) line.
- 2012 General Plan EIR: neither studies nor contemplates Floral Avenue as a collector street across the subject property/SOI line.
- 2012 General Plan Land Use Element - Street Classifications: Floral not shown as a collector.
- 2012 General Plan Circulation Element - Truck Route Plan: Floral not shown as a collector.
- Specific Plan Map: Floral not shown as a collector.
- Specific Plan Text: Floral not called out as a "new collector" (contrast Lilac).
- Southeast Reedley Industrial Area Specific Plan: 1986 recommendation to add Floral as a new collector between Frankwood and Buttonwillow Avenues not implemented.
- Specific Plan EIR: Mere study based on incorrect information.
- Future Planning: Southern Pacific Railroad tracks would be required by California PUC to either have an underpass or overpass or in some way remove an existing at grade crossing; costly.
- Fred Brusuelas, Reedley Community Development Director from 2000-2005: His handwritten note on a memo questioned the need for a new street; supported "no Floral".
- Multitude of Problems for Reedley and Counties: Attractive nuisance; policing; road maintenance, jurisdiction conflicts; growth inducing impacts
- "No Floral" allows for greater achievement of Specific Plan goals: Housing needs, etc.

Mr. Brewer stated that he has been frustrated by the time it has taken to get this project to this point in the application process with conditions being added by staff. He stated there were new conditions at the Planning Commission meeting, and more conditions added which the applicants were not advised of until they read the staff report for this Council meeting. Mr. Brewer requested that certain conditions of approval be eliminated or modified as follows:

- Condition #3: Delete final two sentences (Mr. Brewer stated City staff previously agreed to do so, but they were not removed in conditions before Council).
- Condition #39: Remove language requiring undergounding of utility lines that are not on property owned by applicant (Mr. Brewer stated that the applicant's had no authority or power over other people's land. He stated that he believed it was not a lawful condition and objected to it being required).
- Condition #47, paragraph 2: Remove language added this week requesting additional 16-foot dedication along Davis Avenue (Mr. Brewer stated City staff had represented and affirmed on multiple occasions, as recently as 9/1/05, that a 14-foot total dedication is the required standard).
- Condition #47: Remove language requiring acquisition, dedication, and improvement of land not owned by applicant (Mr. Brewer stated the applicant's had no authority over land owned by other people).

- Condition #56: Remove requirement, added this week, to videotape all new sewer mains (Mr. Brewer stated that the applicants have agreed to repeated changes, but this change was added two days ago, and the applicants oppose the addition of yet another condition).
- Condition #57: Eliminate well site dedication and improvement requirements (Mr. Brewer stated that he believed this condition to be an unlawful taking of their property (Nolan/Dolan) because he had been advised that the well was not needed for the applicant's project, but to serve future City water needs)
- Conditions #57 & #60: Change "may be" to "shall be, pending City Council approval" (Mr. Brewer stated that the City staff previously agreed to make this change but it was still in the conditions before Council).
- Approve the "No Floral Avenue" alternative and approve 44 additional units of WWTP capacity (Mr. Brewer stated that the Planning Commission recommended approval of the 44 additional units of WWTP capacity regardless of the outcome of the Floral Avenue issue).

Community Development Director Guzman advised that she understood concerns raised by Mr. Brewer. There have been a great deal of discussions and disputes along the way, and Mr. Brewer has raised new disputes and comments during this meeting. She advised that City staff could discuss the conditions of approval requested for approval, but could not respond to the individual issues raised this evening. To properly respond, staff would need to review Mr. Brewer's basis for the requests made this evening. Ms. Guzman pointed out that this was the last big subdivision along Frankwood Avenue on the City's south entrance to the City. She stated that Mr. Brewer has raised legal issues this evening which should perhaps be responded to by the City Attorney. She also suggested Council may wish to continue this item so that staff can properly and clearly respond to Mr. Brewer's requests and reasons for deletion or amendments to conditions of approval.

Council Member Brockett stated that without Floral Avenue, the last main east/west street would be Olson Avenue. Council Member Brockett asked if the applicant's were requesting that Floral Avenue be eliminated or just it's designation as a collector street? Mr. Brewer stated they wanted it eliminated as they have shown that previous Community Development Director Brusuelas had indicated it was not necessary. Mayor Soleno stated that Community Development Director Brusuelas is no longer with the City and there have been changes in the area south of town since then with development of industrial and residential which may have occurred since Mr. Brusuelas left the City. In addition, the City needs to consider future growth needs.

Council Member Brockett asked if the additional 44 units could be phased in so that the units may be built after the WWTP expansion? Mr. Brewer advised that the applicant's had an engineer look at the capacity issue, and believed the additional 44 units would use a very small amount of the WWTP capacity. The engineer also believed the City may have used outdated information in calculating the remaining WWTP capacity. Council Member Brockett stated that the Council was not trying to stop development with the WWTP capacity issue, but was trying to provide a safety factor at the WWTP. Mr. Brewer stated that he believed the Planning Commissioners were present when the City Council considered the WWTP capacity, and those Commission Members believed it was the City Council's intent at that time that whatever number of lots established for the Milestone project would have been approved back then, but the project had fewer lots at that time.

Mr. Brewer stated that the applicants object to any further delay of approval of their project applications. When the applicants first started the project, the DIF rates would have required fees of $600,000 to $700,000. The DIF rates have since increased which has increased the DIF cost of this project over $2 million, which the applicant is willing to pay, but they oppose any further delay.

Council Member Betancourt stated that without Floral Avenue there would be no buffer between the City's urban area and agriculture. Community Development Director Guzman stated that one of the routine conditions of LAFCO is a "right to farm" condition, which eliminates the ability for dwellers within the approved development to take legal action against farm-related issues. Mr. Brewer stated that he believes that Floral Avenue should be eliminated because it violates the General Plan and that former Community Development Director Brusuelas had also stated that Floral Avenue should be eliminated. Community Development Director Guzman stated that on March 25, 2005, former Community Development Director Brusuelas's last day of work for the City, he took her on a tour of the City including Floral Avenue. At that time former Community Development Director Brusuelas told her that Floral Avenue was supposed to go in there, but that he thought it should be

eliminated to limit growth, so the City should do a study if Floral is to be eliminated. Ms. Guzman stated that if the Council wished to eliminate Floral Avenue she would need to determine whether or not it would be necessary to amend the General Plan and/or Specific Plan, and this project EIR. She believed the EIR for this project would need to be amended if Floral Avenue is to be eliminated because it would change the traffic modeling.

City Attorney Bacigalupi advised that for the City Council to take action this evening, Council will need detailed responses to comments made and issues raised by Mr. Brewer. There are issues to be addressed regarding the request to eliminate Floral Avenue and issues regarding dedication of property for a well site. If the well site is not for use by this project, then Mr. Brewer is correct that the City cannot require the applicants to provide the land. However, this is an issue that requires further research. Council Member Ikemiya noted that Floral Avenue had been shown in the information back in May, 2005. He asked what portion of Floral Avenue would be in Fresno County and in Tulare County? Lead Engineering Assistant Mike Pardo advised that all of Floral Avenue is in Fresno County; none of the street is within Tulare County's jurisdiction. Council Member Ikemiya stated that issues have been raised about Floral Avenue and the water well which have raised more questions in his mind about the project. He asked if postponement this evening would delay the LAFCO hearing? Community Development Director Guzman stated that LAFCO does not meet in October and LAFCO would only give a tentative commitment to scheduling the project at LAFCO's November 3, 2005 meeting. Community Development Director Guzman advised that this property is not in the City limits; therefore, a subdivision map cannot be approved by the City without annexation. City Attorney Bacigalupi explained that there is no fixed date for LAFCO to consider this matter because LAFCO cannot proceed until the City adopts a Resolution asking LAFCO to proceed. Community Development Director Guzman also advised that meeting a November 3, 2005 LAFCO hearing date would be problematic if Council did not act this evening because she could not be sure that would leave sufficient time to meet LAFCO's own various processing needs. She further advised that until the City Council established the WWTP allocations, this project was not even under actual review by City staff. She also stated that it was the applicant who decided to amend their project rather than go through an EIR.

Council Member Ikemiya stated that on these big projects, the Council needs to look at what they believe is going to happen in the future in other areas which may go from industrial to residential. Community Development Director Guzman stated that she believed this project could be approved this evening if the condition changes are not significant, but not if issues as significant as elimination of Floral Avenue are to be decided. City Attorney Bacigalupi stated that the applicant's attorney has raised issues regarding Floral Avenue and the City's adopted policies and documents that require staff to examine these document to be able to advise Council that those adopted documents either support the staff's conditions or the applicant's position to eliminate those conditions. Staff cannot refute the applicant's comments without the proof that the documents support staff's conditions, and should the applicant challenge the Council's decisions made without that proof, the judge could only look at the information available this evening. Some of the requested changes are minor, and Council could go through them one-by-one tonight, but the condition to require Floral Avenue is one that must be supported and required by City documents.

Council Member Ikemiya stated that he could support allocating additional WWTP capacity because those additional lots exist because the applicant was required to make changes to the project to comply with the Reedley Specific Plan. This resulted in the creation of the additional lots.

Council Member Brockett asked what the setback would be from the County line if Council approved the applicant's "no Floral Avenue" request? Mr. Brewer said it would be 20 feet. Council Member Brockett stated that would mean that if the City believed Floral Avenue was needed in the future, Floral Avenue could not be constructed. Council Member Brockett stated that he believed on the issue of WWTP capacity, the City should plan on the worst case scenario which is why the 2% contingency was included.

Mike Schuil, real estate agent, stated that he had been working with the applicant over two years on this project and they are frustrated by the delays. He advised that he served on the Specific Plan committee. He stated that Lilac Avenue goes through and two other streets to the east. He stated that Workman Brothers are trying to abide by the policies of the Specific Plan and General Plan and would like the project approved as soon as possible without the Floral Avenue extension.

Don Beckenhauer stated that he lives on this property and improved it from its original condition. He stated that they had improved how this area along Frankwood Avenue looks and would like to see continued improvement with Council's approval of this project.

Mr. Brewer stated he would like the Council to do the right thing. To avoid a delay he suggested Council approve the Milestone map with Floral Avenue, subject to further review by Council next week, and to approve all other conditions and changes such as the additional units. Council Member Brockett asked if the Council could require phasing of the project so the additional units would occur when the WWTP expansion occurs? Mr. Brewer stated that the developers have no way to know when the additional 44 units would be built. Council Member Brockett stated that he believed the WWTP allocation policy was a good policy and should stand as is. Mr. Brewer stated that he believed the WWTP allocation already gives the Council the discretion to add projects or increase allocations as needed, if Council chooses to do so.

City Manager Nakamura stated that he could understand the applicant's frustration about delay, but he also believed it important to get all the answers to issues that have been raised. Community Development Director Guzman stated that this is an important piece of property, the last developable property on Frankwood Avenue at the City's entrance, and the City, as does the property owner, Mr. Beckenhauer, wants to be sure it is an attractive, well-designed project.

Council Member Ikemiya asked why the condition to video tape the new sewer line was added? Public Works Director Rogers advised that the City staff recently viewed video tape of some of the new sewer lines and discovered problems in the new lines, such as bellies. If the new lines are videotaped before the City accepts the lines for maintenance, problems can be determined and fixed by the developer, rather than by the City. The current cost to video tape the sewer lines is approximately $1.00 per foot. Staff plans to require video taping of all new main lines on all future projects.

Council Member Brockett asked about the undergrounding issue that Mr. Brewer opposed. Community Development Director Guzman advised that the above-ground utilities are to be undergrounded on the east side of East Avenue. This is consistent with what the City typically requires. Council Member Brockett asked if the developer to the east would reimburse this developer for a portion of the cost? Lead Supervising Engineer Pardo advised that the City's current policy for this type of utility (PG&E, telephone, etc.) is the first developer in has to pay without reimbursement. Other types of utility lines, such as sewer, water, and Alta Irrigation, do have reimbursement clauses. Council Member Ikemiya asked how the City would know what the adjacent property owner will do with the property in the future and how would City know that the underground utilities would not be in the way? Community Development Director Guzman advised that the City reviews plans as projects come forward and the next project is not allowed to build over the lines. Lead Supervising Engineer Pardo also explained that the lines would be undergrounded on the east side of East Avenue where the developer will construct two-thirds of East Avenue. It is not practical for the utility company to remove some of poles now and the others later. Mr. Brewer stated the City's franchise agreement requires the utility to move the poles.

Mr. Brewer stated that he believed there was no reason not to take action on the four undisputed issues this evening. Community Development Director Guzman stated that she believed staff's recommendation to approve a negative declaration on the EIR was tied directly to staff's conditions and to change any major conditions would require a new EIR to consider the impacts of those changed conditions. City Attorney Bacigalupi stated Council could take action on undisputed issues, but agreed with staff that the negative declaration for the EIR was based on staff's recommended conditions on the map. What action the Council later takes on the remaining conditions may change the EIR. He advised that he believed it was inappropriate to take action on any conditions that the negative declaration was based on. City Attorney Bacigalupi advised that he believed the right and legal thing to do would be to consider and take action on all five issues at the same time.

Mr. Brewer stated that he believed the disputed conditions are in the EIR resolution and the City does not have to approve the map to let the project move forward to LAFCO. City Attorney Bacigalupi advised that the City has a contract with Fresno County which requires an approved map be submitted in order for LAFCO to act.

Council Member Betancourt moved, Council Member Brockett seconded, to continue the public hearing to the September 27, 2005 Council meeting at 7:00 p.m. in the Council Chambers.

Mr. Brewer advised that he would be out of the country on that date and that it would be prejudicial to continue the item to that date.

Motion **carried** by the following vote:

AYES: Brockett, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Rapada.

11. CITIZENS OPTION FOR PUBLIC SAFETY (COPS) GRANT PROGRAM FUNDS (Res. No. 2005-098)

Police Chief Johnson advised that AB 3229, known as the Citizen Option for Public Safety (COPS), allocates a minimum of $100,000 for the City of Reedley. These funds have already been factored into the 2005-2006 General Fund budget. The Reedley Police Department proposes to continue funding the Police Officer position with the remaining balance to utilized for personnel costs associated with the City's part-time reserve officer positions. As required by State law, the funds will be used for front line municipal law enforcement and will not supplant existing funds. The proposed uses of the COPS funds have been noticed for public hearing for this evening to accept public comment on the proposed expenditure.

Mayor Soleno opened the public hearing at 10:40 p.m. Hearing no requests to give testimony, the public hearing was closed.

Council Member Brockett moved, Council Member Ikemiya seconded, to adopt Resolution No. 2005-098, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY REGARDING THE CITIZEN OPTION FOR PUBLIC SAFETY (COPS) GRANT PROGRAM FUNDS.

Motion **carried** by the following vote:

AYES: Brockett, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Rapada.

NEW BUSINESS

12. CONSIDERATION OF SIX-MONTH TRIAL CONTRACT WITH SOCIAL VOCATIONAL SERVICES (SVS) AND BUDGET AMENDMENT (Res. No. 2005-100)

Public Works Director Rogers advised that Social Vocational Services (SVS) is a California non-profit organization that serves adults with developmental disabilities in both community and facility settings. SVS program are designed for adults who need assistance in gaining the experience, training, or social skills necessary for successful independent work and community integration.

SVS is interested in partnering with the City to provide basic services such as general cleanup and weeding throughout the downtown, rail trail corridor, and other locations deemed necessary by the City. SVS proposes to do this work three days per week, four hours per day, with a crew of six adults and two job coaches. The cost to the City for a six-month trial period would be $4,992. SVS is able to provide personnel and services at the quoted rate because their programs are funded by the State. Public Works Director Rogers advised that he has used the services of SVS before and found they did a good job providing these services and were a good partnership with the City.

Council Member Ikemiya moved, Council Member Brockett seconded, to adopt Resolution No. 2005-100, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY

APPROVING A CONTRACT FOR PERSONNEL SERVICES WITH SOCIAL VOCATIONAL SERVICES (SVS) AND AMENDING THE 2005-2006 FISCAL YEAR BUDGET with an amendment that SVS be required to list the City as additional insured on their liability insurance prior to commencement of work under the contract.

Motion **carried** by the following vote:

AYES: Brockett, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Rapada.

13. RENEWAL OF BMX LEASE AGREEMENT OF AIRPORT PROPERTY (Res. No. 2005-102)

Community Services Director Glick advised that the City entered into a lease agreement ten years ago with Airtime BMX to allow them to construct a BMX track in the southwest corner of the City's airport property. Staff recommends renewing the lease for the next five years. If approved, Airtime BMX would pay the City $760.00 annually retroactive to August 1, 2005. Thereafter, the amount Airtime BMX paid would increase $30.00 annually to $880.00 effective August 1, 2009.

Mayor Soleno asked if other youth organizations are charged for use of City facilities? Community Services Director Glick advised that the Airport is Federally-funded and they require funded Airports to generate revenue. The annually lease fee covers the electrical cost associated with Airtime BMX's use of the property.

Council Member Betancourt moved, Council Member Ikemiya seconded, to adopt Resolution No. 2005-102, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND SIGN A LEASE AGREEMENT WITH AIRTIME BMX.

Motion **carried** by the following vote:

AYES: Brockett, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Rapada.

COUNCIL REPORTS

14. REQUESTS BY COUNCIL MEMBERS FOR FUTURE AGENDA ITEMS AND/OR REPORTS OF COUNCIL MEMBER ACTIVITIES

Council Member Brockett:

- Attended US Department of Commerce seminar held in Orange Cove on the "Strengthening America's Communities Initiative"; will distribute the printed information to Council about what the initiative can do for rural cities; City may be asked in the future to support the initiative.

Council Member Ikemiya:

- Attended Citizens Advisory Committee for the Air District; Committee had considerable discussion of dust control at construction sites and a proposed new development fee under consideration
- Thanked Public Works for beginning work on street striping.

STAFF REPORTS

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

City Manager Nakamura:

- Distributed information to Council re County proposal to levy fees on new home builders within the County and within the cities in the County; County justification is impact cities are creating on County social services, jails, etc.
- Distributed information on County's proposed master tax sharing agreements with the cities
- KCUSD have requested use of the Council Chambers for a student attendance review board which would meet on the last Monday of each month between 12:30 and 3:30 p.m. **Consensus** to allow use.

City Clerk Vines:

- Longs Drugs Store has invited Council to attend the grand opening of the River Walk store on Saturday

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Audience member Pam Acuna advised that Council Member Betancourt has been nominated by Assembly Member Juan Arambula for a leadership award. Karim Nunez and Horacio Aleman have also received nominations. The 7th Annual Hispanic Heritage Month Leadership Awards banquet will be held in Fresno on September 20th.

Council congratulated Council Member Betancourt on her nomination.

At 10:59 p.m. Mayor Soleno called for a brief recess. At 11:08 p.m. Mayor Soleno called the Council meeting back into open session and immediately adjourned to the CLOSED SESSION.

CLOSED SESSION

16. CONFERENCE WITH LEGAL COUNSEL [Government Code §54956.9 (b) (1)] - POTENTIAL LITIGATION: One Case.

Mayor Soleno called the City Council back into open session at 11:25 p.m. and advised that no action had been taken in CLOSED SESSION which was required to be announced.

ADJOURNMENT

Mayor Soleno adjourned the City Council meeting at 11:25 p.m.

_____
Ray Soleno, Mayor

ATTEST:

_____
Kay L. Pierce, City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING – September 19, 2005

The special meeting of the Reedley City Council was called to order by Mayor Soleno at 6:01 p.m. on Monday, September 19, 2005, in the City Hall Council Chambers, 845 "G" Street, Reedley, California.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Council Member Brockett.

ROLL CALL

Council Members

Present: Matthew Scott Brockett, Steve Rapada, Anita Betancourt, Donald Ikemiya, Ray Soleno.

Absent: None.

City Staff

Present: Brian Nakamura, City Manager; Bruce Webber, City Engineer; Elizabeth Vines, City Clerk.

Others

Present: Pete Perez, Mark Givens, Marge Gobby

WORKSHOP

1. PRESENTATIONS AND REVIEW OF CITY CONTRACTS WITH CHAMBER OF COMMERCE, DOWNTOWN ASSOCIATION, AND REEDLEY RIVER CITY THEATER COMPANY (OPERA HOUSE/VISITORS BUREAU) INCLUDING BUDGETS, EVENTS, GOALS, ETC.

City Manager Nakamura advised this workshop is to focus on three key issues for the city and its future. This is related to tourism, which is an issue that Council is concerned with, and includes business retention, business attraction and business expansion, which staff believes is a Chamber function. The Reedley Downtown Association which focuses on the "G" Street corridor and bleeds over to various side streets, is also a concern. City Manager Nakamura advised there are great opportunities before the city with these three entities. During the past four months, he has had meetings with all three of these entities, and these discussions focused on what do we envision as the roles of each of these organizations to be and he has shared with them the expectations that city has from these groups. When talking Mr. Perez and Mr. Givens, we talked about what is the role for the Chamber. The agreement for the most part is that the Chamber's primary function would be for business retention, attraction and expansion, with their role being citywide. An example of their role would if a business comes into town and stated what they provide and here are the opportunities they are looking for. The Chamber would then respond by relaying to them areas of opportunity for them in terms of land, availability, the type of building needed, the utility rates and here is what the city is focused on in terms of creating a downtown or an industrial park or anything that this business is looking for. Another example of a Chamber function is if and when the city were to pursue a rate increase for sewer, they would then work with the Building Industry of America and its representatives in terms of what are the businesses going to receive from this rate increase, why do we need this rate increase and to assist the city in answering these questions. This is a small component of what a Chamber really does. We also discussed when new residents arrive to the city, the feeling is that Chamber should welcome the new resident with a welcome basket that includes instructions on getting utilities started for their new home and other opportunities for them such as coupons for local restaurants or the Opera House or other similar venues. This would welcome new people into the City as the Chamber of Commerce, but also focus on the businesses who are the primary benefactors of the Chamber. When meeting then with the leaders of the RDA, we talked about what is the function of the RDA. Their mission is to bring people to the downtown and to preserve and enhance the downtown and the activities that are associated with the downtown such

as Street Fair and Taste of the Town. City Manager Nakamura advised of his meeting with Marge Gobby regarding tourism and the opportunities available. She provided a map about what is envisioned for tourism. What is Reedley providing in terms of opportunities to grow and enhance tourism activity for people coming into the community. An example is the Opera House and the plays provided to the public. Hopefully, tonight we can focus on Reedley's future and partnership with the these three entities and really try to develop a plan whereby the City partners with everyone and comes up with some great goals and opportunities for the future.

Chamber President, Mark Givens, advised that the Chamber has been in a mode for the last few years of trying to get back into control of things. They started six years ago believing that the Chamber should be involved with businesses. That the Chamber was not best served as event planners. They went through a couple different versions of trying to be involved in a limited basis, trying to get back involved. Six years ago, the Chamber came and asked for a reduced funding and they are now currently down to a stipend of approximately $17,000 per year. That compares with membership dues of just over $40,000 for the Chamber. The Chambers attempt was to get involved within the businesses in Reedley and provide services to them. What the Chamber found out was it takes a lot of money to do this and it is not enough money that can be paid for by dues. Currently, the level the Chamber is at, either making or losing a couple thousand dollars a year, doing ribbon cuttings, promote in the newspaper through articles, doing mixers trying to get Chamber members and non-members together to promote business and spearheading the 4th of July, which has been the last event the Chamber has not been able to untangle from. One of the reasons that the Chamber felt they had to separate from city government at that time is because they didn't believe the interests were aligned. The Chamber did not think it was a business friendly environment and thought there had to be some other voice out there. The Council at that time was very adamant that if the city gives the Chamber money, they Chamber would then say what the Council wanted them to say. The Chamber then felt that most of the time that would align, but not always. The Chamber is very excited about the future and the new Council and the goals for the future and the Chamber is very open to whatever the future looks like and the role the Chamber can take into the future. It must be kept in mind that if the Chamber does more at a significant level, that funding structure probably has to change. Once that happens, we all have to look at it as getting the "best bang for the buck." If there are things that the Chamber can do more efficiently of the groups mentioned, that is where it should be done. The Chamber is not opposed to looking at the whole thing and saying that this may be a historic function the Chamber has done, but it can best be served being done somewhere else and the Chamber move in to a different role. A new Chamber Board is coming in and they are very open and excited about helping the city grow and looking at it from a business standpoint.

Council Member Brockett advised he does not discredit anything Mr. Givens has stated regarding the opinions expressed. He was born in Reedley and grew up in a household where the Chamber of Commerce was the cornerstone and his father, Mr. Brockett, putting on the Fiesta. Council Member Brockett is struggling with the idea of getting rid of community events as mentioned by Mr. Givens. Of the events mentioned by Mr. Givens that the Chamber has been handling, the Fiesta is the biggest mixer the Chamber is going to put on at any time in the City of Reedley. Council Member Brockett advised he is disappointed to hear that the Chamber has dropped the Fiesta, which has been a tradition for many years and brings the community together. When Mr. Givens mentioned that the Chamber Board felt that taking money from the city was pretty much how they would be controlled in what to say and when to say it, Council Member Brockett advised he sees a different way. The city is giving public funds to the Chamber of Commerce and investing into the business community. It is not to control what the Chamber says or muzzle what the Chamber says, but it help the Chamber in promoting business and to attract business and establish businesses in the city of Reedley, to be able to have a financial gain for the city through the sales tax dollars. His concern overall is that the Chamber has totally lost focus of what a Chamber of Commerce should be. He advised that three months ago he went on an ag tour with Devin Nunes and the City Manager, Council Member Brockett had the opportunity to talk to a gentleman named Dick Kasner, who is the Executive Director of the Western Regional Office of the U.S. Chamber of Commerce. They discussed the purpose of a Chamber and what a Chamber should do. Mr. Kasner's business card was given to Mr. Givens as part of a solution to the Reedley Chamber and it was suggested that Mr. Kasner be contacted to get input on how the Chamber and city can work together for the common good of the City of Reedley.

Mr. Givens advised that the Chamber's feelings on community events are not that they should go away, but that this Chamber of Commerce had very limited resources and their time would be better spent not planning those community events, but to allow others to plan them. The Chamber actually stepped away for two or three years and were asked to come back in, which they did, and then it ended up costing the Chamber $15,000 to do that. Mr. Givens advised that one has to remember that when Council Member Brockett was growing up, Reedley was a town of 5,000 people that got 3,000 of them out to the Fiesta, which was 60% of the population in one area. We are now a town of 21,000 people and still only get 3,000 out to an event. One has to go back and look at those things and even though Mr. Givens loves the Fiesta and feels it should continue, it's just whether or not the Chamber, with the current structure it has of funding, should its resources to that event. The second point is regarding public funds. Mr. Givens advised he was referencing a previous group that was not intimated about public funds. It was stated, "these are the funds, this is what you can get involved with, this is what you can say, this is what you can't say." Mr. Givens advised he was using this to show the difference between this Council, which he believes is forward minded and does want things to come together and work and the Chamber would love to have help from the U.S. Chamber of Commerce and love to get the exact statistics on how many cities are like Sanger and Selma where the executive director is actually a full time, paid member of the city staff and look at the best bang for the buck. This Chamber is not opposed to any of that and do appreciate the Council's comments because that is the only way this Chamber is going to grow together with the city in the same direction.

Council Member Brockett thanked Mr. Givens for his honesty and openness regarding the Fiesta. The ball got dropped and it has been a difficult situation for the folks that are planning the Fiesta and having the city of Reedley itself take on the responsibility and the liability of helping put on this event. The city has always helped put it on. However, passed the torch could have been handled far better and not left ourselves out there so that there is a possibility we don't have the Fiesta. Also, a part of the Fiesta's environment was to create a very nice community event that has that small town atmosphere. Just because Reedley is 20,000, we don't need to lose that type of environment and it is really more so that we need that kind of environment. He advised that he still does not understand how the Fiesta would be something that is bad for business when there are businesses that want to relocate to other towns and want to be able to move their families into a nice community. The Fiesta is nothing but a positive event and is also a great chance for a fund raising event for a lot of our local clubs and students. Mr. Givens advised the Chamber agrees with this 100 percent. What he said was, the question is should the Chamber, with its limited resources and limited manpower and limited funding be involved in putting on the Fiesta. The Fiesta should go on. In fact, Mr. Givens encouraged that the biggest challenge of the Chamber is to maintain the small town feel when Reedley is a town of 30,000, which means if we have 21,000 people now, how do we put on an event where we can get 60 percent of our population out there. How do we have an event that we can bring 12,000 Reedley citizens together. That is a huge question that calls for some very dramatic changes. Mr. Givens advised he never suggested that the Fiesta, Heritage Days or Street Fairs should not happen. What the Chamber questions is should they be involved with their current level of resources.

Council Member Rapada asked Mr. Givens, of the $40,000 in membership dues paid to the Chamber, how much is from Reedley businesses and how much from outside entities that joined multiple Chambers of Commerce. What are we trying to accomplish when we talk about business retention. Mr. Givens advised that probably most of the $40,000 is from Reedley businesses. Council Member Rapada asked what Reedley needs to do to partner up with the Chamber to make this something more than a monthly party type of organization. The City needs an action plan from the Chamber. The Chamber should be going to trade shows and setting up a booth with the attractions in Reedley. We need to be working for the businesses. Businesses in Reedley had stated that even the Chamber is not buying from them, but instead going to Fresno to buy goods. How does that make the businesses in Reedley feel good about their Chamber and that the Chamber is trying to help the businesses.

Mr. Givens advised that the Chamber submitted their proposed budget that outlines incomes and expenses for the status quo. Council Member Rapada advised it is time to get rid of the status quo. Mr. Givens advised that the Chamber was invited to this workshop to talk about he future. The Chamber hopes that they will be able to take away Council's ideas on what to build. With direct input from Council on what they want the Chamber to be involved in, then the Chamber can build

plans where the city can give the Chamber an extra $5,000 or $5 million. The Chamber wants the Council to tell them what they want their role to be. If the Council wants the Chamber to go to trade shows, or promote regionally to Walmart and run the Fiesta, the Chamber can build a budget to do just that and bring it back and submit it to Council.

Council Member Brockett advised that the city has financial limitations as does the Chamber. Perhaps the Chamber can get together with some outside help such as Mr. Kasner and come up with an action plan. Put together a five year action plan with the City and then sit down with the City Manager and staff and iron this out. Bring something to the table that is good for everyone. It is possible the Chamber could end up being independent without having to use public funds.

Council Member Rapada advised that if you set back and wait for someone to tell you what to do, things won't get done. It takes people with initiative to just get it done. The Council wants to have quality growth and bring jobs and businesses to Reedley. Not just for the tax dollar, but for the betterment of the whole community.

Mr. Givens advised the Chamber does want to be connected with the city. Plans can be drawn up from cheap to expensive. He thought he would be leaving this workshop with some actionable items to take back to the Chamber and then figure out to get these items done. Instead he is leaving with the direction to go figure out something. The Chamber can do this and will bring something back and it will be a starting point and the Council can then decide if these can or cannot be accomplished.

Council Member Brockett advised Mr. Givens that is not the impression he is trying to get across to the Chamber of trying to figure it out what Council wants. But there is a point where the Chamber knows their organization very well and the city wants to work with the Chamber. Becoming financially independent is the goal of any Chamber and it shows how strong that Chamber is and much will be taken care of by that time. When we talk about an action plan, Council Member Brockett knows that the potential is in the City of Reedley. Chamber members are intelligent, energetic people and at this point, Council Member Brockett would feel very comfortable if the Chamber would talk to Mr. Kasner, do some soul searching among the Chamber members and then come back to Council with an action plan that the Council can help with.

Mr. Givens advised the Chamber can do that but the point he was trying to make earlier was as one deals with the issues with the RDA and the Visitor's Bureau, as we think about where is the right silo for things to get done, that is direction the Chamber is looking for. The Chamber leadership wants to work with this City government to improve business in the City of Reedley.

Council Member Rapada advised he has suggested going to trade shows and doing some better marketing regionally, not just in the community. Council can give the Chamber ideas, but it is the Chamber people who are the professionals as far as the Chamber of Commerce and can do some really good things. One of the things talked about and that the Chamber is alluding to is that eventually we need to build an organizational chart which shows that the Chamber does certain things, the RDA does certain things and then get serious about really organizing that tourism and economic development commission and maybe with the tourism-type people, that is where events fall under. This is one of the reasons we are here this evening, not to bash anyone or make anyone upset. We need to build a team.

Mr. Givens advised that right now the Chamber's income is 43% from members and the way the Chamber is currently structured making the first duty of the Chamber to their members. Except for the Executive Director and a bookkeeper, it is all volunteer. So, in essence, you get what you pay for. In the spirit of free flow, emotions come in. But at the end of the day, the Chamber wants to be involved in going forward and in a coordinated fashion. Whatever the Council asks of the Chamber, they will take a look at that and make a serious effort to comply.

Council Member Rapada advised that the State and U.S. Chambers of Commerce offers some workshops and some members of the Chamber should attend these workshops. The City could possibly help with expenses to attend these workshops and seminars.

Council Member Ikemiya advised that over the last two years, along with the other files he has collected, he has a Reedley Blue Ribbon Committee folder which is what is being discussed this

evening. Two members each from the Chamber, the RDA and the Council and members at large that dropped in, held meetings and in the end came up with some recommendations. Most of the recommendations still have not happened because everyone dropped the ball. Even though these items have been discussed many times in the past, there is at least a foundation, an agreement and a Reedley Action Committee that was supposed to formed. There are funds that the city was supposed to use to hire a coordinator for all these groups. But again, recommendations are made and two years later, we are discussing the same recommendations.

Mayor Soleno advised that meetings were not continued and hopefully tonight, we will not do the same things over and over. We need to continue the meetings and improve the items discussed at this workshop.

Mr. Givens advised that the Chamber has no problem sitting down with staff or Council where there might be differing opinions on which directions to go, honest conversation about these differences are a good thing. The reality is that the Chamber got back into for two years, never had control over it, couldn't get people to attend the meetings, couldn't get accounting and vice versa, the committee couldn't get accounting from the Chamber either. Neither did a good job. What the Chamber walked away with was a $15,000 legal bill from the city that is taking four years to pay back because of unfortunate incident where the only involvement from the Chamber was providing the insurance. The Chamber is willing to sit down and talk about which directions to take, but will need assistance from the city. The Chamber believes the events that Reedley puts on are spectacular and part of what makes this community and have always been put on by volunteer efforts. The question from the Chamber was whether or not as a Chamber, they should be involved with this. As an example, the fireworks on the 4th of July, there is no way the Chamber can hand this off to a committee since the Chamber has taken care of this event for so long and the event is so huge. Now after 911, with the federal requirements involved, it is very involved to put on. Mr. Givens advised that the Chamber has $92,000 and the estimated expenses are approximately $90,800, which includes employees, rent and incidentals and includes putting on events. The 4th of July takes in approximately $15,000 and costs the Chamber $15,000. Council Member Rapada asked how much is spent on outreach to existing businesses? Mr. Givens advised it was difficult to put a percentage on that. This is done through contacts with the members, through Betty Crum, the Executive Director and also through newsletters where the Chamber offers to the businesses the ability to put out newsletters and pamphlets. Not nearly as much service as the Chamber would like to offer their members. Council Member Rapada feels the existing businesses are not getting the bang for their buck and how does that make them feel not only about the Chamber, but the City of Reedley. We need to be working on business retention.

Council Member Brockett advised that the Fiesta and 4th of July can be fund raisers for the Chamber and there is no reason why they can't make money off these events as they used to. The Chamber used to be able to pay for a full time Director and secretary. He felt that Mr. Givens was hoping to hear that the city would be willing to give as much funding as possible. Let's get our goals set and work together as a team and include the RDA and include the Visitor's Bureau because it is truly a team. Council Member Brockett advised he is ready to see what staff and the organizations can come together with. There is a great document that has already been started and is a great foundation for all of us. So, let's bring back the document and discuss the details when everything is hammered out.

Council Member Betancourt advised that what happened in the past is in the past. When Mr. Givens was talking about events, when the changes came for the Council and the districting, one of the reasons it happened was because representation was needed from different parts of the city. She feels that a great part of the city was not being represented and didn't have a voice. Now that there are districts, she feels that the Heritage Days event that the Chamber put on is something that should have happened a long time ago. She is glad it did happen and she is receiving this type of response from the community. She doesn't feel this heritage has been acknowledged and feels they have been a part of this community for a long time.

Mr. Givens advised that much of Reedley's growth is from the East side businesses, many of which are Spanish speaking only and the Chamber realizes that Reedley is 65% Hispanic. The Chamber wants to be a part of this. The struggle Mr. Givens had was the Chamber does not want to be event planners. They want to be a incubator to start new events, but not be involved in these events in the

next five years. He hopes these events will grow to the point that there is a committee that will be focusing on this. He wants this event to continue 50 years from now and similar events. As the city continues in population, how do we pay for these events and how do we retain the small town feel. We have to be a cohesive community that celebrates all members. The Chamber's intention is to help this event grow.

Council Member Rapada advised that what he has to say might not come out very good to some people, but it just bothers him that..... and he has nothing against the East side..... let's just say it, the Hispanic community, he has nothing against the Hispanic community, his best friend in the world who is like a brother to him is Hispanic, but the thing that bothers him that we have the Fiesta and you could build that into being a heritage day for every heritage in this community. The thing that bothers him is that there is no voice for this part of the community. Everyone in this community has a voice and it bothers him because he believes in heritage. Council Member Rapada's father is Philippino worked in the fields here from the day he stepped off the boat and there were 200 Philippinos that came with him and there was a huge Philippino community in this community and there is still a huge Japanese community in Reedley, a huge German community in Reedley. Why do we need to focus on what race you are? If you want to have heritage day, fine, have a heritage day. But why do we have to focus on one heritage? Why can't we focus on every heritage in this community and that's where he feels the Fiesta could be a great thing by having each heritage take a part in the Fiesta and voice what they want to about their heritage. But why do we have to focus on one? Council Member Rapada advised getting a little irritated in hearing that it is just about the Hispanics and they are the farm workers. However, there were many Chinese, Japanese and Philippino farm workers here long before the majority became Hispanic. Council Member Rapada advised his father ran farm labor crews from 1933 to 1986 and did not have an Hispanic farm worker in his crew until 1975. He wants this community to be a community and to be able to look beyond this. Council Member Rapada advised his heritage is Philippino and "Oakie". He asked when there might be an Oakie heritage day. We are all from different races, but should be just people of Reedley.

Mr. Givens advised he agreed with this sentiment. However, it was the Hispanic community that came to the Chamber and asked for heritage day. Mr. Givens advised that when working with volunteers, when people come to the Chamber stating they want to do something, we need to let them and help them with the event. Chamber staff has suggested that next year it be called Heritage Day and invite all groups such as Hispanic, Japanese, Philippino, German, Oakie groups and all other groups to all get together. Making this the Fiesta is the type of "out of box" thinking that the Chamber needs, but it might need to be held at a different park so that it can accommodate more people than Pioneer Park can handle. As soon as everyone involved says that's OK, we can make those changes to allow the growth and then things like that can happen. As long as the mentality is no, the Fiesta has to be held at Pioneer Park, you'll only get 3,000 people there whether Reedley is a town of 5,000 or 100,000. There is not enough parking downtown, there isn't enough room. Mr. Givens advised that he wants the Chamber to be the Reedley Chamber of Commerce. It has to represents all businesses. Everyone that wants to have a voice can through these doors and have a voice. The Chamber's goal is not to ask for more money. The Chamber can continue as is, although it is not doing the businesses of Reedley the service that it needs to be, but the Chamber is trying to get better and can do this with the exact same funding that the Chamber has had for the last five years and the exact same membership. If you always do what you've always done, you'll always get what you've always gotten. That is the point the Chamber is trying to make.

Council Member Betancourt agreed that the Fiesta would probably attract more people if it was moved to a larger park in order to accommodate more parking and more people. With more room, people can spend the day at the Fiesta by putting down blankets for their family and walk around and visit friends. More people could walk to Mueller Park if the Fiesta was held there. The Hispanic community and the farm working community would be more likely to go to the Fiesta at Mueller Park as they would feel more comfortable in that atmosphere. They will not attend Taste of the Town or Street Faire. Many of them do not even shop downtown because there isn't anything for them to purchase for their families. Heritage Days was a good event and it is time it happened and Council Member Betancourt is happy that it happened and she is glad the Chamber started this event and she hopes it continues. No matter how anyone feels, it was about time for this event.

Council Member Brockett advised that this just proves even more so that we need to regroup and get back together and make sure that we have the community events that are for the entire community. This has been a good discussion and the Chamber does have some challenges. Let's all work together and bring ideas to staff and move on.

Council Member Rapada advised that there is no reason the Fiesta cannot be held in another part of town. The parade is downtown, but the Fiesta can be held at Mueller Park. But again, Council Member Betancourt is talking "our people" and "these people", well those people are from Reedley and those are part of this community and those people have the opportunity to come and take the initiative to come to do what they need to do.

Melissa Knaak of the RDA spoke to the Council and presented some financial records for the Council's review. The non-profit status of the RDA is still active. She also distributed information on all the RDA events and promotional material. She advised that the goal of the RDA is promoting business downtown and bringing people to Reedley. Currently, Reedley is viewed as the prime location for agriculture and is the industry "hotspot." RDA would like to promote Reedley Ag Days and bring people to Reedley with the history and agriculture. December will have the Electrical Parade, which has grown throughout the years and the last Electrical Parade boasted 10,000 people in attendance. It is a tribute to agriculture. The governor and other dignitaries have been invited to the upcoming parade. Taste of the Town is an opportunity for Reedley to highlight their restaurants and is another great event. All 60 restaurants in Reedley are invited to participate in Taste of the Town, although only 24 did. 500 tickets were sold for this event. 10,000 people also participated in Street Faire this year. People that come to the Opera House can pick up a Walking Tour map and take a tour of downtown and see the history of Reedley. She asked if there is anything the Council would like to suggest that the RDA can improve on, please let her know.

Mayor Soleno called for a short recess at 7:26 p.m. Mayor Soleno reconvened the workshop at 7:36 p.m.

Marge Gobby, Vice Chair of the Fresno County Tourism Committee, advised a year ago she committed to volunteer to coordinate volunteers at the Opera House to keep the Visitor's Center up and running. The year is up and it is not time to bring this to Council to see where the Council wants to go with this. Ms. Gobby submitted a graph to Council to attempt to highlight certain events. She advised that Fresno County markets all of Fresno County. The Board of Supervisors has committed $200,000 to tourism. They have three employees and what they do is market Fresno County. They go to the bus tour workshops, to San Francisco, to Los Angeles, Reno, wherever these things happen and take all of the information about all 15 cities in Fresno County. Reedley is fortunate to have them to do this marketing. When they take Reedley's brochures and distribute them, it brings information to others about Reedley and the events that happen in Reedley. Fresno County also partners with the Arts Council to do a brochure which includes the Kings River Quilting Guild and other private entities who put money together, including Fresno County who is donating $200 towards this brochure. The brochure is being printed up for $0.18 a copy. The brochure explains what the quilting tiles are that are in the downtown district. The Visitor's Bureau is operated totally with volunteers. These volunteers are people who are interested in the arts, in history and in Reedley and know and love this community. The can tell people where to visit places of history, where to find a good restaurant through the Reedley Restaurant brochure, which the Downtown Association put together. One side shows the downtown restaurants and the other side depicts the surrounding area restaurants. The Visitor's Bureau also distributes a map of Reedley through the Chamber of Commerce and these map are really a good tool and the Bureau has been complimented on these maps. The Bureau also provides a walking tour map of Reedley. Many people that visit are interested in seeing the Opera House, as it is one of only ten still remaining in the U.S. They are thrilled that our Opera House still puts on live theater. Some of the volunteer duties include taking different shifts at the Opera House, answer the phones and direct calls to the appropriate people. People ask about the Fiesta, the quilt show, Heritage Days, Taste of the Town, the Electrical Parade and many more. Many visitors are fascinated by the Opera House and want the history of the Opera House. Visitors ask about the Mennonite quilting center and want to visit that. When people come to visit, they do shop downtown Reedley and have lunch as well. As far as lodging goes, it should be noted that the Edgewater Inn brings in over $40,000 a year in TOT tax which is money that goes right into the general fund and could be used to promote various tourism events. This is one solution to finding some money for promoting tourism. The Reedley Country is lovely, but that TOT goes

to Dinuba and Tulare County, Sequoia View Bed and Breakfast and Winery is another great place, but that money goes to Sanger. So when people come to visit Reedley and ask for lodging, Edgewater Inn is the first place recommended. Ms. Gobby even makes the phone call to the Edgewater for the visitor and then hands the phone over so they can make their own arrangements. She then tells them the different venues offered that include the Kings River. She advised of a group of 30 Koreans who visited the Opera House on this date. Also students from a university in Japan who had recently toured Sacramento, Davis, Modesto and Yosemite came to Reedley for a tour. They toured Ito Packing and were just amazed. They next went to U.C. Kearney for a tour and were very pleased. Ms. Gobby would then contact the tour bus that brought these students to Reedley and tell them about Blossom Trail that will soon be coming up and she would send them information about Blossom Trail and invite the bus tours to Reedley for the trail. Ms. Gobby suggested that possibly once a month for 30 minutes if the RDA, the Chamber of Commerce, the museum people, someone to represent the Fiesta committee, a representative of the quilting show, if they could all get together a let the tourism committee know what some upcoming events are and possibly put all this information into another brochure and everyone could have the same information whether they call the RDA or the Chamber. Everyone could have the same information no matter who is asked.

Council Member Brockett thanked Ms. Gobby for what she and her volunteers do for tourism. It is a great need and great service for Reedley. He suggested having legends or display boards on several corners that list all the attractions and businesses in Reedley and different points of interest. That way if the tourism bureau is closed, people walking around Reedley can still have some information available. Ms. Gobby advised that problem would be getting someone to be in charge of updating this information. Council Member Brockett advised that he receives many good comments on the Visitor's Bureau. Ms. Gobby advised there are volunteers for this Bureau, but a budget is really needed for this type of thing. Fresno County is going to be asking for partners. Reedley did partner with then in the past because the Bureau had a grant last year for $5,000 for the Fruit Trail. When she discovered the Blossom Trail was going to be in Reedley, $1,000 was spent towards Blossom Trail advertising. It was originally promoted by the Fresno Chamber of Commerce, but they have since dropped the Blossom Trail and will no longer sponsor it. This has now gone to a committee made up of Reedley Chamber, Orange Cove Chamber, Kingsburg Chamber and Sanger Chamber. They are going to be trying to keep the Blossom Trail going. Reedley will be taking the thousands of prints from the Fresno Chamber of the Blossom Trail and Reedley will be selling these posters and that money will go to this committee to try to pay for brochures on Blossom Trail. Each Chamber is going to try to come up with a $1,000 any way they can to try to contribute to this committee as well. The next opening for Blossom Trail will be in Orange Cove and they are very excited. This will happen on the first Friday in February so that the blossoms are still on the trees.

Mayor Soleno also thanked Ms. Gobby for all her hard work and the volunteers as well. He felt the city should partner with the other agencies involved in tourism. Ms. Gobby advised that encouraging other motels or hotels to Reedley would be a great way to have more revenue for Reedley. She also suggested thinking of hiring someone to be the Tourism Coordinator on a full time contract basis. She advised that the Reedley website should be kept current as many people visit Reedley's website for information.

Council Member Ikemiya referred to the CD on Reedley advising that this CD gives Reedley a fantastic base to upgrade the website. People always look at websites before visiting a region and including this CD on the website would be a great idea. Ms. Gobby advised including the Blossom Trail on the website. She advised having a city budget for tourism to help pay for mailings and brochures and much more. She advised that bus companies are calling for information right now on the Blossom Trail.

Council Member Rapada advised working hard to put together a tourism commission with ten members, two from RDA, two Chamber, two people representing the tourism commission, a couple Council Members and maybe two outside citizens. This could possibly be the group that could work together to make all these organizations a team. Maybe this group should also organize the Fiesta/ Heritage Days and the 4th of July. They could then go back to their entities and ask for help from their various memberships and this would be a team effort for Reedley as a whole. This is a ten person group that could drive the focus of tourism and economic development in Reedley. Their ideas could be brought to the City Manager who would then bring these ideas to the City Council. We all need to follow through on all these ideas. We need to stay organized and committed to

building the organization and make it happen. It is time to just get going and get it done and quit making excuses and pointing fingers. It is time to build a team and make it work.

City Manager Nakamura advised that staff does take this very seriously. It is at these workshops that ideas are formed. We do need to have a plan and invest in our basics first. In the past budget discussions, we talked about the need for an Economic Development Director. However, the reality is that we need to have plan before we hire someone and send that person off and running.

Council Member Rapada advised that if the Tourism Commission is made an official Commission similar to our other city commissions, and they have a set day of the month to meet and fall under the same criteria of other commissions. Ms. Gobby would be the perfect person to be the liaison between the city and the commission. This might be the team that would attend trade shows and man a Reedley booth involving the Chamber, the RDA, city staff and the other commission members. These people would be able to answer any questions about Reedley.

City Manager Nakamura and Community Development Director Guzman advised they would work on getting a Tourism Commission together.

ADJOURNMENT

Mayor Soleno adjourned the special City Council meeting at 8:24 p.m.

_____
Ray Soleno, Mayor

ATTEST:

_____
Kay L. Pierce, Interim City Clerk

REEDLEY CITY COUNCIL REGULAR MEETING – February 14, 2006

The regular meeting of the Reedley City Council was called to order by Mayor Soleno at 7:07 p.m. on Tuesday, February 14, 2006, in the City Hall Council Chambers, 845 "G" Street, Reedley, California.

INVOCATION

The invocation was given by Frank Pinon of LOVE, INC.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Council Member Rapada.

ROLL CALL

Council Members

Present: Steve Rapada, Anita Betancourt, Donald Ikemiya, Ray Soleno.

Absent: Matthew Scott Brockett.

City Staff

Present: Brian Nakamura, City Manager; Dale Bacigalupi, City Attorney; Doug Johnson, Police Chief; Dianne Guzman, Community Development Director; Rocky Rogers, Public Works Director; Lori Oken, Finance Director; Joel Glick, Community Services Director; David Powell, Fire Chief; Elizabeth Vines, City Clerk.

Others

Present: Bibi Azeez, Sarah Reid, Marie Hernandez, Cheryl Lam, Amy Lam, Alex Ramirez, Budd Brockett, Sarah Johnson, Robb Grantham, Penny Carlo, Lou Carella, Anthony Jewell, John Mohoft, Sonia Lara, Pete Perez, Patrick Nelson, Julia Martinez, Frank Pinon, Aljandro Reyna, Dave Crinklaw, Sandra Staats, Larry Simonetti, and others.

PUBLIC COMMENT

Erika Hunter announced that she had recently been hired as the new Executive Director of the Reedley Downtown Association. She was originally from Reedley and went to Reedley College. After leaving Reedley she gained considerable experience with operations of four-star resorts. She stated that she was looking forward to continuing and improving the DTA events, adding new events, and working with the City Council and the community.

Recreation Supervisor Reid introduced Albert Acunas who has been promoted from part-time to full-time Transit Driver. She also introduced Sara Johnson who is doing her Fresno State internship with the City of Reedley.

CONSENT AGENDA

Mayor Soleno requested Consent Agenda item 7 be removed for discussion.

Council Member Betancourt moved, Council Member Ikemiya seconded, to removed item 7 and to accept, approve, and adopt all other items listed under the **CONSENT AGENDA** as follows:

1. MINUTES OF THE JANUARY 24, 2006 SPECIAL JOINT MEETING WITH KCUSD, THE JANUARY 30, 2006 SPECIAL CITY COUNCIL MEETING, AND THE JANUARY 24, 2006 REGULAR CITY COUNCIL MEETING - Council approved.

2. WARRANT REGISTER DATED FEBRUARY 14, 2006 - Council approved.

3. FINANCIAL REPORTS FOR QUARTER ENDING DECEMBER 31, 2005 - Council received and filed.

4. RESOLUTION NO. 2006-008 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY ALLOCATING ADDITIONAL CDBG FUNDS TO THE EARLY AVENUE SEWER MAIN REPLACEMENT PROJECT - Council adopted.

5. RESOLUTION NO. 2006-013 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY TO INITIATE PROCEEDINGS FOR THE ANNEXATION OF TRACT NO. 5355, REEDLEY ESTATES, INTO THE CITY OF REEDLEY'S LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 AND FIXING A TIME AND PLACE OF HEARING THEREON - Council adopted.

6. RESOLUTION NO. 2006-014 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY TO INITIATE PROCEEDINGS FOR THE ANNEXATION OF TRACT NO. 5355, REEDLEY ESTATES, INTO THE CITY OF REEDLEY'S LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 AND FIXING A TIME AND PLACE OF HEARING THEREON - Council adopted.

7. RESOLUTION NO. 2006-015 - A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY TO VACATE A WATER AND STORM DRAIN MAIN EASEMENT (portion of 7th Street between "G" Street and alley) - *Removed from CONSENT AGENDA.*

8. ORDINANCE NO. 2006-01 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REEDLEY ADDING CHAPTER 13 TO TITLE IX OF THE REEDLEY MUNICIPAL CODE (pertaining to display and sale of products containing pseudoephedrine) - Council gave second reading by title only and adopted.

Motion **carried** by the following vote:

AYES: Rapada, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Brockett.

7. RESOLUTION NO. 2006-015 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY TO VACATE A WATER AND STORM DRAIN MAIN EASEMENT (portion of 7th Street between "G" Street and alley) - *Removed from CONSENT AGENDA*

Mayor Soleno advised that he had concerns about the dust problems, especially in summer, created by this unpaved easement as many people use it as a short cut from the alley to "G" Street. He requested something be done to better control the dust. Public Works Director Rogers advised that once the City vacates the property, the property owner has advised he plans to fence this access off which should eliminate most of the dust, but staff will also ask the property owner to take other dust abatement measures, if necessary.

Council Member Rapada moved, Council Member Ikemiya seconded, to adopt Resolution No. 2006-015, A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY TO VACATE A WATER AND STORM DRAIN MAIN EASEMENT (portion of 7th Street between "G" Street and alley) AND FIXING A TIME AND PLACE FOR A HEARING THEREON.

Motion **carried** by the following vote:

AYES: Rapada, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Brockett.

PRESENTATION

9. UPDATE OF ACTIVITIES OF WORKFORCE CONNECTION IN THE CITY OF REEDLEY AND FRESNO COUNTY REGION - ARTHUR MOSS AND VICTOR BRIBIESCA

Victor Bribiesca presented an overview of the activities of Workforce Connection in Fresno County and in Reedley. For the period of July 1, 2005 through January, 2006, 719 first-time customers have been served. He encouraged the City of Reedley to refer people to the Reedley office of Workforce Connection as there are various programs available to assist them with training in various fields, including classes for adults to learn English. Assistance is given to people to help them find jobs. These people may be seeking first-time employment, may be dislocated Workers, or workers who face layoffs. By also working with employers, Workforce Connection is able to adjust their training opportunities in addition to referring potential employees to local employers. In response to a question from Council, Mr. Bribiesca advised that Workforce Connection can provide job training to meet the specific needs of businesses in Reedley's new Industrial Park. Arthur Moss thanked the City for providing an opportunity to inform people of the activities of Workforce Connection, and thanked KCUSD Adult School for offering classes at Reedley's Workforce Connection.

Council Members thanked Mr. Bribiesca and Mr. Moss for the efforts of Workforce Connection to improve the lives of so many people through training, education, and working with local businesses to meet their employment needs, all of which ultimately results in improved quality of life throughout the City.

PUBLIC HEARINGS

10. 2004-2005 DEVELOPMENT IMPACT FEE ANNUAL REPORT

Community Development Director Guzman advised that State law requires local agencies which levy development impact fees (DIFs) on new development to prepare an annual report specifying the type and amounts of DIFs levied, amounts of funds spent, fund balances, and other information. The City of Reedley's annual report was issued for public review on December 30, 2005.

A summary of DIF expenditures include:

- Fund 100 thru 111 - Funds were expended from all DIF accounts for preparation of the DIF Study.
- Fund 100, Streets & Thoroughfares/Fund 106, Wastewater Collection Facilities - Funds expended on design and construction of streets and wastewater collection system for the East Avenue and 11th Street Neighborhood Project.
- Fund 102, Law Enforcement Facilities - Funds expended on police patrol vehicles.
- Fund 108, Parks & Recreation Facilities - Funds expended on purchase sports park property and a riding mower.
- Funds 110 & 111 are new funds approved by Council which is why they had zero balances as of July 1, 2005.

Full details of all funds are available in the DIF Study.

Mayor Soleno opened the public hearing at 7:30 p.m. Hearing no requests to give testimony in favor nor in opposition, the public hearing was closed.

Council Member Rapada moved, Council Member Ikemiya seconded, to accept the "2004-2005 Development Impact Fee Annual Report."

Motion **carried** by the following vote:

AYES: Rapada, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Brockett.

11. TENTATIVE PARCEL MAP NO. 203, DIVISION OF LAND LOCATED AT 135 W. STANLEY AVENUE (APN 365-143-25); PROPERTY OWNER BEN HANSEN (Res. No. 2006-011)

Community Development Director Guzman advised that Tentative Parcel Map (Division of Land) No. 203 is a two-lot subdivision of land for single-family residential purposes on property located at 135 W. Stanley Avenue, APN 365-143-25. The General Plan designation of the existing 17,061± square feet (0.39± acres) parcel is Medium Density Residential and the zoning designation is R-1-6 (Single-Family Residential - 6,000 square feet minimum site area).

Highlights of this project include: (1) dedication of approximately two feet of right of way along the west side of Frankwood Avenue, (2) existing home on proposed parcel 1 will be repositioned to conform to development standards, (3) the application is in compliance with the State Subdivision Map Act and conforms to the Reedley General Plan and Zoning Ordinance, (4) sufficient WWTP capacity remains within the 70-unit residential infill allocation; and (5) this project is categorically exempt from CEQA review as it is defined as a Minor Land Division. The Planning Commission conducted a public hearing on January 19, 2006 and subsequently unanimously recommended approval.

Mayor Soleno opened the public hearing at 7:32 p.m. Hearing no requests to give testimony in favor nor in opposition, the public hearing was closed.

Council Member Rapada moved, Council Member Ikemiya seconded, to adopt Resolution No. 2006-011, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY APPROVING TENTATIVE PARCEL MAP (DIVISION OF LAND) NO. 203 FOR A TWO-LOT DIVISION OF LAND FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENT PURPOSES ON PROPERTY LOCATED AT 135 W. STANLEY AVENUE, APN 365-143-25.

Motion **carried** by the following vote:

AYES: Rapada, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Brockett.

NEW BUSINESS

12. ADVISORY REPORT - LAWN PARKING, CANOPIES, TARPS, AND SHOPPING CARTS

Fire Chief Powell advised that complaints have been received regarding issues of parking vehicles on front lawns, parking under tarps and canopies in yards, or erecting tarps and canopies in the front yard for shade purposes. While it can be an issue of unsightliness to neighbors, tarps and canopies create safety hazards. Most will melt easily if they catch fire posing risks to police and fire personnel trying to provide assistance, as well as to the occupants of the homes as they try to escape fire.

Complaints are also received regarding shopping carts abandoned on the street, in alleys, vacant lots, and in front of homes and apartments.

Fire Chief Powell requested direction to determine if these are issues Council would like Code Enforcement to work on. To do so would require amendments to the Municipal Code to provide regulations and enforcement authority.

Council Member Betancourt advised that, although the carts left around the City are an eyesore, many people in her District do not have vehicles and rely on the grocery carts to carry their goods home. Fire Chief Powell advised that Town and Country does a very good job retrieving carts, and if other stores did so it would not be a problem. It is proposed that the cart issue be dealt with by making it the store's responsibility to retrieve the carts, rather than imposing penalties on the people who utilize the carts.

While understanding the issues of unsightliness and safety that these issues create, Council Member Ikemiya requested other information and alternatives be brought back regarding how other Cities have handled these types of problems. Mayor Soleno concurred and thanked the recent code enforcement efforts of the Fire Department. The City does look cleaner and residents have noticed the improvement, which has resulted in less negative feedback from the public.

It was the **consensus** of Council to direct staff to bring back ordinances to amend the Municipal Code for Council's consideration.

Anthony Jewell suggested an approach similar to that of the City of Indio where a deposit is required to check out a cart, similar to what is done at airports. People get their money back if they return cart. Also, kids frequently bring carts found abandoned back to stores to earn the deposit money.

Pat Nelson suggested the City consider using the Neighborhood Watch program to deal with the issue of the canopies and tarps, rather than a blanket rule to eliminate them, which could result in hard feelings and people moving from the City. Mayor Soleno agreed the Neighborhood Watch program could be a useful way to deal with many neighborhood problems, but the program needs to be improved and revitalized.

13. MURAL PROJECT AGREEMENT (FORMER ROYAL VALLEY BUILDING) - FRESNO AREA WORKFORCE INVESTMENT CORPORATION (YOUTH SERVICES NETWORK) (Res. No. 2006-005)

Community Services Superintendent Sarah Reid advised that the City staff has successfully worked with Fresno Area Workforce Investment Corporation to create an agreement for the Youth Services Network Mural Project which was agreeable to both entities. The agreement would allow the Youth Services Network to create murals to be hung on the west side of the Royal Valley building facing the Rail Trail Parkway.

In addition to completion of a suitable agreement, the Youth Commission has been fund raising for this project. Their original goal of $6,000 has nearly been met. They have raised $5,600 to date and plan to seek further financial support from local community groups. Marie Hernandez, who is leading this project for the Youth Services Network, advised that after their plans and budget was finalized, it was brought to their attention that the City's Mural Policy requires that the mural be lighted. Traditional exterior lighting was estimated to cost approximately $5,000. Upon further investigation, it was discovered that solar-powered lights would cost much less, approximately $1,500, still provide sufficient lighting, would not require the City to pay monthly electricity, and could easily be relocated to another site if the murals are moved in the future. Since the Royal Valley building will be demolished at some point in the future to make room for expansion of City Hall and Police facilities, portability of the murals and lighting are important. The Youth Services Network will continue to fund raise to pay for lighting, but asked Council to give consideration to the solar lights.

Community Services Superintendent Reid advised that the term of the agreement is ten years, not fifteen years as stated in the staff report.

Council Member Ikemiya moved, Council Member Rapada seconded, to adopt Resolution No. 2006-005, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH FRESNO AREA WORKFORCE INVESTMENT CORPORATION FOR A MURAL PROJECT ON THE ROYAL VALLEY BUILDING AND ALLOWING THEIR USE OF THE BUILDING FOR PAINTING OF THE MURAL, and also to direct the Public Works Department and Community Services Department to work with the Youth Services Network on the possibility of use of solar lighting for the murals.

Motion **carried** by the following vote:

AYES: Rapada, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.

ABSENT: Brockett.

14. FINAL MAP OF TRACT NO. 5355-REEDLEY ESTATES (Res. No. 2006-012)

Public Works Director Rogers advised that the Planning Commission approved Tentative Tract Map No. 5355, Reedley Estates. The property is located on the southeast quadrant of Frankwood Avenue and East South Avenue. The Tract Map will divide the property into 134 parcels for development as single-family residential. The Subdivider, D.R. Horton, Inc. has completed the preparation of the final subdivision map, improvement plans, off-site street right of way, water and sewer main easement dedications. The ponding basin will have a chain link fence with landscaping. They have also provided Performance and Payment bonds, required insurance documents, and paid applicable fees. West Star Construction has provided a letter of intent and cash bond as an interim measure to facility finalization of an encroachment agreement with users of the private irrigation line. Once the encroachment agreement is signed, the cash bond will be released. The Final Map is substantially the same as the Tentative Map.

Community Development Director Guzman advised that the remaining lots 1 and 2 will be included in the improvements with curb, gutter, and sidewalks, even though they are already built, so there will be consistency of improvements, whether the two existing homeowners sell soon or continue to live there for many years.

Council Member Betancourt stated that she believed she voted against this project's Tentative Map when she was on the Planning Commission. The applicant's project was not consistent with the General Plan. Community Development Director Guzman advised that was correct. However, staff believes it is an attractive design and is in keeping with the Specific Plan requirements.

Council Member Rapada moved, Council Member Ikemiya seconded, to adopt Resolution No. 2006-012, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY ACCEPTING THE FINAL MAP OF TRACT NO. 5355, REEDLEY ESTATES, REEDLEY, CALIFORNIA, SUBJECT TO CERTAIN CONDITIONS; APPROVING AND ADOPTING PLANS AND SPECIFICATIONS FOR IMPROVEMENTS THEREOF; ACCEPTING CERTAIN DEDICATIONS FOR EASEMENTS AND LAND AND APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT FOR THE CONSTRUCTION OF THE IMPROVEMENTS IN SAID SUBDIVISION.

Motion **carried** by the following vote:

AYES: Rapada, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Brockett.

15. SOUTH AVENUE REORGANIZATION, ANNEXATION NO. 2004-3, TO ANNEX TO THE CITY OF REEDLEY AND DETACH FROM FRESNO COUNTY FIRE PROTECTION DISTRICT AND KINGS RIVER CONSERVATION DISTRICT (Res. No. 2006-010)

Community Development Director Guzman advised that City Council approved proposed "South Avenue Reorganization, Annexation No. 2004-3," on October 26, 2004, for the purpose of allowing a 133-lot subdivision for single-family residential development purposes by West Star Construction. The annexation proposal was processed and conditionally approved by the Fresno Local Agency Formation Commission (LAFCO) on March 16, 2005. On May 18, 2005, Fresno LAFCO held a noticed protest hearing, and with no written protests filed, upheld their March 16, 2005 approval. Adoption of Reedley City Council Resolution No. 2006-010 will allow the annexation to proceed.

Council Member Rapada moved, Council Member Ikemiya seconded, to adopt Resolution No. 2006-010, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY MAKING DETERMINATIONS AND ORDERING REORGANIZATION OF SOUTH AVENUE REORGANIZATION, ANNEXATION NO. 2004-3, TO ANNEX TO THE CITY OF REEDLEY AND DETACH FROM FRESNO COUNTY FIRE PROTECTION DISTRICT AND KINGS RIVER CONSERVATION DISTRICT.

Motion **carried** by the following vote:

AYES: Rapada, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Brockett.

16. RENEWAL AND AMENDMENT OF CONTRACT WITH SUNSET WASTE SYSTEMS FOR CURBSIDE RECYCLING SERVICES FOR RESIDENTIAL AND COMMERCIAL

Public Works Director Rogers advised that the City is currently using small tubs (24 gallons) provided by Sunset Waste Systems for collection of household recyclables. There has been interest by the City Council to change to "wheeled" containers (96 gallons) because of the difficulty of some residents, particularly senior citizens, to carry out the current tubs. There has also been interest in larger containers to divert more recyclables. Sunset Waste have provided excellent residential curbside recycling services to the City since 1999. However, they have been providing the recycling service to the City without a contract for the past two years. Sunset Waste has proposed a new automated system for recyclables which is still $1.34 to $1.54 less costly than the nearest competitors proposal submitted in 1999. In addition, Sunset's proposal has an expanded list of materials which they will pick up including plastic film, automotive batteries, automotive oil, and mixed hard rigid plastics including all plastics #1 thru 5, and #7. However, some waste, such as fluorescent lights, will still need to be disposed of during one of the four annual hazardous waste disposal days held by Fresno County. Sunset Waste's state of the art facility gives the City the ability to recover larger amounts of recyclable materials to enhance the City's AB 939 compliance and diversion. The larger, wheeled containers, which will be blue in color, will be supplied by Sunset Waste at a modest increase of $0.60/container/month (from $2.95 to $3.55/container/month). According to studies, the 96 gallon containers should reduce the amount of household garbage picked up by the City by as much as ten truck loads a year. This in itself could offset the increase for the larger recycling containers by reducing the number of trips by the City to the transfer station.

John Mohoft of Sunset Waste Systems advised that, if Council approves the contract changes, Sunset Waste will place information in the local newspaper and in fliers. Residents can keep the small green recycling tubs they have used, but will need to use the new blue containers, because the trucks are automated and will be unable to pick up the small tubs. There will be no change to the current pick up schedule. Council suggested the information also be printed in Spanish.

Patrick Nelson stated the additional $4.00 per month, though modest, may be a hardship for those with low incomes or fixed incomes. Public Works Director Rogers advised that the amount of the increase is $0.60 per month, not $4.00, and would be absorbed in the City's current disposal rate.

Council Member Rapada moved, Council Member Ikemiya seconded, to authorize the City Manager to sign the contract amendment with Sunset Waste Systems for curbside recycling services for residential and commercial.

Motion **carried** by the following vote:

AYES: Rapada, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Brockett.

17. AWARD OF CONTRACT FOR INSTALLATION OF PLAYGROUND AND FITNESS EQUIPMENT AT CITIZENS PARK (Res. No. 2006-016)

Public Works Director Rogers advised that bids were opened February 10, 2006, for the contract to install playground and fitness equipment at Citizens Park. The two bids received with Hobbs Construction being the low bidder at $28,407.00; the second bid received was $41,920.00. The engineer's estimate was $25,000 for this work and was included in the 2005-2006 budget.

Council Member Ikemiya moved, Council Member Rapada seconded, to adopt Resolution No. 2005-016, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY AWARDING THE CONSTRUCTION CONTRACT FOR THE INSTALLATION OF PLAYGROUND AND FITNESS EQUIPMENT AT CITIZENS PARK.

Motion **carried** by the following vote:

AYES: Rapada, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Brockett.

18. WASTEWATER TREATMENT PLANT FACILITIES MASTER PLAN

Public Works Director Rogers advised that the City requested Carollo Engineers to assist in the preparation of a Wastewater Treatment Plant (WWTP) Master Plan to assist with making decision as to the direction and recommendations for upgrades to the current WWTP along with an environmental report. The WWTP Master Plan includes:

- Review of existing data and develop projections for population growth, wastewater flows, and characteristics, projected sludge loadings and review of our current pre-treatment program.
- Review of existing and future regulatory requirements and air quality regulations.
- Review of existing processes and equipment to determine estimated functional life, identify potential upgrades that can be made to the existing Plant for future retrofit projects.
- Identify and discuss potential issues with effluent disposal and reuse, identify and discuss potential future biosolids handling.
- Review and make recommendations regarding improvements needed to the WWTP support facilities such as water supply, electrical power, and power generator needs.
- Make recommendations on operation, maintenance, and staffing requirements.
- Prepare and finalize the California Environmental Quality Act (CEQA) documentation for the proposed improvements to the Plant.

Council Member Ikemiya moved, Council Member Rapada seconded, to receive and file the Wastewater Treatment Plant Facilities Master Plan.

19. CONSIDERATION OF SEWER RATE INCREASE (Res. No. 2006-017)

Public Works Director Rogers advised that Carollo Engineers was hired to perform a sewer rate study based on current cost and upgrading of the Wastewater Treatment Plant. The study confirmed that the City needs to raise rates immediately to cover current operational and maintenance costs, current debt obligations, and to provide for the ability to obtain bond coverage for future financing of the Wastewater Treatment Plant. The rate study recommended an initial rate increase of 25% to cover cost current costs. Future rate increases will be needed in order to maintain a debt ratio of 1.25 and to cover the cost of the upgrade to a 5 MGD Treatment Plant. This upgrade will have a total project cost of approximately $25 million.

Staff has notified the residents through billing, newspaper ad, and flyers posted at City Hall that a potential increase of 25% was coming. To date no negative comments have been received. After the proposed 25% increase is adopted, staff will come back to Council in June to provide further recommended rate increases that will need to be enacted to cover the debt service obligations. Staff will have a better idea of how much and when those rates should take effect at that time. The worst case scenario (financing with revenue bonds only) would end with rates over $50.00 and best case scenario (full State Revolving Fund loan with some new impact fees) would have rates end around $28.00. Staff believes that rates will end up somewhere in between.

Council Member Betancourt asked if the information on the City utility bill was in English and Spanish? Public Works Director Rogers said no. Council Member Betancourt requested that future information and notifications about important issues such as rate increases be in Spanish and that it be advertised in the *Reedley Exponent's* "shopper" which is distributed to everyone in Reedley.

Robb Grantham with Carollo Engineers advised that future increases may be able to be phased if the City needs to use revenue bonds for the project. Carollo Engineers is working with Brandis and Tallman on funding mechanisms and the impact on rates and phasing.

Patrick Nelson stated that he has heard that some developers are willing to front the money to expand the WWTP. He stated that he believed it would be a good idea for them to pay for most of the upgrade. Doing so may result in housing prices that many could not afford. However, the developers are coming to build in Reedley because it is less costly than in Fresno and other areas. It would be easier for new buyers to know up front what their costs would be to live in Reedley than to expect those who already live in Reedley to have to pay the rate increase for the WWTP expansion. He also stated that he believed the City would never get ahead with a bond as it would be necessary to obtain a new bond for expansion when the original bond is paid off. Council Member Rapada advised that the proposed rate increase under consideration is just to the City's current operating and maintenance costs. The rates should have but were not raised in small increments over a number of years in the past to fund small improvements at the WWTP. Also, the money proposed to be paid by the developers is not "new" money; the developers are proposing to pay the money in advance that they would otherwise pay later in their development project. This is Development Impact Fee money that would normally be paid at the time building permits are obtained. The developers are proposing to pay these Development Impact Fees early at the time of annexation.

Council Member Ikemiya advised that the City has recently raised Development Impact Fees (DIFs) to be one of the highest in the Valley, but DIFs cannot be used to pay all WWTP costs. The proposed first sewer rate increase is proposed just to keep the current operation of the WWTP solvent. He stated that he is concerned about the $4.00 increase, but is hopeful that the City will be able to get a grant or some other type of funding so future increases will not have to be so large. Council Member Rapada concurred and added that the City hopes to find other ways to fund the expansion, in addition to grants, loans, and bonds, so that future rate increases can be kept to a minimum.

Mr. Nelson stated that he has spoken with Public Works Director Rogers in the past and appreciated the information Mr. Rogers to him. Mr. Nelson stated that he hoped the City would be able to get grants to keep rates down. Mr. Nelson asked if it would be legal for City get the money in advance from the developers, bank it, and collect the interest? City Attorney Bacigalupi advised that it is not a simple yes or no answer as to legality. However, it is an issue the City and financial advisers reviewing.

Council Member Rapada moved, Council Member Betancourt seconded, to adopt Resolution No. 2006-017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY INCREASING ALL SEWER RATE CHARGES BY 25%.

Motion **carried** by the following vote:

AYES: Rapada, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Brockett.

20. AMENDMENT TO CAROLLO ENGINEER'S CONTRACT, TASK ORDER #5, FOR DESIGN AND BIDDING SERVICES OF THE WASTEWATER TREATMENT PLANT EXPANSION TO 5 MGD

Public Works Director Rogers advised that in 2005, the City requested Carollo Engineers to begin work on several segments relating to the current 3 MGD Wastewater Treatment Plant (WWTP). Included in those segments were design for additional clarifiers, WWTP Facilities Master Plan, rate study, BPTC study, and demolition design. The City recently asked that Carollo Engineers incorporate the additional clarifier design into the overall plant design. With that direction, Carollo began initial work on the Plant design by obtaining soil samples, preliminary headwork's design, and SRF loan assistance. In order to continue to move forward for the complete Plant design and bidding, it is necessary to award a Task Order #5, in the amount of $1,703,000 to Carollo Engineers. The cost of $1,703,000 will be used as follows:

- Design and Bidding $1,639,000
- Permitting Services $ 16,700
- SRF Loan Assist $ 47,300

Public Works Director Rogers advised that a portion of or all funding for the design cost will need to be done through a short-term loan which Brandis and Talman LLC are putting together under a separate contract which should be brought to Council at the next meeting. The City has approximately $873,000 in the Wastewater DIF account that can be spent toward the design work, leaving an additional amount to be financed of approximately $830,000.

Council Member Rapada asked if the WWTP improvements will include a grit removal station? Public Works Director Rogers advised that the City's WWTP has not accumulated any significant amount of grit in the past, so a grit removal station is not proposed. However, City staff will continue to monitor grit levels just to be sure there is no significant change. Also, the City continues to work with new businesses on grease and grease traps, plus the City has a new Vactor Truck which can remove the grit.

Council Member Ikemiya advised that he had reservations about adding a $1.7 million Task Order. That is a significant amount compared to the original contract. He expressed concern that the City might be better served by using a competitive bid process. It is possible that Carollo Engineers would still be the low bidder, but the City wouldn't know unless it is bid out. He also noted that the Task Order is a lump sum amount not on a time and material contract. Many agencies are starting to go with design/builders and are saving huge amounts on the cost. Public Works Director Rogers advised that because Carollo Engineers has already done a significant amount of work on the proposed remodel and expansion, as well as a previous WWTP expansion for Reedley, staff believed this would ultimately be better for the City. Council Member Rapada noted that when the City previously bid the initial work for the WWTP expansion, only three bids were received. One was much higher and Carollo and Boyle were similar in their bids. Public Works Director Rogers advised that staff was trying to move the WWTP work forward due to timing issues. It is important to avoid the rainy season. Also, staff did not want to lose the design work on the clarifiers, head works, etc. which Carollo has been working on to meet the City's time line for completion.

Council Member Ikemiya stated that he did not see any construction management cost. Public Works Director Rogers advised that it was not included in this Task Order, but would be in the construction phase of the work. City Manager Nakamura advised that the Council could table consideration of this Task Order to call for a competitive bid on a lump sum basis or on a time and materials basis. However, it was staff's intent to keep the time line established. Staff believed the amount proposed by Carollo Engineers was reasonable and that Carollo would continue to work efficiently and cooperatively with City staff to keep the project moving forward in a timely manner.

Lou Carella, with the Sacramento office of Carollo Engineers, advised that Carollo Engineers considers the Reedley project to be extremely important both to the City and Carollo Engineers. Carollo Engineers is willing to do whatever is necessary to make the City Council comfortable. Carollo looked at costs associated with other similar expansions and has worked with Public Works Director Rogers on each of the tasks to be completed. He stated that he had no objections to the City Council deciding whether to allow a lump sum contract or a time and materials contract with reimbursables. Mr. Carella stated that Carollo Engineers is putting together a large team, perhaps 17 to 25 people, to move the WWTP project forward. Just putting together a team with the necessary skills and to coordinate the work of the various team members is a significant effort.

Penny Carlo advised that the breakdown of the items to be done came from the WWTP Master Plan and also shows how the construction cost was determined for each element. City Attorney Bacigalupi noted engineering fees would be negotiated as outlined on page 3 of the Task Order #5 for work that has not been included in the Task Order. Task Order #5 is for design and bidding services only. It is not for construction services. Mr. Carella advised that Carollo Engineers is prepared to do the work required in the WWTP Master Plan as designated in Task Order #5. Public Works Director Rogers advised that he and WWTP Superintendent Richard Goldstone went through the Master Plan paragraph by paragraph to make sure they understood the various steps. WWTP Superintendent Goldstone concurred and added that he had several questions about how the WWTP would work during the transfer from 5 MGD to 7 MGD, which Carollo explained and provided

reassurance to staff about how it would be accomplished. Ms. Carlo advised that Carollo Engineers has been working with Regional Board and feels comfortable with the knowledge of what State will require to approve the operation of the new WWTP. City Attorney Bacigalupi asked if Carollo Engineers is also preparing the EIR? Ms. Carlo advised that Carollo is working on the EIR concurrently and the EIR work is underway. City Attorney Bacigalupi asked if the EIR will be done prior to bidding and construction? Community Development Director Guzman said yes.

Council Member Rapada moved, Mayor Soleno seconded, to approve Task Order #5 with the addition of a footnote to Table 1 that would indicate to look to the WWTP Master Plan for specific details of the work to be done as part of Task Order #5.

Motion **carried** by the following vote:

AYES: Rapada, Betancourt, Ikemiya, Soleno.
NOES: None.
ABSTAIN: None.
ABSENT: Brockett.

Ms Carlo, on behalf of Carollo Engineers, thanked the City Council for the opportunity to continue to provide services on the WWTP project. She appreciated the diligence of the Council and staff for their thoughtful deliberations throughout this process and Carollo Engineers plans to continue to work closely with the City throughout the design phase to ensure that Council and City staff will be comfortable throughout the progress of this design phase. Council Member Ikemiya thanked Carollo Engineers' representatives for their answers and assurances regarding this phase of the WWTP project.

COUNCIL REPORTS

21. REQUESTS BY COUNCIL MEMBERS FOR FUTURE AGENDA ITEMS AND/OR REPORTS OF COUNCIL MEMBER ACTIVITIES

Council Member Rapada speaking on behalf of Council Member Brockett:

- Read a memo dated February 10, 2006 from Council Member Brockett advising that during his recent District 1 meeting, there was concern expressed by citizens regarding crime and gang violence. He requested the City set up a workshop to provide information to Council and interested citizens, and to develop a multifaceted approach to deal with gang problems.

Council Member Rapada :

- Advised that he attended a faith-based committee meeting with Council Member Ikemiya and Council Member Betancourt. He stated he learned that the Police Department has done seminars in the past for Jefferson School with information that could benefit others.
- Would like the City to look at amending Ordinance No. 688, which was amended July 22, 2003. Has had some concerns by people who subcontract space in facilities and are required to pay the same $174 per year Streetscape fee.

Council Member Ikemiya:

- Attended St. La Salle auction at Community Center. It was a very successful event. St. La Salle may be looking for a bigger facility for next year's event.
- Attend Commission on Aging Sweetheart breakfast and helped in the kitchen by preparing pancakes.
- Attend Five Cities meeting; main topic was regional water issues. Would like Council to hold a workshop on the issue and invite Alta Irrigation, Consolidated Irrigation District, etc. to discuss water issues of mutual interest
- Jim Van Haun is interested in making a presentation to the City Council in the future
- Concur with Council Member Brockett's request for a workshop on gang and other crime-related issues

Mayor Soleno:

- Enjoyed the recent Art Council brunch; good attendance.
- Annual Chamber dinner this Saturday.

STAFF REPORTS

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

City Manager Nakamura:
- Reminded Council of the Annual Employee Awards Dinner on Friday

Public Works Director Rogers:
- Introduced Lou Carella from Carollo Engineers. He advised that he previously worked with Mr. Carella on a large, successful project.

Mayor Soleno briefly adjourned the Council meeting at 9:55 p.m. to hold a Redevelopment Agency meeting. Mayor Soleno called the City Council meeting back to order at 10:26 p.m. and immediately adjourned to a CLOSED SESSION.

CLOSED SESSION

23. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property:	Lease of Orange Grove at Airport
Negotiating Parties:	Justin Kulikov; Brian Nakamura, City Manager
Under Negotiation:	Price and Terms of Lease

24. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property:	Lease of Reedley Opera House
Negotiating Parties:	Sylvia Hassett, Gourmet Garden Restaurant; Shelly Wade, Gourmet Dessert Brian Nakamura, City Manager
Under Negotiation:	Price and Terms of Lease

Mayor Soleno called the City Council meeting back into open session at 11:01 p.m. and announced that no action was taken in CLOSED SESSION that was required to be announced.

ADJOURNMENT

Mayor Soleno adjourned the City Council meeting at 11:01 p.m.

Ray Soleno, Mayor

ATTEST:

Kay L. Pierce, City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING - MARCH 27, 2006

The special meeting of the Reedley City Council was called to order by Mayor Soleno at 6:05 p.m. on Monday, March 27, 2006, in the Reedley City Hall Council Chambers, 845 "G" Street, Reedley, California.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Council Member Betancourt.

ROLL CALL

Council Member

Present: Scott Brockett, Donald Ikemiya, Anita Betancourt, Steven Rapada (arrived at 6:07 p.m.), Ray Soleno.

Absent: None.

City Staff

Present: Brian Nakamura, City Manager; Douglas Johnson, Police Chief; Rocky Rogers, Public Works Director; Joel Glick, Community Services Director; David Brletic, Assistant Planner; Kay Pierce, Administrative Assistant.

Others

Present: Margaret Thorburn, Jim Van Haun, Steve Hauger, Chris Kapheim, Randy McFarland, Beth Warmerdam and others.

PUBLIC COMMENT

None

WORKSHOP

1. WATER RESOURCES AND CONSERVATION - SURFACE AND GROUND WATER ISSUES

Mayor Soleno turned the floor over to Council Member Ikemiya who stated the reason for this workshop grew from a recent Five Cities meeting. Since Reedley is the only city that has the Kings River within its city boundaries, it is an important topic, not only with regards to the Kings River surface water supplies, but also ground water supplies.

City Manager Nakamura stated that the guests invited tonight are going to address these water issues as they relate to Reedley, to the Central Valley and their own organization. He introduced Chris Kapheim, General Manager of Alta Irrigation District; Steve Haugen, Water Master with the Kings River Water Association (KRWA); Mr. Randy McFarland, Kings River Conservation District (KRCD) and also Consolidated Irrigation District; and Jim Van Haun and Margaret Thorburn from Kings River Conservancy.

Chris Kapheim advised that Alta Irrigation District is one of the oldest districts in California. Irrigation districts have large canals at the beginning of their system and smaller canals as you go down in the district. Alta has an open canal system, however, there is a big difference in the canals between the upper and lower districts. Alta has several ponding basins, one located at Wahtoke Lake, and are in the process of installing additional basins throughout the district. Alta doesn't have a lot of storage compared to other districts due to the fact that Alta is the only district east of the Kings River. Because of that, aquifers are stratified, meaning that Alta is not blessed with big rivers that historically laid the deep alluvial fans that are conducive to recharge. The soil profiles on the

east side are different from the west side. East of the Kings River has many layers of soil which makes it challenging. On the west side of the Alta district, there are deep aquifers and Alta has good recharge, but that isn't really where the recharge is needed. This is a struggle for Alta's district where it seems like there are actually two separate districts, one east of the river and one on the west, because they are so different.

Alta used to be a total gravity flow system, but now pumping stations have been installed in certain locations to allow Alta to be more versatile. Mr. Kapheim explained Alta's boundaries on the east side of Kings River. He also noted the frontage with the alluvial fan of the mountains coming down to the valley floor. Alta has a long area that interfaces with the valley floor. During flood times, there are many challenges with the amount of water that comes into Alta's water shed. Alta is not a flood control district and Alta tries to get the water through their system to minimize the damage to Alta's district.

There is a relationship between Alta's district and other water districts where they all work on ground water issues. The elevations between different districts do vary and Alta does look at the association between all three districts, because they all interact in some ways with each other. Alta has some specific challenges because of unfavorable recharge potential in most of Alta's district because of stratified aquifers. The west side is very good and Alta has some projects that are going in now. Alta is currently working with the City of Dinuba because there is a natural creek bed that happened to go through Dinuba at one time.

Because most of Alta's district is not suitable for recharge, Alta is going to have to work on a regional basis and work with other districts to address banking and water supply situations. Some of the issues, in terms of district activities, is urban growth development as the City interfaces with Alta's district. This has been minimized in urban areas. Canals are piped underground for safety reasons. It is important, on a long term basis, to look at the surrounding areas because as you underground your canals, 25% of surface water in canals gets recharged through the natural lenses that Alta interfaces with. If open canals are eliminated on a long-term basis, the impact with recharging will be felt. Mr. Kapheim advised the City and the district on a long term basis, need to identify areas for recharge, secure those sites early, and then look for grant funding to get those recharge sites so the ground water can be stabilized. Alta is working on a 30-acre pond with the City of Dinuba on this basis. Alta received funding through Prop 13 in the amount of $1.5 million for this project. Alta and the City need to have good cooperation and understanding on the long term vision so that projects can be identified and be successful in securing funding.

Water quality is another issue that is important. Alta is doing more work on water quality. On a long term basis, the district will be more involved with surface water potential. The east side of the district is having some ground water quality issues and Alta has been asked to look at surface water treatment. Alta is doing a study now in the Cutler-Orosi area.

Council Member Ikemiya stated that Reedley has many parks and a planned 49-acre sports park complex with a lot of grass which will take a lot of water. He asked Mr. Kapheim what the possibilities of the City being able to use surface water supplies rather than pumping and using the chlorinated groundwater in order to irrigate the landscape?

Mr. Kapheim replied that these are the types of discussions where Alta and the City need to look at the long-term visions and find ways to do this. For Cutler-Orosi, Alta is putting in a banking project on the west side and with water Alta is developing a water supply for Cutler-Orosi. Creating the yield that is necessary by developing this water supply. There are ways to address these issues either by trading water through pumping or developing new water supplies. Alta is open to many different approaches.

Council Member Ikemiya stated the 49-acre sports parks used to be an orchard and part of it still is and the water allotment came from Alta Irrigation. He asked if this could then be swapped over? Mr. Kapheim replied that Alta has issues on whether it is an urban use or an Ag use and that's where the City needs to sit down with Alta and look at this as an opportunity and how these types of things can be made to happen. There are ways, but time will need to be spent in evaluating options.

Mayor Soleno asked if the property being referred to by Council Member Ikemiya is in the Williamson Act, does that have any effect on anything? Mr. Kapheim stated that Alta looks at what the property is being used for. If it's for Ag and in the city, Alta will still serve it. It's when it goes into buildings or houses it changes. If it goes into a park, that's not really Ag land, but it's not a building either, so that's what Alta will have to look at and see what they can come up with.

Randy McFarland, speaking for Consolidated Irrigation District, stated that he is speaking on behalf of Mark Gilkey, who is the new manager of Consolidated Irrigation. Reedley is bounded by two irrigation districts; Consolidated is west of the river and, unlike Alta, does not include the city limits. It is Consolidated's policy to detach from all other cities as the city annexes and the district has an arrangement with city to pay a fee each year to the district based on what the gravity the pump rate would be, because the district is providing water into the area. The cities themselves are not part of the irrigation district. Another thing which is quite unlike Alta is that all of Consolidated is a magnificent aquifer. It is the alluvial fan of the Kings River that was laid down through the present channel and a whole host of other channels that you can still see the swales west of Reedley, between Reedley and Selma and other locations up towards Sanger, low lying land which are ancient river channels. Consolidated Irrigation District has always been known for having one of the finest aquifers anywhere in California, and as a result, has an outstanding groundwater recharge program. Consolidated pioneered the art of recharging groundwater by basically taking water when it was surplus to any irrigation needs, putting it in ponds around the district and letting it sink into the ground. This is the most basic form of water banking. It is pumped out by individual growers as it is needed. Consolidated now has about 1,300 acres of ponding basins around its district.

Another difference between Consolidated and Alta is that there are many more communities surrounded by the Consolidated district which includes Reedley, Selma, Kingsburg, Fowler, Parlier, Sanger, Del Rey, Caruthers, Boles and Monmoth. The Consolidated has three sources of water. One is groundwater that is recharged in times of high water when there is a flood release. When there is a flood release, Consolidated takes all the water it can get, or when Mill Creek empties into the river below the dam is running higher than any demand, Consolidated will open its gates in the middle of winter or a rain storm, and run water down the canal and put the water in its ponds. Whereas, Alta has to use sand bags to try to herd water from the foothill streams and heavy soils to get it through the district with the minimum of flood damage. Flood waters are welcomed by Consolidated and the canal system is well set up to be able to handle this. The basic canal system in the Consolidated District has two primary distribution canals; the Fowler Switch and the Centerville and Kingsburg system. The Fowler Switch runs on the northern end of the system to Caruthers and toward Fowler; the Centerville and Kingsburg system goes down into the Kingsburg and Selma areas. There are a number of other canals which come off of those main canals and they get progressively smaller, plus the district has many miles of Class B laterals, which are actually farmer owned. Most of the Class B laterals have now been converted to pipelines. The district works with farmers to maintain and operate those to provide water to them.

The Consolidated District has one other water system that is completely separate from its basic canal system and that is the Lone Tree Channel. This is called "Church" right water which is older than Consolidated's rights. It is a low-flow right from the river tied to the Fresno entitlement and as a result, even in the driest years when Consolidated has little or no water to run off of its own entitlement from Kings River water, there is church water available all year around for those 8,000 acres that are fortunate enough to have church rights.

The basic water entitlement for Kings River water for Consolidated's main system is really pretty good. There is a water schedule that tells each member unit, like Consolidated and Alta, how much water they are entitled to based on the natural flow of the Kings River. In Consolidated's case, when the river gets up this time of the year to around 3,000 cubic feet per second or higher, then Consolidated has a very good entitlement and does very well. In a very dry year when the flows stay lower, that doesn't work in Consolidated's favor. Different circumstances benefit some and hurt others depending on how the year goes.

The conjunction use of the Consolidated Irrigation District....conjunctive use is a termed used in this region because it is so important to understand that we have to use both groundwater and surface water together in order to sustain ourselves in times and in places where surface water is not

available. Consolidated runs its canals for a shorter period at higher flows. The result is that there are significant periods when the district does not have any water in its canal system and growers have to rely on groundwater to survive so it really behooves us to make sure that we are caring not only for our surface water supply, but the water that needs to go into the ground as well. Fortunately, the groundwater recharge efforts of the district have proven to be very effective.

Council Member Brockett asked Mr. McFarland to explain further his comment that Consolidated does not take in city limits so as the city grows, Consolidated's district decreases in size. Mr. McFarland replied that in the cities that are surrounded by the Consolidated Irrigation District, probably 25 years ago, the district worked out an arrangement with the cities to handle the matter of detachments when a city annexes. It had become an issue because until that time, it had been a hit and miss operation. Sometimes someone would put together an annexation and not detach from Consolidated so there would be islands of irrigation district all over the city. It was felt that wasn't fair for people to pay irrigation taxes in one place and across the street they weren't. To solve that, the district worked out a deal with cities in which the district assesses what they call their pump rate, which is what they charge growers/farmers who have no surface water entitlements to their property. Because they benefit from the water which is brought into the district through the district's canals, they pay a rate which is 40% of the basic canal gravity rate charge. That rate is now assessed to the cities, the city itself pays a lump sum minus 10% for administration. All of the cities are included and are contributing toward the cost of operating the canals to bring water in even though the cities themselves are not part of the irrigation district. Council Member Brockett asked why Reedley pays at all if it isn't using water? Mr. McFarland advised that the cities are using the water. For example, the water supply for Selma throughout the district is all pumped and so all of the water which is in the aquifer is imported to the district by Consolidated Irrigation, except for what small amount happens naturally. It is basically a benefit issue. Consolidated and the cities did not choose to include the cities within the irrigation district as was done long ago with Alta and Reedley and Dinuba. It is just a different way of setting it up.

Council Member Ikemiya asked, because Reedley's city limits are in both districts, and the wastewater treatment plant is on Consolidated's side, are there issues with pumping and using water on one side from Alta and then reclaim water usage on the west side, and as an example, if there's a future golf course or similar, and then Reedley reuses the wastewater from the treatment? Mr. McFarland replied that he was sure that Consolidated would have no objection to recharging the groundwater on Consolidated's side. He isn't sure what Alta would say about that. In terms of the overall place of use of the water, which is covered under the licenses which govern the Kings River water rights, there wouldn't be a problem. That is an issue when you start moving water around the State or out of the area that is is licensed to be used, but that would not be an issue in this case. It is probably one of those things that would need to be discussed, because it is an interesting detail. Council Member Ikemiya asked what if Reedley were to have a surface water supply on the Alta side and the treated surface water for domestic use, and then also tie that line on the Consolidated side and houses use the Alta surface water supplies on the Consolidated side? Mr. McFarland replied that this is another issue that would have to be discussed. He is not aware that there have been any discussions with any city with the possible exception of Sanger, with Consolidated regarding any future use of surface water to the extent that Mr. Kapheim was just talking about. It is probably an area which would need to be explored.

Mayor Soleno added that the City of Reedley will eventually have development on the west side of the river and Reedley will then have to deal with both agencies. Mr. Kapheim added that the three districts, Fresno, Alta and Consolidated, do have a water banking arrangement. The three districts meet every couple weeks and work out issues that they have between the districts. As communities grow, the districts are going to have more involvement and joint relationships in more of a regional aspect. Things like this can be coordinated and the two districts do have a long history and a good working relationship with each other and have worked together on joint projects.

Mr. Steve Hauger, Water Master with the Kings River Water Association (KRWA), gave a presentation of the Water Association as a whole. The Water Association is a fairly large service area of approximately one million acres, which includes the San Joaquin River, Cities of Fresno, Selma, Reedley, Dinuba, Hanford, Corcoran, Kettleman City, Tranquility and San Joaquin. There are 28 member units in the Association and 13 of these are public agencies such as Alta and

Consolidated. The water rights on the Kings River are held entirely by those 28 member units and this has created a host of agreements that have occurred over the years. Mr. Hauger gave a brief history of water rights, water diversions and formation of the KRWA. KRWA's mission is to distribute the waters, protect the water rights of its members, and ensure all members get the water they are entitled to. KRWA also does a number of snow surveys and hydrologic routings, review new policies, regulations and court rulings, work on behalf of all member units.

Mr. Hauger stated that the Kings River water comes from the snow pack that falls in the Sierras every year. KRWA does monitoring of snow and precipitation because that's where the water supply comes from for the Kings River. Pine Flat Dam is currently at 800,000 acre feet and the reservoir holds one million acre feet. Water managers have to decide when to flood release. If it gets too high, the Corps of Engineers automatically orders a flood release out of Pine Flat. This water is not divertable by the various irrigation district's member unit. The challenge is to take the water early enough so that we don't have to do a flood release. There is a good chance of a flood release this year. This all depends on what the snow is, what kind of temperatures we get this spring, and how much irrigation demand comes on.

One major issue that has changed the landscape of the Association is the Kings River Fisheries Management Program, which is a joint program of the California Department of Fish and Game, Kings River Conservation District, Kings River Water Association, and a public advisory group. The public advisory group is not signatory to the agreement that was laid out, but they are key players in what KRWA goes about doing within the Fisheries Management program. This program had a number of items that came up that has changed the way the Association works in some aspects such as minimum flows from Pine Flat, temperature management on the river for fish and wild life, adapted management, populations and such and looking at supplemental stocking and a lot of enforcement. Fish and Game is stepping up their enforcement of fishing regulations on the river. This program is paid for locally by the Association and Kings River Conservation District is contributing one million dollars over a ten year period. Half of that is being absorbed by the Association and that trickles down to its member units and they have to participate. The turbine by-pass project allowed KRWA to regulate water, manage flows, and primarily manage temperatures with releases from the reservoir. The Association's share of this was about 25%.

KRWA worked on a project from Pine Flat down to Fresno Weir. Another project is the Thorburn Spawning Channel which is a fairly significant habitat enhancement. This was a low-lying area that provided water and fisheries in the 30's. It was revamped and redesigned to use as a lower velocity channel so fish can spawn and rear in it. Other projects are placing boulders in the river and the turbine by-pass which is installed at Pine Flat and allows water release from various levels. One of the key components of the fisheries management program is enhanced flow in the river from what historically happened. In 1999, KRWA doubled those historic minimum flows. Other accomplishments include a habitat master plan and several pilot projects on the river over the last several years. KRWA put together a master plan which they are implementing that includes adding boulders and gravel and going down with equipment in the river working in the low flow period. Channel ripping is done to loosen up the river bottom for insects and young fish to have a place to hide during high flow season. The Fisheries Management Program has been a major milestone for the Association and they have come a long way in working with the public to try to improve the fisheries on the river.

Mayor Soleno asked about recent discussions in Sacramento regarding dams. Mr. Hauger advised that in the current infrastructure bond fund, the three projects talked about are Temperance Flat on the San Joaquin River, that's off stream storage next to Millerton; Sikes Reservoir up in the Sacramento Valley; and Lake Paris down in Southern California. Mayor Soleno asked if these discussions would have any impact, positive or negative on the Friant-Kern canal? Mr. Hauger advised that in the Kings River service area, there is only one contractor that takes water off the Friant-Kern canal and that's the City of Fresno and Fresno Irrigation District. As far as impact to Alta or Consolidated, they are not taking water from that system. The City of Orange Cove and Orange Cove Irrigation District are also Friant contractors and get all of their water supply, because there is no groundwater in Orange Cove. Many of the east side communities have had water problems such as Orange Cove, Lindsay, Strathmore and that is why they have gone to surface water off the Friant-Kern. The Friant-Kern canal serves mostly areas outside the Kings River Service area

and those typically tend to be more easterly. Mayor Soleno asked if Roger's Crossing is now a dead issue? Mr. Hauger agreed it was and stated that any reservoir at this point in time, if you had full approval of Congress, the State, would probably take 20 years to get through all the permitting without opposition before you could start construction. Mayor Soleno asked what would be the benefit of Roger's Crossing for Reedley, which is above Pine Flat Dam? Mr. Hauger replied that a year like last year, KRWA released 60,000 acre feet of water outside the service area and they would have been able to hold that. Looking at this year is another potential holding, but instead will have to flood release. Depending on the timing of the release this year, that could potentially be upwards of a couple hundred thousand acre feet. With a facility like Roger's Crossing, we would be able to store that water and would have that for the next dry year period or water that could be recharged and maintained within the service area. Mayor Soleno stated that there is a prediction that in 2040, the population in the San Joaquin Valley is going to double. He asked about impact on water supply for that type of growth? Mr. Hauger advised the only options are groundwater recharge at this point and groundwater storage projects. Mr. Kapheim added that whether you put the water in the ground or have it in a reservoir, there is water on the Kings River that we need to put to beneficial use. We have flood releases that we need to operate with and that's why we are looking at some of these joint banking programs. Banking is an option and we can put water in storage.

Council Member Ikemiya asked about the life span of the Pine Flat Dam, which is 52 years old right now. Mr. Hauger stated that Pine Flat Dam has a very low sedimentation rate, probably one of the lowest in the United States, because our water comes off granite. Only one to two percent of the capacity has been lost since Pine Flat has been built. The concrete aspect has long life also. The hardware that is associated with the dam will need replacement because it is metal and rusts as well as the valving. It will probably be 40 to 50 more years before any major upgrades or enhancements to Pine Flat are necessary. When Pine Flat was built, the water users agreed to pay for 37% of the maintenance of Pine Flat. Even though the facility is operated and owned by the Federal government through the Army Corps of Engineers, local water users do pay a significant cost of the operation and maintenance of that facility.

Mayor Soleno asked, if the dam failed due to an earthquake or terrorism, where would that water go? Mr. Hauger stated he hasn't seen the information on critical failure of the dam, however, the Corps of Engineers have done a map on probable flow. Sanger would be more affected than Reedley.

Council Member Ikemiya stated that last summer Reedley had flood releases and Reedley Beach and some of the parks had to be closed because of the high water. He asked how it looked for this year? Mr. Hauger stated that last year our April to July period for flooding was about 156% of normal. This year the current forecast is at 116% April to July. This is a much less water supply this year, but a fuller reservoir. This year is probably going to look a little bit like last year as far as how storage and release patterns occur. Depending on when we make our release, if we make the release earlier in the year, that peak probably won't be as high. If the runoff pattern comes such that we have to make those releases in late May or early June, we could see flow rates as high as last year. It all depends on the weather two months from now.

Randy McFarland gave a presentation representing Kings River Conservation District. He stated that Dave Orth, Manager of KRCD, could not be present this evening. Mr. McFarland discussed the upper Kings River forum, which the City of Reedley has been participating in. Mr. McFarland mentioned that equipment is going to start wearing out on the dam and a few years ago, there actually was a case where some major rehab work had to be done on the spillway gates. Those gates are electrically operated and have a truss work system. Several years ago, at Folsom Dam, they were making a gate change with a full reservoir and the gate blew out. The gates were of the same design, built the same year by the same contractor, so the Corps took a look at Pine Flat Dam and after x-raying the dam decided to reinforce the gates. This was the first major rehab work done on Pine Flat Dam, but by all accounts, they do an outstanding job of maintaining it and the facility is in excellent condition.

Mr. McFarland advised the responsibilities of the KRCD are really complimentary to the KRWA and to the 28 member units of the Kings River Water Association. Two big differences between KRCD and KRWA. The KRWA is a private association of its members. The KRCD is a public agency formed in 1951 by act of the State legislature and it was formed actually by the Kings River

Water Association. At that time, the Federal government didn't want to negotiate the storage and repayment contracts for Pine Flat Dam with a private agency like the KRWA, they wanted a public agency representing the area. So the KRCD was formed. The KRCD was given more potential responsibility and authority than just about any other local government agency. The KRCD has all of the power of an irrigation or water district and much more. The KRCD is involved in power. The power plant at the base of Pine Flat Dam was completed in 1984 and is responsible for supporting the district. The power is sold to the State for use in State water projects and that revenue is actually what financially supports most of the Kings River Conservation District activities. Last year, the KRCD put into service a new power plant in Malaga which was built with two turbines provided by the State, free of charge to the KRCD to build this plant to operate on demand to help meet the region's peaking power needs. Community Choice is the program to the cities where the cities are going to obtain power from a generator other than the local utility. In this case, PG&E. We would hope that is going to be the KRCD through the new base load power plant. This is a 500 mega watt plant that is currently undergoing siting work and we are narrowing down to three different sites. In the next few months, there will be an announcement on where that plant is going to be located. With any luck, we could have Community Choice up and on line as early as next year, although the power plant won't be completed for another three to four years.

The KRCD is also involved in the environment. Mr. McFarland talked about the Kings River Fisheries Management program and he is also the executive officer of that program. Mr. Hauger doesn't have a lot of staff at the KRWA to go out and do the sorts of things that need to be done, but the KRCD, as part of its power project originally with the Pine Flat Power Plant and then when there were efforts being made to build the Dinky Creek and Roger's Crossing projects that have been unsuccessful, KRCD got into the environmental business and assembled a team of biologists and they have done more environmental work along the Kings River than any other agency. They worked very closely with the Department of Fish and Game and the public advisory group and provided a lot of the manpower to put the projects that Mr. Hauger talked about to work. This included the creation of the Thorburn Spawning Channel, which became reality about five years ago and has really taken shape very nicely by Winton Park. The KRCD is also involved in groundwater management throughout the region. When you talk about surface water, people get excited because you can see it. But groundwater isn't something that really thrills a lot of people, even though we know that in our region it is the way of the future. The KRCD has a number of groundwater management study areas and programs in place and has sponsored a number of recharge facilities, is looking to partner in other recharge facilities and water banking programs throughout the area, and part of that is through the upper Kings River Basin forum service area. This program is very important for agencies to work together. In order to let agencies qualify for funding, the State has insisted that we take a more regional approach to water planning, and that's exactly what the Upper Kings River Water Forum is all about. It was established by the Alta Irrigation District, Consolidated Irrigation District, and Fresno Irrigation District, and has since grown to include all of the cities and counties within the area and a number of stake holder groups and several others, including Raisin City to the west of Fresno. Raisin City is unique because it is not in the Kings River Service Area. Raisin City has no rights to use surface water, but because it is at the same heavy level of agricultural development now as the rest of the service area, water is all pumped from under the west end of Consolidated in Fresno. Consolidated in Fresno put the water in the ground and it gets sucked right out of the lower end and the groundwater keeps falling. The upper river agencies have the water rights for Kings River water and they all practiced conjunctive use of groundwater and surface water to create a stable water supply. Each district had its own groundwater recharge programs and they are all different. Alta's is more limited because of the nature of the district. Consolidated's is very large and elaborate, but tends to be used only in big water years. Fresno's is tied in with the City of Fresno because Fresno and Clovis are actually in the irrigation district and the City of Fresno delivers surface water into the storm drainage basins and leaky acres and that is percolated into the ground on a year-around basis in order to recharge the groundwater and be the basis for the City of Fresno's water supply. The City of Fresno and Clovis both now have surface water treatment plants as well.

Mr. McFarland stated that there are a number of major recharge programs and water banking facilities that are underway. There is one in the Fresno Irrigation District, which is now being constructed, which is the Waldrin Recharge Basin program out by Kerman. It is a cooperative venture involving the Fresno Irrigation District and the City of Clovis. It might seem that's a long

way from Clovis and how will they get the water back there. This is a classic water banking program where water will be delivered to these ponds where it will percolate into the ground and then later recovered for delivery to local growers. However, the City of Clovis, through exchange, will be able to take water upstream and remove some of the pressure on pumping in their city. It should be a highly successful program and as Mr. Kapheim mentioned, it's being done in Alta and will result in the development of a new water yield which hadn't been there before. The annual recovery is expected to be about 10,000 acre feet per year. There are potential ground water projects that have been identified throughout the upper districts. Fresno Consoldiated and Alta, in order to potentially be able to get funding for these programs, are working together on an integrated surface water management plan in the process of being developed under the auspices of the upper Kings River water forum. That will create the regional water plan that is going to be necessary in order to obtain funding for these programs. KRCD was just recently turned down on a Proposition 50 implementation grant and this is believed to be because the larger plan is not yet finished. KRCD will try again next year.

Another thing of great importance to the entire region is water quality. The KRCD is spending a tremendous amount of time right now on water quality and Ag discharge. The Regional Water Quality Control Board is in the process of moving towards very strict regulations of on-farm discharges of water from properties; both irrigation water and storm water, which doesn't bode well for an area like Alta, which has so much water that is coming off the foothills going towards the river. The KRCD, KRWA and agencies along the Southern San Joaquin Valley have formed what is known as the Southern San Joaquin Water Quality Coalition, which in turn has put together what is known as sub-water shed coalitions on each water, including the Kings River in which individual property owners can sign up and be represented in a group in dealing with the Regional Board. If they don't do that, it is possible and likely that individual growers will have to get waste discharge permits or their own individual Ag waivers at a significant cost. This is a very important issue and one in which the KRCD is spending a great amount of time.

Chris Kapheim stated that for future reference, if Reedley, as a public agency, wants funding, an area will have to sign off that they are within an integrated regional water management plan. The State has just put that as a priority listing. As part of that, $1.2 million is being spent to develop that model because you are required to have a model to complete a plan. Alta has never integrated cities or irrigation districts environmental issues in ground water and surface water into a model and plan. Alta will be back to address the goals and objectives when Alta finalizes their plan because the policy makers are going to have to make a choice as to whether you want to sign on to the direction and the policies of the water forum. It's how Alta can bring money into the area for both cities and irrigation districts and the environmental concern for projects within this area. Long term, it will be an important attribute to this basin and region. Alta is going to challenge all the cities and districts on the second cycle that Alta will have to look at once their plan is done and decided what projects are going to be put in.

Council Member Ikemiya referred to the Ag run-off waiver stating that separate from that, the majority of Reedley's run-off water goes directly into the Kings River and with the Regional Board coming down on Ag, the hope is that in the future, Reedley can work with the water districts and KRCD and others to be able to have some mutual facility where Reedley's run-off water no longer goes directly to the river, but instead goes to a recharge basin or flood basin that the districts can either manage or operate.

Mr. Kapheim added that when Alta gets their water bank complete this fall, they plan to tie it into both Dinuba and Reedley and will have a location to put that water.

Mr. McFarland added that there is a lot of uncertainty and concern about the water quality issue. The question is does this water get back to waters of the United States, which could mean a river. The State thinks it means a lot more than that, i.e. any canal, pond, and maybe ground water. They haven't gone there yet, but they are expected to. In the case of rivers, there is enough concern that Consolidated closed off their return flows from the lower ends of their canals that dumped into the River. They now terminate in ponds instead of going back to the river. The regulators are taking a very strict approach toward agriculture, which had not been regulated and for 20-years agriculture was under a waiver and that is now over. Operation is performed under interim rules and trying to

move towards a long-term solution. The farmers are the ones who are really going to have to comply with this individually.

Mr. Kapheim stated that Alta has been testing the main stem of the river for locations for several years. One is on Manning Avenue and results, including toxicity tests, have all come back with the only problem being algae. Algae hasn't grown to the degree it should have and that's because the water is so pure. Not enough minerals and substances for algae to grow.

Mr. McFarland added that faced with reports of this type of information, the staff of the Regional Board isn't satisfied and wants more testing. They're convinced there has to be a problem somewhere and they are going to test until they find one.

Council Member Brockett stated that Alta Irrigation and the City Council have had meetings in the past regarding issues of water banking and what the future holds for all of the cities. Reedley has a storm drain plan and a water quality plan, but it is becoming clear that the future is unforeseen what all the regulations will eventually be. It would be interesting for the City of Reedley to come up with a long range plan and a short range plan to help better facilitate the irrigation district's endeavors as well. One thing that is very clear is that the City of Reedley has a very poor conservation plan. We may have to wait for the long range regulations and a lot of the projects being talked about tonight are years into the future. However, Reedley needs to step up the conservation efforts, whether it be the type of toilets, backflow devices or other devices used.

City Manager Nakamura advised with the growth and development Reedley has, Reedley has instituted many uniform building codes with respect to conservation. There is a time line for the installation of water meters in Reedley so that Reedley can control some of the conservation efforts Reedley already has in place. Water is a commodity that is definitely going to be the driving force regulating the growth of Reedley. The four agencies that are controlling development right now are the Department of Fish and Game, the Air Pollution Control Board, Water Quality Control Board and the Army Corps of Engineers. Staff and Council will be dealing with as the policy makers with respect to the General Plan Update. The Storm Water Master Plan and the Water Master Plan are updated.

Council Member Brockett asked about the possibility of putting together a conversation plan that council can look forward to and possibly start enacting within the next couple of years? He asked if staff has already started something like this utilizing the irrigation districts and KRCD?

City Manager Nakamura advised that one of the important things that Mr. Kapheim said was the City needs to work with Alta Irrigation to try to develop this plan. This was one of Public Works Director Roger's goals when he began employment with the City; how do we treat wastewater, where does Reedley get its potable water and how do we conserve it?

Public Works Director Rogers stated that in November, 2005, the Council adopted the Urban Water Management Plan that is required of all cities. In this plan are base management practices and conservation measures that the City has to meet. One of these measures are low-flow toilets. These items are now being required in all new developments and it would be a good idea to have other homes and businesses that have not been retrofitted to get them retrofitted at this time. Within the Urban Water Management Plan is a portion of the water conservation measure and more importantly, to get rid of water waste. Reedley intends to do that partly through setting up some type of metering program to get meters installed in all homes and businesses so that we know how much we are pumping out of the ground and how much water is being used. This will help the City keep track of our water use and begin to address water waste. This will not only save the City money, but will also help conserve and prevent water waste.

Council Member Brockett stated that during summer months in Reedley, the water wasted on over watering lawns is discouraging and he asked how Reedley compares to Clovis and Fresno, who probably have more aggressive conservation measures? Public Works Director Rogers replied that he will look into this.

Council Member Ikemiya stated that Clovis has water meters installed on all homes and businesses and they use approximately 227 gallons per day per person. Fresno has no meters installed and is notorious for using more water than they should which is approximately 328 gallons per day per person. In 2002, Reedley used 249 gallons per day. As a City, Reedley is doing well in water conservation.

Council Member Brockett would like to see a comparison between water usage in the older part of Reedley compared to the newer additions. There could be many leaks in the older lines. Another conversation effort could be funding from the Redevelopment Agency to help switch over to low-flow toilets, showerheads and other water saving appliances to give incentive to people to help change their appliances rather than retro-fitting water meters on homes.

Jim Van Haun, Executive Director of Kings River Conservancy (KRC) and Margaret Thorburn came to give a presentation to the Council. Mr. Van Haun stated he was previously the Assistant General Manager of the Orange County Water District. KRC is a new non-profit organization which came together through a number of concerned citizens in the area. KRC now has a seven member Board of Directors and they have put together a vision statement for the lower Kings River. The mission of the Conservancy is to foster community involvement in protecting and enhancing environmental values, to enhance and control public access for recreation, to educate the public on matters related to environmental values, to preserve agricultural lands and to encourage sound public conservation practices along the Kings River Corridor from Pine Flat Dam down to Highway 99, a 23 mile stretch of the river. The San Joaquin River Conservation (SJRC) and Parkway Trust has been around since 1988 with over 4,000 members. In 1992, the State of California formed the San Joaquin River Conservancy, which is under the auspices of the Resources Agency. KRC felt a non-profit organization would work better for the Kings River and they would be able to compete for grant funding on an even par with the SJRC. KRC wants to balance the resources management with public access. The Kings River has more significant riparian and palastrine habitat than the San Joaquin. The river corridor encompasses the river and its historical sloughs and branded characteristics of the river. There is a large amount of riparian vegetation, sensitive plant communities and invasive plants that are beginning to raise their head along the Kings River. There is tremendous restoration potential as well as foraging, nesting, and breeding habitat on the Kings River. There are opportunities for reclaiming land and water areas in concert with conjunctive use here in the future. There are also flood hazard areas that we should be aware of as well. It is a comprehensive document that KRC worked on with a consulting firm from Berkeley. The Kings River has a ribbon of gems owned largely by public agencies such as the County of Fresno, City of Sanger, Reedley, and Kingsburg. SJRC has been purchasing land over the last 20 years which amounts to 3,000 acres and their goal is 6,000. KRC has plenty of public lands but needs an infusion of funds to make these parcels into the ribbons they should be.

KRC began working with the County on Kings River Access Park and recently received a $50,000 Boating and Waterways Grant. This money will be used by the County to install a put-in and take-out site, picnic benches and allied facilities. Reedley Beach and Cricket Hollow could also use additional funding. The last reach is from Reedley to Highway 99. Kingsburg has a nature preserve and a Kings River Park which needs operation and maintenance funds for improvements. Mr. Van Haun introduced Margaret Thorburn, who is the Chairperson of the Board of Directors of KRC. Dr. and Mrs. Thorburn donated an additional $100,000 contribution to KRC.

Council Member Rapada directed a comment to Community Services Director Joel Glick and Assistant Planner David Brletic, stating that with the presentation that was done at the Parks and Recreation Commission regarding the river bottom development, they might want to get together with KRC and us their expertise in helping to develop that area along the river with that housing development.

Council Member Brockett asked Mr. Van Haun if he has worked with the Fresno County Sheriff's Department Boating Unit stating that the river between Goodfellow and Highway 180 is very nasty, filled with debris and trash and would be a good place to keep in mind for a clean-up. Kayakers will get stuck in this area and might need to be rescued.

REEDLEY CITY COUNCIL SPECIAL MEETING - MARCH 27, 2006

Council Member Ikemiya stated that Reedley is working on a General Plan Update and with the Kings River Corridor Master Plan, which is a separate attachment to the General Plan, all these things will be looked at. The Conservancy input would be greatly valued at that time. Mr. Van Haun advised that the Fresno County Board of Supervisors will be integrating the KRC's Vision Statement into the Fresno County General Plan.

ADJOURNMENT

Mayor Soleno adjourned the meeting at 8:17 p.m.

Ray Soleno, Mayor

ATTEST:

Kay L. Pierce, Deputy City Clerk

REPORT TO CITY COUNCIL

AGENDA ITEM NO: 4

COUNCIL MEETING DATE: 12/08/2009

SUBJECT: **Warrant Register Dated 12/08/2009**

RECOMMENDATION:

In accordance with Section 37202 of the Government Code of the State of California there is presented herein a summary of the demands against the City of Reedley covering obligations to be paid during the period of:

November 14, 2009 – November 25, 2009

Each demand has been audited and I hereby certify to their accuracy and that there are sufficient funds for their payment as of this date.

IT IS HEREBY RECOMMENDED THE CITY COUNCIL
APPROVE THE REGISTER OF DEMANDS AS FOLLOWS:

GENERAL WARRANTS	#68145-68320	$	345,034.06
PAYROLL WARRANTS	#79943-80110	$	321,952.00

Prepared by: _____ Dept. Head

Approved by: _____ City Manager

Motion:_____
Second:_____

Summary Listing

Check Number	Check Date	Vendor Name	Net Check Amount	Payment Description
067570	11/24/09	MICHELE RENEE MORENO	-40.40	VOIDED CHECK
068145 *	11/16/09	AIR PETRO	29041.76	CSD - C AVIATION GASOLINE3 PGII BLK
068146 *	11/16/09	CENTRAL VALLEY SWEEPING I	4924.15	PW - DISPOSAL FEES OCTOBER 2009
068147 *	11/16/09	CALIF DEPT OF PUBLIC HEAL	1907.00	PW - ACCREDITATION FEE
068148 *	11/16/09	CPRS DISTRICT VII	78.00	CSD - WORKSHOP & VENDOR'S FAIRE REGISTRATION FEE
068149 *	11/16/09	CYM FRESH START CAFE	41.05	PD - REFRESHMENTS FOR VICTIM SERVICE ROUNDTABLE ME
068150 *	11/16/09	FIRST AMERICAN CORELOGIC	155.00	FIN - GEOGRAPHIC PACKAGE REALQUEST
068151 *	11/16/09	SOCORRO LUNA MARTINEZ	150.00	CSD - POOL DEPOSIT REFUND
068152 *	11/16/09	RIDGE CLEARING	3800.00	FIN - ACH-WIRE SERVICES
068153 *	11/17/09	HILTON HOTEL	38.00	PD - PARKING FEE
068154 *	11/20/09	VOIDED CHECK	0.00	VOIDED CHECK
068155 *	11/20/09	ALAMEDA ELECTRICAL DISTRI	877.64	PW - GE F72T12/CW/HO/15PK 85W FLUOR LAMP
068156 *	11/20/09	ALTA OIL & PROPANE COMPAN	133.40	PW - LIQUIFIED PETROLEUM/GENIE 111 HAND
068157 *	11/20/09	AT&T	14.18	PD - TELEPHONE SERVICE
068158 *	11/20/09	BASIC CHEMICAL SOLUTIONS	786.61	PW - SODIUM HYPOCHLORITE
068159 *	11/20/09	BEST UNIFORMS	1237.28	PD - BODY ARMOR SECOND CHANCE SUMMIT 111A MAP EXTR
068160 *	11/20/09	BIG VAL'S AUTO PARTS INC	783.15	PW - REMAN VALVE
068161 *	11/20/09	DAVID BRLETIC	57.20	CDD - MILEAGE FOR CEQA WORKSHOP/FRESNO COUNTY TASK
068162 *	11/20/09	BSK ANALYTICAL LABORATORI	516.75	PW - 504 PREP/504.1 DBCP ONLY/NITRATE (NO3) IC
068163 *	11/20/09	CALIFORNIA SURVEYING AND	68.69	PW - VEST SURVEY FLO-YELLOW W-ZIPPER
068164 *	11/20/09	CAL BENNETT'S	1079.42	PD - GUEST MAGAZINE TABLE/GUEST SIDE CHAIR
068165 *	11/20/09	CANAS AUTO REPAIR	605.00	PW - REPLACE FLYWHEEL/REPLACE STARTER
068166 *	11/20/09	CENTRAL VLY TRUCK CENTER	602.67	PW - A-D KIT 1200 SS/AIR VALVE (993277)/GOVERNOR
068167 *	11/20/09	CENTRAL VLY LOCK & SAFE	110.57	PW - SC 4 DND KEYS
068168 *	11/20/09	CENTRAL VALLEY GENERAL	55.00	PW - MEDICAL SERVICES

FOOTNOTE: Pre-Council meeting warrants are denoted with an '*'.

Check Number	Check Date	Vendor Name	Net Check Amount	Payment Description
068169 *	11/20/09	CENTRAL SUPPLY CO	38.97	PW - 13/16 X 1 1/2 X 5/32 SYN UBUD
068170 *	11/20/09	CHET'S PLUMBING & MECHANI	14.42	PW - 6# URINAL WAX RNG HARVEYS
068171 *	11/20/09	CITY CLERKS ASSOCIATION O	120.00	ADM - MEMBERSHIP FEES
068172 *	11/20/09	COOK'S COMMUNICATIONS	465.88	PD - 12 VOLT SUB-MINI RELAY PC BOARD MOUNT/80 SERI
068173 *	11/20/09	CPRS DISTRICT VII	175.00	CSD - VENDOR'S FAIRE FEE FROM A&B TURF INC
068174 *	11/20/09	DE LAGE LANDEN FINANCIAL	830.28	PD - SHARP MX5500N COPIER LEASE PAYMENT
068175 *	11/20/09	D H MACHINE INC	153.44	PW - 3/4 #9 EXP METAL FLAT 4X8/3/4 #9 EXP METAL RE
068176 *	11/20/09	DIG'N DUTCHMAN	756.00	CSD - 30" BOXES/OLIVE TREES
068177 *	11/20/09	DOOLEY ENTERPRISES INC	2436.00	PD - 45 AUTO 230gr FULL MET
068178 *	11/20/09	ELECTRIC MOTOR SHOP	1929.81	PW 4-IN PVC COUPLING #6/4 PVC 40 PIPE
068179 *	11/20/09	EMC PLANNING GROUP INC	1567.98	CDD - GENERAL PLAN UPDATE EIR
068180 *	11/20/09	ERNEST PACKAGING SOLUTION	397.87	CSD - CLNR-DEGRSR AERO CHAMPION ALL PURPOSE CLNR
068181 *	11/20/09	EWING FRESNO	234.95	PW - BEST NITRA-KING/TURFACE MVP FIELD CONDTNR
068182 *	11/20/09	FASTENAL	53.11	PW - 14x1/8x1 T1 CUT WHL
068183 *	11/20/09	THE FRESNO BEE	2408.16	PW - STREET IMPROVEMENTS PHASE 2 CDBG PROJ 08571
068184 *	11/20/09	FRESNO NETWORKS	512.29	PD - RETURN SHIPPING FOR LCD
068185 *	11/20/09	CITY OF FRESNO	388.00	CSD - SCIENCE TRAINING FOR 20 AFTER SCHOOL EMPLOYE
068186 *	11/20/09	GARNER'S OFFICE PRODUCTS	192.53	PD - FILTERS COFFEE 200CT
068187 *	11/20/09	GONZALEZ AUTOMOTIVE REPAI	3064.96	PW - REPLACE FLYWHEEL/STARTER/REAR MAIN SEAL/TORQU
068188 *	11/20/09	GREAT VALLEY SUPPLY	125.10	PW - GVS SENTRY DEGREASER
068189 *	11/20/09	HAWKEPAKS.COM INC	352.26	PD - LBV VEST SHELL/VEST COMPONENT SHOTGUN SHELL C
068190 *	11/20/09	HD SUPPLY WATERWORKS INC	268.92	PW - 1-1/2 CI METER FLG (EACH)/1-1/2XCL STD GALV N
068191 *	11/20/09	IDENTI-KIT SOLUTIONS	37.22	PD - IDENTI-KIT MONTHLY LEASE
068192 *	11/20/09	J'S PERFORMANCE AUTOMOTIV	1589.77	PW - REPLACE SWITCH
068193 *	11/20/09	ROBERT V JENSEN INC	8284.32	PW - REGULAR UNLEADED/DIESEL FUEL

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Check Number	Check Date	Vendor Name	Net Check Amount	Payment Description
068194 *	11/20/09	JORGENSEN CO	40.00	PW - FIRE EXT ANNUAL MAINT
068195 *	11/20/09	J'S COMMUNICATIONS INC	42.38	PD - i580 STANDARD BATTERY
068196 *	11/20/09	DEPT OF JUSTICE	538.00	PD - FINGERPRINT APPS
068197 *	11/20/09	KIMBALL-MIDWEST	246.72	PW - ADHESIVE/DISPENSER/COUPLER/BRASS FIT
068198 *	11/20/09	KIMO'S	125.00	ADM-CDD-PD-PW - CAR WASH
068199 *	11/20/09	KOCHERGEN FARMS COMPOSTNG	9044.59	PW - GREEN WASTE DISPOSAL OCTOBER 2009
068200 *	11/20/09	LEE'S SERVICE	629.30	PW - 235/55R17 EAGLE RSA 98W/VALVE STEM/PASS TIRE
068201 *	11/20/09	LEXIS NEXIS	158.00	PD - ONLINE CHARGES
068202 *	11/20/09	LIBERTY COMPOSTING INC	5615.85	PW - SLUDGE DISPOSAL OCTOBER 2009
068203 *	11/20/09	LOZANO SMITH	16323.24	ADM - LEGAL SERVICES
068204 *	11/20/09	MAACO COLLISION REPAIR &	799.99	PD - PAINT VEHICLE
068205 *	11/20/09	METRO UNIFORM	2377.22	PW - TACT HSTR W-LT/7200 DUTY BELT/8105 INNER LINE
068206 *	11/20/09	DEPT OF MOTOR VEHICLES	135.00	PD - BICYCLE RENEWAL STICKERS/BICYCLE REGISTRATION
068207 *	11/20/09	OFFICE DEPOT	520.10	FIN - PAPER MULTIPURPOSE 8 1/2" X 11"
068208 *	11/20/09	PG&E CO	25701.56	ALL DEPTS - ELECTRICITY
068209 *	11/20/09	PIONEER EQUIPMENT CO	227.07	PW - FOIL TAPE 2
068210 *	11/20/09	POLYDYNE INC	2392.00	PW - CLARIFLOC (R) WE-1012
068211 *	11/20/09	PREMIER COLOR GRAPHICS	1176.86	FIN - ENVELOPES #10 WINDOW INSIDE TINT
068212 *	11/20/09	PRO FORCE LAW ENFORCEMENT	284.31	PD - TS4 X26 HLST BLD TEKLOK RH
068213 *	11/20/09	QUAD KNOPF	1888.44	CDD - PROFESSIONAL SERVICES REEDLEY FAMILY APTS
068214 *	11/20/09	QUINN COMPANY	454.68	PW - ALTERNATOR G/CORE CHARGE
068215 *	11/20/09	RADIO SHACK ACCTS RECEIV	111.61	PD - GLOVE CURVE SNAP-ON/40 PACK ALKALINE AAA/AA 4
068216 *	11/20/09	REEDLEY IRRIGATION & SUPP	420.99	PW - NIP 2x6 SCH 80/CAMLOC 2" MLOC X FIPT
068217 *	11/20/09	REEDLEY LANDSCAPE CENTER	622.00	PW - 15 GAL KEITH DAVIES (EL DORADO)/8" LODGE POLE
068218 *	11/20/09	REEDLEY LUMBER & BUILDING	680.16	PW - MOUSE PRUFE II 1.5 OZ

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Check Number	Check Date	Vendor Name	Net Check Amount	Payment Description
068219 *	11/20/09	REEDLEY MOWER CENTER	766.36	PW - 359 HUSKEY/GREASE GUN
068220 *	11/20/09	REEDLEY BUDDHIST CHURCH	470.00	CSD - REFUND MARQUEE FEE
068221 *	11/20/09	RHOMAR INDUSTRIES INC	365.88	PW - ENVIRO-SLIDE ULTRA
068222 *	11/20/09	RUCKSTELL CALIF SALES INC	11258.14	PW - 3 STATION MANIFOLD/AIR BLOCK
068223 *	11/20/09	CLAUDIA RUIZ	375.00	CSD - COMMUNITY CENTER DEPOSIT REFUND
068224 *	11/20/09	SAVE MART	140.84	PD - SMPLY ORNG NFC ORG/APPLE STRUDEL BAR/BRILL CH
068225 *	11/20/09	SCOUT SPECIALTIES	122.77	PW - 14 HVY DUTY TY-RAP/3/8 GI HEX NUT/1/4X2 COT-P
068226 *	11/20/09	SEE'S CONSULTING & TESTIN	255.00	PW - CDBG 08571 PHASE I FIELD COMPACTION TESTING/C
068227 *	11/20/09	SELECT BUSINESS SYSTEMS	89.60	PD - SHARP X5500 COPIER MTCE
068228 *	11/20/09	SHRED-IT	100.00	PD - DOCUMENT SHREDDING SERVICES
068229 *	11/20/09	SMART & FINAL	57.52	CSD - DLX WHITE SPOONS/YELLOW 13X13 NAPKI/10.25IN
068230 *	11/20/09	SMITH AUTO	125.27	PW - HITCH LOCK/BALL/GLOVES WINTER SPLIT COWHIDE D
068231 *	11/20/09	SPCA	690.00	PD - ANIMAL PICKUPS SEPTEMBER 2009
068232 *	11/20/09	STATE WATER RESOURCES CON	170.00	PW - CERTIFICATE RENEWAL
068233 *	11/20/09	SYSCO OF CENTRAL CALIF	348.26	CSD - CREAMER COFFEE NONDAIRY/GLOVE VINYL DISP/NAP
068234 *	11/20/09	TKO CUSTOM APPAREL	293.94	PW - FLEX FIT HAT WITH EMBROIDERED CITY LOGO FRONT
068235 *	11/20/09	TOWN & COUNTRY MARKET	146.59	CSD - CONTADINA PIZZA SAUC/9-S WHOLE CRANBERR/D-M
068236 *	11/20/09	TRANS UNION LLC	20.00	PD - MEMBERSHIP DUES
068237 *	11/20/09	TUFF SHED INC	1915.78	PD - PREMIER RANCH 08' WIDE 08' LONG 4X6 PREMIER S
068238 *	11/20/09	U S POSTAL SERVICE	370.00	FIN - POSTAGE PERMIT 85 FEES
068239 *	11/20/09	VERIZON CALIFORNIA	133.44	ALL DEPTS - CIRCUITS/FX PHONE LINES
068240 *	11/20/09	VERIZON CALIFORNIA INC	533.59	PD - FACILITY CIRCUIT CHARGES
068241 *	11/20/09	VERIZON WIRELESS	86.08	PW - LIFT STATION ALARM PHONE SERVICE
068242 *	11/20/09	VIDEO INSPECTION SPECIALI	1000.00	PW - TV INSPECTION OF PROJECT NO 6881 DINUBA AVE
068243 *	11/20/09	VULCAN MATERIALS COMPANY	180.24	PW - FILL SAND

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Check Number	Check Date	Vendor Name	Net Check Amount	Payment Description
068244 *	11/20/09	WAL-MART #1882	206.70	PD - PUFFS FAM3PK/7 DIXIE PLT/DIXIE PLATES/SPOONS/
068245 *	11/20/09	WILLDAN	6985.00	CDD - PROFESSIONAL SERVICES SENIOR BUILDING INSPEC
068246 *	11/20/09	YOSEMITE WATERS	14.50	ADM-CDD-FIN-PW - BOTTLED WATER
068247 *	11/20/09	ZOOM IMAGING SOLUTIONS	318.37	PD - ES2830C COPIER MTCE
068248 *	11/20/09	ZUMAR INDUSTRIES	50.48	PW - STREET NAME SIGNS VARIOUS X6 .080 ALUM 3930 1
068249 *	11/20/09	ZWEIGLE TRUCKING	315.12	PW - DECOMPOSED GRANITE
068250 *	11/23/09	CVSTI	150.00	PD - VICTIM ADVOCATE TRAINING FEES
068251 *	11/23/09	EXECUTIVE INN	621.30	PD - VICTIM ADVOCATE TRAINING LODGING
068252 *	11/23/09	ROSALINDA PADILLA	254.00	PD - VICTIM ADVOCATE TRAINING PER DIEM
068253 *	11/23/09	VOID	0.00	VOIDED CHECK
068254 *	11/23/09	PORTOLA HOTEL & SPA	428.94	ADM - CITY CLERKS NEW LAW CONFERENCE LODGING
068255 *	11/23/09	DAVID WELLHOUSE &	6600.00	FIN - SB 90 CLAIMS
068256 *	11/23/09	KAY PIERCE	248.50	PW - CITY CLERKS NEW LAW CONFERENCE PER DIEM
068257 *	11/23/09	BRUCE WEBBER	3225.00	PW - PROFESSIONAL SERVICES
068258 *	11/25/09	BANKS & CO	75.00	CSD - MONTHLY UST INSPECTION
068259 *	11/25/09	BIG VAL'S AUTO PARTS INC	34.09	PW - BATTERY/CORE DEPOSIT
068260 *	11/25/09	BUNDLE BANDS INDUSTRIES I	66.60	CDD - 50 METAL CLIPS & 50 2" CARDBOARD TAGS
068261 *	11/25/09	CAROLLO ENGINEERS	27386.87	PW - WWTP PROJECT CONSTRUCTION MANAGEMENT SERVICES
068262 *	11/25/09	CAROLLO SYSTEMS LLC	10300.93	PW - PROFESSIONAL SERVICES CENTRIFUGE BLDG SCADA
068263 *	11/25/09	CENTRAL VLY LOCK & SAFE	12.97	PW - SC1 KEYS/KEY TAG
068264 *	11/25/09	CHET'S PLUMBING & MECHANI	10.20	CSD - PP LH THRD CART CRMC VLV NUT F7/
068265 *	11/25/09	CORBIN WILLITS SYSTEMS	1392.58	FIN - ACCOUNT SOFTWARE MONTHLY SERVICE FEES
068266 *	11/25/09	COURIER PRINTING	246.32	CDD - BUILDING INSPECTION CARDS
068267 *	11/25/09	ELECTRIC MOTOR SHOP	823.85	CSD - GE 6.6 45W T3-1/2QT/GE 6.6 30W T3-1/2QT
068268 *	11/25/09	FRESNO-MADERA AREA AGENCY	10.50	CSD - NON USDA QUALIFIED MEALS OCTOBER 2009

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Check Number	Check Date	Vendor Name	Net Check Amount	Payment Description
068269 *	11/25/09	FRESNO NETWORKS	2998.92	ADM-CDD-CSD-FIN-FIR-PW - NETMANAGE COMPUTER SUPPOR
068270 *	11/25/09	GARNER'S OFFICE PRODUCTS	30.46	PD - KEYBOARD COMFORT USB BK
068271 *	11/25/09	HEADSETS.COM INC	369.92	FIN - PLANTRONICS CS70N COMPLETELY WIRELESS HEADSE
068272 *	11/25/09	IAPMO	150.00	CDD - MEMBERSHIP RENEWAL
068273 *	11/25/09	IKON FINANCIAL SERVICES	591.17	CSD - COPIER LEASE PAYMENT
068274 *	11/25/09	JACK'S REFRIGERATION INC	44.00	PW - NO HEAT: TURNED GAS ON TO HEATERS/CLEANED UP
068275 *	11/25/09	ROBERT V JENSEN INC	5171.09	PW - REGULAR UNLEADED/DIESEL FUEL
068276 *	11/25/09	KIMBALL-MIDWEST	78.83	PW - HOSE/NIPPLE/COUPLER
068277 *	11/25/09	LEE'S SERVICE	26.74	PW - PASSENGER TIRE FLAT REPAIR/RADIAL PATCH
068278 *	11/25/09	CITY OF MADERA	9.00	ADM - CITY MANAGERS MEETING 11/18/09
068279 *	11/25/09	MAINSTREET CAFE	202.90	ADM - PASTIRES/FRESH FRUIT/COFFEE
068280 *	11/25/09	PG&E CO	35228.30	ALL DEPTS - ELECTRICITY
068281 *	11/25/09	PIONEER EQUIPMENT CO	162.25	PW - TP 96 RLS C
068282 *	11/25/09	PROVOST & PRITCHARD INC	13602.33	PW - PROFESSIONAL SERVICES PARLIER AVE ELEVATED WA
068283 *	11/25/09	RADIO SHACK ACCTS RECEIV	54.73	PW - MEMOREX DVD UPCONVERT MVD
068284 *	11/25/09	REEDLEY IRRIGATION & SUPP	14.34	PW - FEMALE 1" ADAPTER S-T/TAPE TEFLON 1/2X520
068285 *	11/25/09	REEDLEY LUMBER & BUILDING	399.10	CSD - 2"PRO POLY VARNISH BRUSH/QT MINWX GLOSS PLYU
068286 *	11/25/09	REEDLEY COLLEGE FOOD SERV	27.37	PW - MASHED POTATOESSS PLYU
068287 *	11/25/09	SAVE MART	15.96	ADM - BRILL CHO CHP CKIE/OTML RSN CKI 18CT
068288 *	11/25/09	SMART START	110.96	ADM - ORANGE JUIC
068289 *	11/25/09	SMITH AUTO	48.62	PW - 3/16" ROUND FILE-DZ/1/4" PM&PMN FILE GUIDE
068290 *	11/25/09	STATE WATER RESOURCES CON	578.00	PW - ANNUAL PERMIT FEE SPORTS PARK
068291 *	11/25/09	TERMINIX INTERNATIONAL	2572.44	PW - PEST CONTROL 1108 S "I" STREET
068292 *	11/25/09	TOWN & COUNTRY MARKET	21.36	PW - SUNNYSIDE WATER
068293 *	11/25/09	VERIZON CALIFORNIA	206.28	ALL DEPTS - CIRCUITS/FX PHONE LINES

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Check Number	Check Date	Vendor Name	Net Check Amount	Payment Description
068294 *	11/25/09	VICTORY ENGINEERS INC	52510.50	PW - CDBG NO 08571 PHASE I STREET IMP PMT NO 1
068295 *	11/25/09	WILDLIFE CONTROL TECHNOLO	1350.00	CSD - MONTHL SQUIRREL CONTROL @ AIRPORT FINAL PMT
068296 *	11/25/09	ZOOM IMAGING SOLUTIONS	498.20	CITY CLERK - ES2330C COPIER MTCE
068297 *	11/25/09	MARIA ADAME	101.60	MQ CUSTOMER REFUND FOR ADA0014
068298 *	11/25/09	SARA AGUIRRE	2.86	MQ CUSTOMER REFUND FOR AGU0072
068299 *	11/25/09	JERRY ARREDONDO	156.96	MQ CUSTOMER REFUND FOR ARR0023
068300 *	11/25/09	EDWARD L BROWN	61.12	MQ CUSTOMER REFUND FOR BRO0026
068301 *	11/25/09	CAMBRIDGE HOMES	58.15	MQ CUSTOMER REFUND FOR CAM0244
068302 *	11/25/09	CAMBRIDGE HOMES	26.99	MQ CUSTOMER REFUND FOR CAM0250
068303 *	11/25/09	CAMBRIDGE HOMES	15.51	MQ CUSTOMER REFUND FOR CAM0257
068304 *	11/25/09	GREGORY DANIEL CHENEY	323.70	MQ CUSTOMER REFUND FOR CHE0012
068305 *	11/25/09	GREGORY CHENEY	350.10	MQ CUSTOMER REFUND FOR CHE0013
068306 *	11/25/09	RAMON TORRES CISNEROS	2.87	MQ CUSTOMER REFUND FOR CIS0020
068307 *	11/25/09	GABRIELA CRUZ-HUERTA	16.18	MQ CUSTOMER REFUND FOR CRU0032
068308 *	11/25/09	LOIS DAVEY	194.25	MQ CUSTOMER REFUND FOR DAV0047
068309 *	11/25/09	ADAM FALCON	23.47	MQ CUSTOMER REFUND FOR FAL0004
068310 *	11/25/09	ZANE HANSEN	265.00	MQ CUSTOMER REFUND FOR HAN0036
068311 *	11/25/09	GLADYS DAVIS JORGENSEN	270.00	MQ CUSTOMER REFUND FOR JOR0012
068312 *	11/25/09	ANA LARA	99.34	MQ CUSTOMER REFUND FOR LAR0023
068313 *	11/25/09	LONDON PROPERTIES	44.52	MQ CUSTOMER REFUND FOR LON0026
068314 *	11/25/09	ARTURO LOPEZ	208.91	MQ CUSTOMER REFUND FOR LOP0178
068315 *	11/25/09	JOSE ANGEL MARTINEZ	2.87	MQ CUSTOMER REFUND FOR MAR0255
068316 *	11/25/09	LUCIO MEDINA	22.84	MQ CUSTOMER REFUND FOR MED0027
068317 *	11/25/09	HERACLIO TORRES RAMIREZ	23.44	MQ CUSTOMER REFUND FOR RAM0162
068318 *	11/25/09	JOSE SILVA	2.87	MQ CUSTOMER REFUND FOR SIL0063

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Check Number	Check Date	Vendor Name	Net Check Amount	Payment Description
068319 *	11/25/09	DELANO WALTERS	44.02	MQ CUSTOMER REFUND FOR WAL0032
068320 *	11/25/09	U S POSTAL SERVICE	1876.17	FIN - WATER BILL MAILING DECEMBER 2009
		Total Disbursements.....:	345034.06	

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Detail Listing

Check Number	Check Date	Name	Net Amount	Payment Information Invoice #	Description
067570	11/24/09	MICHELE RENEE MORENO	-40.40	000A90901u	VOIDED CHECK
068145 *	11/16/09	AIR PETRO	29041.76	14399	CSD - C AVIATION GASOLINE3 PGII BLK
068146 *	11/16/09	CENTRAL VALLEY SWEEPING I	4924.15	5972	PW - DISPOSAL FEES OCTOBER 2009
068147 *	11/16/09	CALIF DEPT OF PUBLIC HEAL	1907.00	20091116	PW - ACCREDITATION FEE
068148 *	11/16/09	CPRS DISTRICT VII	78.00	20091116	CSD - WORKSHOP & VENDOR'S FAIRE REGISTRATION FEE
068149 *	11/16/09	CYM FRESH START CAFE	41.05	825791	PD - REFRESHMENTS FOR VICTIM SERVICE ROUNDTABLE ME
068150 *	11/16/09	FIRST AMERICAN CORELOGIC	155.00	12689657	FIN - GEOGRAPHIC PACKAGE REALQUEST
068151 *	11/16/09	SOCORRO LUNA MARTINEZ	150.00	20091116	CSD - POOL DEPOSIT REFUND
068152 *	11/16/09	RIDGE CLEARING	3800.00	093009	FIN - ACH-WIRE SERVICES
068153 *	11/17/09	HILTON HOTEL	38.00	20091117	PD - PARKING FEE
068154 *	11/20/09	VOIDED CHECK	0.00		VOIDED CHECK
068155 *	11/20/09	ALAMEDA ELECTRICAL DISTRI	784.62	S2396733	CDD - OMNI A11604 VNTC
			93.02	S2396755	PW - GE F72T12/CW/HO/15PK 85W FLUOR LAMP
		Vendor's Sub-Total.....:	877.64		
068156 *	11/20/09	ALTA OIL & PROPANE COMPAN	133.40	124572	PW - LIQUIFIED PETROLEUM/GENIE 111 HAND BURNER/20L
068157 *	11/20/09	AT&T	14.18	939959	PD - TELEPHONE SERVICE
068158 *	11/20/09	BASIC CHEMICAL SOLUTIONS	508.35	SI5666461	PW - SODIUM HYPOCHLORITE
			278.26	SI5666462	PW - SODIUM HYPOCHLORITE
		Vendor's Sub-Total.....:	786.61		
068159 *	11/20/09	BEST UNIFORMS	515.88	35010	PD - SHIRT S-S/SHIRT L-S/PANT/ZIPPERS/SWEATER/BOOT
			25.05	35032	PD - INNER BELT FULL VELCRO
			15.26	35035	PD - BELT INNER/RET INNER BELT INV 35032
			681.09	35039	PD - BODY ARMOR SECOND CHANCE SUMMIT 111A MAP EXTR
		Vendor's Sub-Total.....:	1237.28		
068160 *	11/20/09	BIG VAL'S AUTO PARTS INC	13.12	535410	PD - J D YELLOW/CLR PRIN
			99.16	536325	PW - BELT SERPENTIN/DRIVEBELT TENSIO
			25.61	536326	PW - DRIVEBELT IDLER
			101.60	536510	PW - STARTER REMFD/CORE DEPOSIT/BELT SERPENTIN/COO
			20.89	536547	PW - BULB
			428.87	536606	PW - BATTERY

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Check Number	Check Date	Name	Net Amount	Payment Information Invoice #	Description
068160 *	11/20/09	BIG VAL'S AUTO PARTS INC	-1069.17	536608C	PW - BATTERY
			150.11	536690	PW - STARTER REMFD/CORE DEPOSIT
			19.97	536802	PW - WIPER BLADE EX
			166.42	536884	PW - DISTRIBUTOR (ELE/CORE DEPOSIT
			67.90	537055	PW - BATTERY NAPA P
			14.00	537073	PW - SWITCH
			10.93	537100	PW - 233 MASKING TAP
			39.28	537132	PW - DEXRON M
			25.28	537150	PW - FILTER
			14.00	537249	PW - SWITCH
			52.90	537321	PW - IGNITION LOCK CY
			586.96	537326	PW - BATTERY
			15.32	537329	PW - REMAN VALVE
		Vendor's Sub-Total.....:	783.15		
068161 *	11/20/09	DAVID BRLETIC	57.20	20091117	CDD - MILEAGE FOR CEQA WORKSHOP/FRESNO COUNTY TASK
068162 *	11/20/09	BSK ANALYTICAL LABORATORI	94.50	228468	PW - NITRATE (NOC) IC
			270.00	228553	PW - HPC HETEROTROPHIC PLATE COUNT 35 DEG C/48h LI
			152.25	228649	PW - 504 PREP/504.1 DBCP ONLY/NITRATE (NO3) IC
		Vendor's Sub-Total.....:	516.75		
068163 *	11/20/09	CALIFORNIA SURVEYING AND	68.69	544917	PW - VEST SURVEY FLO-YELLOW W-ZIPPER
068164 *	11/20/09	CAL BENNETT'S	1079.42	64801-0	PD - GUEST MAGAZINE TABLE/GUEST SIDE CHAIR
068165 *	11/20/09	CANAS AUTO REPAIR	605.00	E2615	PW - REPLACE FLYWHEEL/REPLACE STARTER
068166 *	11/20/09	CENTRAL VLY TRUCK CENTER	16.34	321441101	PW - 8 INCH MIRROR
			81.68	321441102	PW - 8 INCH MIRROR
			504.65	321551401	PW - A-D KIT 1200 SS/AIR VALVE (993277)/GOVERNOR
		Vendor's Sub-Total.....:	602.67		
068167 *	11/20/09	CENTRAL VLY LOCK & SAFE	98.25	37045	PD - YALE GA KEYS/SCL KEYS/KWL KEYS/YLL KEYS/SCL D
			12.32	37067	PW - SC 4 DND KEYS
		Vendor's Sub-Total.....:	110.57		
068168 *	11/20/09	CENTRAL VALLEY GENERAL	55.00	456246-1	PW - MEDICAL SERVICES
068169 *	11/20/09	CENTRAL SUPPLY CO	38.97	25381	PW - 13/16 X 1 1/2 X 5/32 SYN UBUD
068170 *	11/20/09	CHET'S PLUMBING & MECHANI	14.42	366191	PW - 6# URINAL WAX RNG HARVEYS
068171 *	11/20/09	CITY CLERKS ASSOCIATION O	120.00	20091231	ADM - MEMBERSHIP FEES

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Check Number	Check Date	Name	Net Amount	Payment Information Invoice #	Description
068172 *	11/20/09	COOK'S COMMUNICATIONS	465.88	96629	PD - 12 VOLT SUB-MINI RELAY PC BOARD MOUNT/80 SERI
068173 *	11/20/09	CPRS DISTRICT VII	175.00	20091119	CSD - VENDOR'S FAIRE FEE FROM A&B TURF INC
068174 *	11/20/09	DE LAGE LANDEN FINANCIAL	830.28	3987427	PD - SHARP MX5500N COPIER LEASE PAYMENT
068175 *	11/20/09	D H MACHINE INC	153.44	28278	PW - 3/4 #9 EXP METAL FLAT 4X8/3/4 #9 EXP METAL RE
068176 *	11/20/09	DIG'N DUTCHMAN	756.00	1835	CSD - 30" BOXES/OLIVE TREES
068177 *	11/20/09	DOOLEY ENTERPRISES INC	2436.00	44367	PD - 45 AUTO 230gr FULL MET
068178 *	11/20/09	ELECTRIC MOTOR SHOP	1264.57	419582	PW - 200A MTR SKT&CB
			207.94	420410	PW - CLR BT28MOG MH LAMP
			440.98	422031	PW - 3P-480V-150A CB/THHN STRANDED BL
			16.32	423009	PW 4-IN PVC COUPLING #6/4 PVC 40 PIPE
		Vendor's Sub-Total.....:	1929.81		
068179 *	11/20/09	EMC PLANNING GROUP INC	1567.98	09-228	CDD - GENERAL PLAN UPDATE EIR
068180 *	11/20/09	ERNEST PACKAGING SOLUTION	301.18	81361	CSD - RL TWL BW ECOSOFT NAT-WH/CLNR-DEGRSR AERO CH
			96.69	81484	CSD - CLNR-DEGRSR AERO CHAMPION ALL PURPOSE CLNR
		Vendor's Sub-Total.....:	397.87		
068181 *	11/20/09	EWING FRESNO	234.95	1210170	PW - BEST NITRA-KING/TURFACE MVP FIELD CONDTNR
068182 *	11/20/09	FASTENAL	25.46	CAREE4734	PW - T ROD Z 5/8-11X3'
			27.65	CAREE4765	PW - 14x1/8x1 T1 CUT WHL
		Vendor's Sub-Total.....:	53.11		
068183 *	11/20/09	THE FRESNO BEE	2408.16	125716	PW - STREET IMPROVEMENTS PHASE 2 CDBG PROJ 08571
068184 *	11/20/09	FRESNO NETWORKS	490.39	11765	PD - DIAMOND MULTIMEDIA RADEON 2400 256MB PCI/DIAM
			21.90	11775	PD - RETURN SHIPPING FOR LCD
		Vendor's Sub-Total.....:	512.29		
068185 *	11/20/09	CITY OF FRESNO	388.00	20091117	CSD - SCIENCE TRAINING FOR 20 AFTER SCHOOL EMPLOYE
068186 *	11/20/09	GARNER'S OFFICE PRODUCTS	20.01	16729	PD - MOUSE OPTICAL
			13.13	16828	PD - PAPER EXACT 90# 8.5X11 WE
			54.58	16829	PD - FILTER DRIP COFFEE 250PK/FLDR CLASS PSBD 2DIV
			49.42	16839	PD - FILTERS COFFEE 200CT/CARTRIDGE TAPE 1/2"-BK-W
			50.48	16887	PD - FLDR CLASS PSBD 1DIV LTR BE
			12.75	16924	PW - FILTERS REGULAR 12-CUP
			-7.84	16948C	PD - FILTERS COFFEE 200CT

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Check Number	Check Date	Name	Net Amount	Payment Information Invoice #	Description
		Vendor's Sub-Total.....:	192.53		
068187 *	11/20/09	GONZALEZ AUTOMOTIVE REPAI	836.12	1261	PW - LUBE-OIL-FILTER/INSPECT & ADVISE/INSTALL ALTE
068187 *	11/20/09	GONZALEZ AUTOMOTIVE REPAI	1027.00	1266	PW - INSTALL DISTRIBUTOR/SET TIMER/INSTALL MODULE/
			1201.84	1274	PW - REPLACE FLYWHEEL/STARTER/REAR MAIN SEAL/TORQU
		Vendor's Sub-Total.....:	3064.96		
068188 *	11/20/09	GREAT VALLEY SUPPLY	125.10	11473	PW - GVS SENTRY DEGREASER
068189 *	11/20/09	HAWKEPAKS.COM INC	169.62	3589	PD - LBV VEST SHELL/VEST COMPONENT SHOTGUN SHELL C
			182.64	3610	PD - LBV VEST SHELL/VEST COMPONENT SHOTGUN SHELL C
		Vendor's Sub-Total.....:	352.26		
068190 *	11/20/09	HD SUPPLY WATERWORKS INC	119.87	9788190	PW - 10GA INSULATED COP WIRE 500' ROLL-COPPER INSU
			149.05	9807548	PW - 1-1/2 CI METER FLG (EACH)/1-1/2XCL STD GALV N
		Vendor's Sub-Total.....:	268.92		
068191 *	11/20/09	IDENTI-KIT SOLUTIONS	37.22	99204	PD - IDENTI-KIT MONTHLY LEASE
068192 *	11/20/09	J'S PERFORMANCE AUTOMOTIV	940.54	2379	PW - REPLACE IGNITION COILS
			314.94	2391	PW - 99 FORD TAURUS STEERING WHEEL (GREY)
			334.29	2392	PW - REPLACE SWITCH
		Vendor's Sub-Total.....:	1589.77		
068193 *	11/20/09	ROBERT V JENSEN INC	2270.14	213194	PW - RIMULA SUPER 15W40/SHELL AW HYD 46/SHELL ANTI
			6014.18	CL45575	PW - REGULAR UNLEADED/DIESEL FUEL
		Vendor's Sub-Total.....:	8284.32		
068194 *	11/20/09	JORGENSEN CO	40.00	5079108	PW - FIRE EXT ANNUAL MAINT
068195 *	11/20/09	J'S COMMUNICATIONS INC	42.38	D09-2053	PD - i580 STANDARD BATTERY
068196 *	11/20/09	DEPT OF JUSTICE	280.00	760872	PD - BLOOD ALCOHOL ANALYSIS SEPTEMBER 2009
			258.00	762929	PD - FINGERPRINT APPS
		Vendor's Sub-Total.....:	538.00		
068197 *	11/20/09	KIMBALL-MIDWEST	31.32	1271943	PW - PAINT MARK
			215.40	1285795	PW - ADHESIVE/DISPENSER/COUPLER/BRASS FIT
		Vendor's Sub-Total.....:	246.72		

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Check Number	Check Date	Name	Net Amount	Payment Information Invoice #	Payment Information Description
068198 *	11/20/09	KIMO'S	39.00	1078	PD-PW - CAR WASH
			86.00	1143	ADM-CDD-PD-PW - CAR WASH
		Vendor's Sub-Total.....:	125.00		
068199 *	11/20/09	KOCHERGEN FARMS COMPOSTNG	9044.59	09-1931	PW - GREEN WASTE DISPOSAL OCTOBER 2009
068200 *	11/20/09	LEE'S SERVICE	484.82	33488	PD - PASSENGER DEPT LABOR/PASS TIRE WHEEL BALANCE/
			18.74	33489	PW - 16" PASSENGER FLAT REPAIR/RADIAL PATCH
			125.74	33490	PW - 235/55R17 EAGLE RSA 98W/VALVE STEM/PASS TIRE
		Vendor's Sub-Total.....:	629.30		
068201 *	11/20/09	LEXIS NEXIS	158.00	910218296	PD - ONLINE CHARGES
068202 *	11/20/09	LIBERTY COMPOSTING INC	5615.85	3238	PW - SLUDGE DISPOSAL OCTOBER 2009
068203 *	11/20/09	LOZANO SMITH	16323.24	1910 1009	ADM - LEGAL SERVICES
068204 *	11/20/09	MAACO COLLISION REPAIR &	799.99	24511	PD - PAINT VEHICLE
068205 *	11/20/09	METRO UNIFORM	447.34	56365	PD - P-R LSSH MDBL MNS/P-R WMS SSSH/POLY PANT 4PKT
			131.32	56458	PD - SIZE ZIP DURASHOCK
			1233.12	56500	PD - SL20X-LED AC/MK4 HOLDER/SILENT KEY HOLDER/790
			168.48	56506	PD - DBL MAG HDR H&K/PR-24FX EXPANDABLE BATON
			18.45	56519	PD - CHEVRONS SGT/BARS LIEUTENANT C-B
			378.51	56791	PW - TACT HSTR W-LT/7200 DUTY BELT/8105 INNER LINE
		Vendor's Sub-Total.....:	2377.22		
068206 *	11/20/09	DEPT OF MOTOR VEHICLES	135.00	20091119	PD - BICYCLE RENEWAL STICKERS/BICYCLE REGISTRATION
068207 *	11/20/09	OFFICE DEPOT	202.57	494600305	PD - CALENDAR WALL BLOTTER
			-75.71	494909530C	FIN - DOCUMENT FRAME 8 1/2" X 11"
			83.97	496170763	CSD - COPY PAPER 8 1/2" x 11" 20 LB/SANFORD UNI-BA
			46.38	497235618	CDD - DVD+R SPINDLE MEMOREX/CALENDAR MTH ERAS 24X3
			30.63	497466579	CSD - ENGRAVED DESK SIGN WRAP AROUND METAL DESK HO
			26.27	497671828	FIN - FOLDER PRSBD W/FASTENER
			64.44	498300728	CSD - CLASP #90 RECYCLED ENVELOPES 9" X 12" 28LB B
			141.55	498300849	FIN - PAPER MULTIPURPOSE 8 1/2" X 11"
		Vendor's Sub-Total.....:	520.10		
068208 *	11/20/09	PG&E CO	25701.56	20091120	ALL DEPTS - ELECTRICITY
068209 *	11/20/09	PIONEER EQUIPMENT CO	28.14	AP04476	PW - CAP/KIT
			23.92	AP04509	PW - OUTER AIR E D-9
			21.79	AP04676	PW - 3/4 BRADED
			26.24	HH23593	PW - LATEX GLOVE/PISTOL HOSE

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Check Number	Check Date	Name	Net Amount	Payment Information: Invoice #	Payment Information: Description
068209 *	11/20/09	PIONEER EQUIPMENT CO	49.65	HH23975	PW - TP 96 RLS C
			2.17	HH24120	PW - KEY COPIES
			37.31	HH24135	PW - 1GL SAFTY C
			27.08	HH24451	PW - 8" SHRUB RA/HULA HOE 54
			10.77	HH24490	PW - FOIL TAPE 2
		Vendor's Sub-Total.....:	227.07		
068210 *	11/20/09	POLYDYNE INC	2392.00	500497	PW - CLARIFLOC (R) WE-1012
068211 *	11/20/09	PREMIER COLOR GRAPHICS	1176.86	907103	FIN - ENVELOPES #10 WINDOW INSIDE TINT
068212 *	11/20/09	PRO FORCE LAW ENFORCEMENT	284.31	73313	PD - TS4 X26 HLST BLD TEKLOK RH
068213 *	11/20/09	QUAD KNOPF	1008.44	60074	CDD - PROFESSIONAL SERVICES HOUSING ELEMENT
			880.00	60097	CDD - PROFESSIONAL SERVICES REEDLEY FAMILY APTS
		Vendor's Sub-Total.....:	1888.44		
068214 *	11/20/09	QUINN COMPANY	-186.36	36401C	PW - FULL CREDIT
			127.95	245535	PW - GAGE A/INDICATOR A/SCREW/RECEPTACLE
			513.09	245580	PW - ALTERNATOR G/CORE CHARGE
		Vendor's Sub-Total.....:	454.68		
068215 *	11/20/09	RADIO SHACK ACCTS RECEIV	111.61	470813	PD - GLOVE CURVE SNAP-ON/40 PACK ALKALINE AAA/AA 4
068216 *	11/20/09	REEDLEY IRRIGATION & SUPP	-58.08	064241C	PW - PIPE PVC SCH40/GLUE 717 PT GRAY LOW VOC/PRIME
			-22.45	0874835C	PW - 2" 90D SCH 80 S-S/GLUE 717 PT GRAY LOW VOC
			54.92	0881372	PW - PIPE 3/4 PVC SCH40/UNI-BODY SPRAY 4" RAINBIRD
			8.95	0882126	PW - COUPLING 3/4" S/S/TEE 3/4S/S/ELBOW 3/4 90 S/S
			30.31	0882360	PW - GLUE 725PT AQUA BLUE/COUPLING 2" S-S/ELBOW 2
			.59	0882372	PW - COUPLING 2" S-S
			.59	0882376	PW - COUPLING 2" S-S
			98.53	0882410	PW - CONCRETE 6 SACK 1/2 YD P-MIX
			110.24	0882572	PW - CONCRETE 6 SACK 1/2 YD P-MIX/CALCIUM BY THE L
			56.74	0882576	PW - WD-40/SAW 18" HAND PVC LENOX/BRUSH WIRE SHOE
			98.53	0882780	PW - CONCRETE 6 SACK 1/2 YD P-MIX
			42.12	0882785	PW - NIP 2x6 SCH 80/CAMLOC 2" MLOC X FIPT POLYP/CA
		Vendor's Sub-Total.....:	420.99		
068217 *	11/20/09	REEDLEY LANDSCAPE CENTER	40.00	2653	PW - 5 GAL PAMPAS GRASS
			582.00	2654	PW - 15 GAL KEITH DAVIES (EL DORADO)/8" LODGE POLE
		Vendor's Sub-Total.....:	622.00		
068218 *	11/20/09	REEDLEY LUMBER & BUILDING	100.51	2864610	PW - RYL LTX EXT PRMR WHITE GL/1.5"PRO MASKING TAP
			113.25	2864784	PW - 5GAL ULTRA WHITE SATIN INTR

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Check Number	Check Date	Name	Net Amount	Payment Information Invoice #	Description
068218 *	11/20/09	REEDLEY LUMBER & BUILDING	21.13	2864797	PW - 80# CONCRETE MIX
			56.38	2864859	PW - RYL LTX INT PVA PRIMER GL/5 GAL PLASTIC PAIL/
			61.46	2864899	PW - 9"ROLLER COVER BEST 3/8"/9"5 WIRE ROLLER FRAM
			19.08	2864970	PD - DUPLICATE KEY 2 SIDED
			17.34	2865010	PW - 9" ROLLER COVR BEST 3/4"/9"ROLLER COVER ONE C
			16.43	2865425	PW - 4X4-06 SUNWOOD POSTS
			27.40	2865439	PW - NO TRESPASSING SIGN/ACE SHOVEL SHSP 47"
			22.44	2865692	PW - COP TUBING TYPE-M HARD 1/2"/ADAPTER C TO FSPS
			5.27	2865722	PW - 3/16X6 PERCSN DRILL BIT CARDED/1/4 MASONERY B
			6.20	2865740	PW - KICK DOWN DOOR STOP
			24.95	2865771	PW - 10 X 100 4 MIL CLEAR POLYFILM
			17.79	2865793	PW - VNYL TOILET SUP 1/2IPS X 7/8BC/ANG STP IMP 1/
			30.11	2865794	PW - 14X2 SELF DRILLING/BX
			9.38	2865806	PW - 4"X3/4"ROLLER COVER WC/6-IN-1 SCREWDRIVER GRE
			8.75	2865881	PW - QT MNWX WDFNSH PROVNCIAL
			4.42	2865914	PW - WD SCR PHIL FH 2 X 10
			9.29	2865915	PW - MOP & GLO QUART
			22.14	2865930	PW - CHAIN/2160 3/8X3 EYE BOLT ZN/2014 2 SCREW EYE
			8.45	2866099	PW - 80# CONCRETE MIX
			60.20	2866143	PW - HAND-TRUCK P HANDLE 600#
			6.89	2866272	PW - SPONGE/SQEEGE 20" HANDLE
			10.90	2866438	PW - MOUSE PRUFE II 1.5 OZ
		Vendor's Sub-Total.....:	680.16		
068219 *	11/20/09	REEDLEY MOWER CENTER	23.64	0153	PW - FILE/BAR OIL/OIL MIX
			148.89	0163	PW - GEARBOX ASSY
			593.83	0208	PW - 359 HUSKEY/GREASE GUN
		Vendor's Sub-Total.....:	766.36		
068220 *	11/20/09	REEDLEY BUDDHIST CHURCH	-25.00	200911190C	CSD - ADDITIONAL SET UP/CLEAN UP CHARGES
			400.00	200911191	CSD - COMMUNITY CENTER DEPOSIT REFUND
			75.00	200911192	CSD - FEE ADJUSTMENT FOR POOR FACILITY CONDITIONS
			20.00	200911193	CSD - REFUND MARQUEE FEE
		Vendor's Sub-Total.....:	470.00		
068221 *	11/20/09	RHOMAR INDUSTRIES INC	365.88	65732	PW - ENVIRO-SLIDE ULTRA
068222 *	11/20/09	RUCKSTELL CALIF SALES INC	11101.48	55942	PW - PYTHON FIELD KIT PINS BUSHING/MACHINING LIFT
			156.66	55964	PW - 3 STATION MANIFOLD/AIR BLOCK
		Vendor's Sub-Total.....:	11258.14		
068223 *	11/20/09	CLAUDIA RUIZ	-25.00	200911180C	CSD - ADDITIONAL SET UP/CLEAN UP CHARGES
			400.00	200911181	CSD - COMMUNITY CENTER DEPOSIT REFUND
		Vendor's Sub-Total.....:	375.00		

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Check Number	Check Date	Name	Net Amount	Payment Information Invoice #	Description
068224 *	11/20/09	SAVE MART	5.00	629822084	CSD - DISNEY RAISIN MINI
			48.84	630622438	CSD - 18P PEPSI CAN/DIXIE LIME PLATE/MAXX VALUE NA
			62.06	633017698	PD - SSL FORKS/ICE SSF CRSHD/CHOCOLATE CAKE/WHITE
			24.94	633018370	PD - SMPLY ORNG NFC ORG/APPLE STRUDEL BAR/BRILL CH
		Vendor's Sub-Total.....:	140.84		
068225 *	11/20/09	SCOUT SPECIALTIES	97.21	51032	PW - BRAKE-PARTS CLEANER/WHITE KRYLON PAINT/GL BLK
			25.56	51033	PW - 14 HVY DUTY TY-RAP/3/8 GI HEX NUT/1/4X2 COT-P
		Vendor's Sub-Total.....:	122.77		
068226 *	11/20/09	SEE'S CONSULTING & TESTIN	255.00	29398	PW - CDBG 08571 PHASE I FIELD COMPACTION TESTING/C
068227 *	11/20/09	SELECT BUSINESS SYSTEMS	71.41	141488	PD - SHARP X3501 COPIER MTCE
			18.19	141541	PD - SHARP X5500 COPIER MTCE
		Vendor's Sub-Total.....:	89.60		
068228 *	11/20/09	SHRED-IT	100.00	185289472	PD - DOCUMENT SHREDDING SERVICES
068229 *	11/20/09	SMART & FINAL	57.52	130536	CSD - DLX WHITE SPOONS/YELLOW 13X13 NAPKI/10.25IN
068230 *	11/20/09	SMITH AUTO	31.69	800566	PW - FLYWHEEL
			5.46	807852	PW - WIRE BRUSH
			52.89	811106	PW - VIBROCRFTR
			3.61	813716	PW - HOSE CLAMP SIZE 12
			31.62	814947	PW - HITCH LOCK/BALL/GLOVES WINTER SPLIT COWHIDE D
		Vendor's Sub-Total.....:	125.27		
068231 *	11/20/09	SPCA	690.00	20090930	PD - ANIMAL PICKUPS SEPTEMBER 2009
068232 *	11/20/09	STATE WATER RESOURCES CON	170.00	20091118	PW - CERTIFICATE RENEWAL
068233 *	11/20/09	SYSCO OF CENTRAL CALIF	348.26	911130138	CSD - CREAMER COFFEE NONDAIRY/GLOVE VINYL DISP/NAP
068234 *	11/20/09	TKO CUSTOM APPAREL	293.94	3-631	PW - FLEX FIT HAT WITH EMBROIDERED CITY LOGO FRONT
068235 *	11/20/09	TOWN & COUNTRY MARKET	146.59	200911170	CSD - CONTADINA PIZZA SAUC/9-S WHOLE CRANBERR/D-M
068236 *	11/20/09	TRANS UNION LLC	20.00	10905401	PD - MEMBERSHIP DUES
068237 *	11/20/09	TUFF SHED INC	1915.78	467166	PD - PREMIER RANCH 08' WIDE 08' LONG 4X6 PREMIER S
068238 *	11/20/09	U S POSTAL SERVICE	370.00	20091118	FIN - POSTAGE PERMIT 85 FEES
068239 *	11/20/09	VERIZON CALIFORNIA	133.44	20091120	ALL DEPTS - CIRCUITS/FX PHONE LINES

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Check Number	Check Date	Name	Net Amount	Payment Information: Invoice #	Payment Information: Description
068240 *	11/20/09	VERIZON CALIFORNIA INC	104.39	910509301	PD - FACILITY CIRCUIT CHARGES
			429.20	911609301	PD - FACILITY CIRCUIT CHARGES
		Vendor's Sub-Total.....:	533.59		
068241 *	11/20/09	VERIZON WIRELESS	86.08	814075483	PW - LIFT STATION ALARM PHONE SERVICE
068242 *	11/20/09	VIDEO INSPECTION SPECIALI	1000.00	4881	PW - TV INSPECTION OF PROJECT NO 6881 DINUBA AVE
068243 *	11/20/09	VULCAN MATERIALS COMPANY	180.24	655259	PW - FILL SAND
068244 *	11/20/09	WAL-MART #1882	98.85	2334	PD - TRASHBAGS/TIRESHINE T/PNT ROLLER/ROLLER FRAME
			107.85	02333	PD - PUFFS FAM3PK/7 DIXIE PLT/DIXIE PLATES/SPOONS/
		Vendor's Sub-Total.....:	206.70		
068245 *	11/20/09	WILLDAN	6985.00	021-14899	CDD - PROFESSIONAL SERVICES SENIOR BUILDING INSPEC
068246 *	11/20/09	YOSEMITE WATERS	14.50	5047597	ADM-CDD-FIN-PW - BOTTLED WATER
068247 *	11/20/09	ZOOM IMAGING SOLUTIONS	318.37	769387	PD - ES2830C COPIER MTCE
068248 *	11/20/09	ZUMAR INDUSTRIES	50.48	118049	PW - STREET NAME SIGNS VARIOUS X6 .080 ALUM 3930 1
068249 *	11/20/09	ZWEIGLE TRUCKING	315.12	6310	PW - DECOMPOSED GRANITE
068250 *	11/23/09	CVSTI	150.00	20091123	PD - VICTIM ADVOCATE TRAINING FEES
068251 *	11/23/09	EXECUTIVE INN	621.30	20091123	PD - VICTIM ADVOCATE TRAINING LODGING
068252 *	11/23/09	ROSALINDA PADILLA	254.00	20091123	PD - VICTIM ADVOCATE TRAINING PER DIEM
068253 *	11/23/09	VOID	0.00		VOIDED CHECK
068254 *	11/23/09	PORTOLA HOTEL & SPA	428.94	20091123	ADM - CITY CLERKS NEW LAW CONFERENCE LODGING
068255 *	11/23/09	DAVID WELLHOUSE &	6600.00	1387	FIN - SB 90 CLAIMS
068256 *	11/23/09	KAY PIERCE	248.50	20091123	PW - CITY CLERKS NEW LAW CONFERENCE PER DIEM
068257 *	11/23/09	BRUCE WEBBER	3225.00	000000110	PW - PROFESSIONAL SERVICES
068258 *	11/25/09	BANKS & CO	75.00	62831	CSD - MONTHLY UST INSPECTION
068259 *	11/25/09	BIG VAL'S AUTO PARTS INC	34.09	537967	PW - BATTERY/CORE DEPOSIT
068260 *	11/25/09	BUNDLE BANDS INDUSTRIES I	66.60	17407	CDD - 50 METAL CLIPS & 50 2" CARDBOARD TAGS
068261 *	11/25/09	CAROLLO ENGINEERS	3807.37	108142	PW - ENGINEERING SERVICES DURING WWTP CONSTRUCTION

FOOTNOTE: Pre-Council meeting warrants are denoted with an '*'.

Check Number	Check Date	Name	Net Amount	Payment Information Invoice #	Description
068261 *	11/25/09	CAROLLO ENGINEERS	23579.50	108143	PW - WWTP PROJECT CONSTRUCTION MANAGEMENT SERVICES
		Vendor's Sub-Total.....:	27386.87		
068262 *	11/25/09	CAROLLO SYSTEMS LLC	10300.93	501	PW - PROFESSIONAL SERVICES CENTRIFUGE BLDG SCADA
068263 *	11/25/09	CENTRAL VLY LOCK & SAFE	12.97	37070	PW - SC1 KEYS/KEY TAG
068264 *	11/25/09	CHET'S PLUMBING & MECHANI	10.20	366209	CSD - PP LH THRD CART CRMC VLV NUT F7/
068265 *	11/25/09	CORBIN WILLITS SYSTEMS	1392.58	000A911151	FIN - ACCOUNT SOFTWARE MONTHLY SERVICE FEES
068266 *	11/25/09	COURIER PRINTING	246.32	E175	CDD - BUILDING INSPECTION CARDS
068267 *	11/25/09	ELECTRIC MOTOR SHOP	823.85	420060	CSD - GE 6.6 45W T3-1/2QT/GE 6.6 30W T3-1/2QT
068268 *	11/25/09	FRESNO-MADERA AREA AGENCY	10.50	10-0037	CSD - NON USDA QUALIFIED MEALS OCTOBER 2009
068269 *	11/25/09	FRESNO NETWORKS	2998.92	CW15541	ADM-CDD-CSD-FIN-FIR-PW - NETMANAGE COMPUTER SUPPOR
068270 *	11/25/09	GARNER'S OFFICE PRODUCTS	38.75	16902	ADM - COVER RPT CLRFRNT
			16.90	16905	ADM - PARCHMENT PAPER PKT
			-25.19	R06141C	PD - KEYBOARD COMFORT USB BK
		Vendor's Sub-Total.....:	30.46		
068271 *	11/25/09	HEADSETS.COM INC	369.92	223398601	FIN - PLANTRONICS CS70N COMPLETELY WIRELESS HEADSE
068272 *	11/25/09	IAPMO	150.00	112215	CDD - MEMBERSHIP RENEWAL
068273 *	11/25/09	IKON FINANCIAL SERVICES	591.17	80826008	CSD - COPIER LEASE PAYMENT
068274 *	11/25/09	JACK'S REFRIGERATION INC	44.00	119768	PW - NO HEAT: TURNED GAS ON TO HEATERS/CLEANED UP
068275 *	11/25/09	ROBERT V JENSEN INC	5171.09	CL45987	PW - REGULAR UNLEADED/DIESEL FUEL
068276 *	11/25/09	KIMBALL-MIDWEST	78.83	1286288	PW - HOSE/NIPPLE/COUPLER
068277 *	11/25/09	LEE'S SERVICE	26.74	29761	PW - PASSENGER TIRE FLAT REPAIR/RADIAL PATCH
068278 *	11/25/09	CITY OF MADERA	9.00	0003	ADM - CITY MANAGERS MEETING 11/18/09
068279 *	11/25/09	MAINSTREET CAFE	202.90	1104-09	ADM - PASTIRES/FRESH FRUIT/COFFEE
068280 *	11/25/09	PG&E CO	35228.30	20091125	ALL DEPTS - ELECTRICITY
068281 *	11/25/09	PIONEER EQUIPMENT CO	89.91	AP04703	PW - TEFLON TAPE/3/4 BALL VA/BALL VALVE
			12.73	AP04738	PW - 3/4 BALL VA/3/4" STRAIN
			9.96	HH24704	PW - GRAP HOOK/7/8-1 3/4 C/1_1/4-2_1/8

FOOTNOTE: Pre-Council meeting warrants are denoted with an '*'.

Check Number	Check Date	Name	Net Amount	Payment Information: Invoice #	Payment Information: Description
068281 *	11/25/09	PIONEER EQUIPMENT CO	49.65	HH24822	PW - TP 96 RLS C
		Vendor's Sub-Total.....:	162.25		
068282 *	11/25/09	PROVOST & PRITCHARD INC	8429.83	30291	PW - PROFESSIONAL SERVICES SPORTS PARK ELEVATED WA
			5172.50	30292	PW - PROFESSIONAL SERVICES PARLIER AVE ELEVATED WA
		Vendor's Sub-Total.....:	13602.33		
068283 *	11/25/09	RADIO SHACK ACCTS RECEIV	54.73	471945	PW - MEMOREX DVD UPCONVERT MVD
068284 *	11/25/09	REEDLEY IRRIGATION & SUPP	14.34	0883018	PW - FEMALE 1" ADAPTER S-T/TAPE TEFLON 1/2X520
068285 *	11/25/09	REEDLEY LUMBER & BUILDING	5.88	2865231	PW - KEY DUPLICATED
			98.06	2865735	PW - SJ CORD RUBBER 12/3 LIN FT/TURNLOCK CON 31942
			16.73	2865805	PW - 24" FLORESENT LAMP CW 17705
			38.03	2865918	PW - 80# CONCRETE MIX
			38.03	2865948	PW - 80# CONCRETE MIX
			31.31	2866232	PW - 24"X25' REFLECTIC INSULATE/1/4"X50' COOLER TU
			21.13	2866352	PW - 80# CONCRETE MIX
			12.68	2866437	PW - 80# CONCRETE MIX
			73.35	2866546	PW - ROLL INSULATION 24" X 50'
			9.84	2866591	PW - MOP STICK JANT SPRG7-3/8
			17.49	2866595	CSD - QT MNWX WDFNSH PROVNCIAL
			14.76	2866698	CSD - 1.5"PRO MASKING TAPE
			6.78	2866720	PW - BOX COVER FLAT 3-1/2" RD/2 HOLE 1/2"EMT STRAP
			15.03	2866917	CSD - 2"PRO POLY VARNISH BRUSH/QT MINWX GLOSS PLYU
		Vendor's Sub-Total.....:	399.10		
068286 *	11/25/09	REEDLEY COLLEGE FOOD SERV	27.37	16867	PW - MASHED POTATOES
068287 *	11/25/09	SAVE MART	15.96	628022170	ADM - BRILL CHO CHP CKIE/OTML RSN CKI 18CT
068288 *	11/25/09	SMART START	98.39	134113	ADM - ORANGE JUIC/14Z CUP/28QT BEVERAG/NAPKIN/ARRW
			12.57	137396	ADM - ORANGE JUIC
		Vendor's Sub-Total.....:	110.96		
068289 *	11/25/09	SMITH AUTO	35.68	815138	PW - 12-VOLT
			12.94	824180	PW - 3/16" ROUND FILE-DZ/1/4" PM&PMN FILE GUIDE
		Vendor's Sub-Total.....:	48.62		
068290 *	11/25/09	STATE WATER RESOURCES CON	578.00	SW0010360	PW - ANNUAL PERMIT FEE SPORTS PARK
068291 *	11/25/09	TERMINIX INTERNATIONAL	721.68	290817649	CSD - PEST CONTROL 100 N EAST AVE
			675.12	290817650	CITY HALL - PEST CONTROL 845 G STREET
			337.56	290817651	FIRE - PEST CONTROL 1060 D STREET

FOOTNOTE: Pre-Council meeting warrants are denoted with an '*'.

Check Number	Check Date	Name	Net Amount	Payment Information: Invoice #	Payment Information: Description
068291 *	11/25/09	TERMINIX INTERNATIONAL	500.52	290817668	CSD - PEST CONTROL 4557 S FRANKWOOD AVE
			337.56	290817676	PW - PEST CONTROL 1108 S "I" STREET
		Vendor's Sub-Total.....:	2572.44		
068292 *	11/25/09	TOWN & COUNTRY MARKET	21.36	200911200	PW - SUNNYSIDE WATER
068293 *	11/25/09	VERIZON CALIFORNIA	206.28	20091125	ALL DEPTS - CIRCUITS/FX PHONE LINES
068294 *	11/25/09	VICTORY ENGINEERS INC	52510.50	1	PW - CDBG NO 08571 PHASE I STREET IMP PMT NO 1
068295 *	11/25/09	WILDLIFE CONTROL TECHNOLO	675.00	9005379	CSD - MONTHLY SQUIRREL CONTROL @ AIRPORT
			675.00	9005431	CSD - MONTHL SQUIRREL CONTROL @ AIRPORT FINAL PMT
		Vendor's Sub-Total.....:	1350.00		
068296 *	11/25/09	ZOOM IMAGING SOLUTIONS	133.56	774116	ADM-CDD-FIN-PW - ES603 COPIER MTCE
			223.19	774117	ADM-CDD-FIN-PW - ES2500C COPIER MTCE
			141.45	774118	CITY CLERK - ES2330C COPIER MTCE
		Vendor's Sub-Total.....:	498.20		
068297 *	11/25/09	MARIA ADAME	101.60	000A91101	MQ CUSTOMER REFUND FOR ADA0014
068298 *	11/25/09	SARA AGUIRRE	2.86	000A91101	MQ CUSTOMER REFUND FOR AGU0072
068299 *	11/25/09	JERRY ARREDONDO	156.96	000A91101	MQ CUSTOMER REFUND FOR ARR0023
068300 *	11/25/09	EDWARD L BROWN	61.12	000A91101	MQ CUSTOMER REFUND FOR BRO0026
068301 *	11/25/09	CAMBRIDGE HOMES	58.15	000A91101	MQ CUSTOMER REFUND FOR CAM0244
068302 *	11/25/09	CAMBRIDGE HOMES	26.99	000A91101	MQ CUSTOMER REFUND FOR CAM0250
068303 *	11/25/09	CAMBRIDGE HOMES	15.51	000A91101	MQ CUSTOMER REFUND FOR CAM0257
068304 *	11/25/09	GREGORY DANIEL CHENEY	323.70	000A91101	MQ CUSTOMER REFUND FOR CHE0012
068305 *	11/25/09	GREGORY CHENEY	350.10	000A91101	MQ CUSTOMER REFUND FOR CHE0013
068306 *	11/25/09	RAMON TORRES CISNEROS	2.87	000A91101	MQ CUSTOMER REFUND FOR CIS0020
068307 *	11/25/09	GABRIELA CRUZ-HUERTA	16.18	000A91101	MQ CUSTOMER REFUND FOR CRU0032
068308 *	11/25/09	LOIS DAVEY	194.25	000A91101	MQ CUSTOMER REFUND FOR DAV0047
068309 *	11/25/09	ADAM FALCON	23.47	000A91101	MQ CUSTOMER REFUND FOR FAL0004

FOOTNOTE: Pre-Council meeting warrants are denoted with an '*'.

Check Number	Check Date	Name	Net Amount	Payment Information: Invoice #	Payment Information: Description
068310 *	11/25/09	ZANE HANSEN	265.00	000A91101	MQ CUSTOMER REFUND FOR HAN0036
068311 *	11/25/09	GLADYS DAVIS JORGENSEN	270.00	000A91101	MQ CUSTOMER REFUND FOR JOR0012
068312 *	11/25/09	ANA LARA	99.34	000A91101	MQ CUSTOMER REFUND FOR LAR0023
068313 *	11/25/09	LONDON PROPERTIES	44.52	000A91101	MQ CUSTOMER REFUND FOR LON0026
068314 *	11/25/09	ARTURO LOPEZ	208.91	000A91101	MQ CUSTOMER REFUND FOR LOP0178
068315 *	11/25/09	JOSE ANGEL MARTINEZ	2.87	000A91101	MQ CUSTOMER REFUND FOR MAR0255
068316 *	11/25/09	LUCIO MEDINA	22.84	000A91101	MQ CUSTOMER REFUND FOR MED0027
068317 *	11/25/09	HERACLIO TORRES RAMIREZ	23.44	000A91101	MQ CUSTOMER REFUND FOR RAM0162
068318 *	11/25/09	JOSE SILVA	2.87	000A91101	MQ CUSTOMER REFUND FOR SIL0063
068319 *	11/25/09	DELANO WALTERS	44.02	000A91101	MQ CUSTOMER REFUND FOR WAL0032
068320 *	11/25/09	U S POSTAL SERVICE	1876.17	20091125	FIN - WATER BILL MAILING DECEMBER 2009
		Total Disbursements.....:	345034.06		

FOOTNOTE: Pre-Council meeting warrants are denoted with an '*'.

REPORT TO CITY COUNCIL

MEMORANDUM

AGENDA ITEM NO: 5

COUNCIL MEETING DATE: December 8, 2009

SUBJECT: Application for Statewide Park Program Grant Funds

RECOMMENDATION:

To adopt Resolution No. 2009-085 approving the application for statewide park program grant funds.

BACKGROUND:

The Community Services staff has been working closely with California Consulting to put together a strong application to submit for Proposition 84 funds. If awarded, the funds would be used to help with the costs to design and construct a pool facility.

One of the requirements of the grant is to submit a resolution by City Council approving filing of the application.

FISCAL IMPACT:

The resolution certifies that the applicant will have sufficient funds to complete the project and to cover operational and maintenance costs.

Budgeted item: No
Expenditure: One Time and Ongoing

Prepared by: Joel Glick

Approved by: City Manager

Motion:_____
Second:_____

RESOLUTION NO. 2009 – 085

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY OF FRESNO COUNTY APPROVING THE APPLICATION FOR STATEWIDE PARK PROGRAM GRANT FUNDS

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Statewide park Program, setting up necessary procedures governing the Application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant will enter into a contract with the State of California to complete the grant scope project;

NOW, THEREFORE, BE IT RESOLVED that the City of Reedley City Council hereby:

Approves the filing of an application for the pool project, and

1. Certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project; and
2. Certifies that the applicant has or will have sufficient funds to operate and maintain the project(s), and
3. Certifies that the applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Delegates the authority to City Manager to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments and payment requests which may be necessary for the completion of the grant scope; and
5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

The foregoing Resolution is hereby approved this 8th day of December, 2009.

I the undersigned, hereby certify that the foregoing Resolution Number 2009-085 was duly adopted by the City of Reedley following a roll call vote.

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mary L. Fast
Mayor of the City of Reedley

ATTEST:

By:_____
Kay L. Pierce, City Clerk

REPORT TO CITY COUNCIL

MEMORANDUM

AGENDA ITEM NO.: 6

COUNCIL MEETING DATE: **December 8, 2009**

SUBJECT: ***RESOLUTION OF SUPPORT FOR CITY REVENUES.***

RECOMMENDATION:

Adopt Resolution No. 2009-087 in support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010

BACKGROUND:

As Council is aware, State raids on local funds have become the norm lately, despite the fact that voters have repeatedly passed measures to stop it.

Recently, a coalition of local government, transportation and transit advocates filed a constitutional amendment with the California Attorney General's office. This amendment is being drafted for placement on the November, 2010, statewide ballot.

This amendment is intended to close loopholes and change the constitution to prevent the State from seizing, diverting, shifting, borrowing, transferring, suspending or otherwise taking or interfering with local tax revenues.

This resolution gives authorization for the City of Reedley to be listed as a supporter of this proposed amendment.

FISCAL IMPACT:

Budgeted item: N/A
Expenditure: N/A
Fund Acct(s): N/A

Prepared and approved by: _____ City Manager

Attachments: Resolution 2009-087

Motion: _____
Second: _____

RESOLUTION NO. 2009-087

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010

WHEREAS, California voters have repeatedly and overwhelmingly passed separate ballot measures to stop State raids of local government funds, and to dedicate taxes on gasoline to fund local and State transportation improvement projects; and

WHEREAS, these local govern funds are critical to provide the police and fire, emergency response, parks, libraries and other vital local services that residents rely upon every day. Gas tax funds are vital to maintain and improve local street and roads, to make road safety improvements, relieve traffic congestion and provide mass transit; and

WHEREAS, despite the fact that voters have repeatedly passed measures to prevent the State from taking these revenues dedicated to funding local government services and transportation improvement projects, the State Legislature has seized and borrowed billions of dollars in local government and transportation funds in the past few years; and

WHEREAS, this year's borrowing and raids of local government, redevelopment and transit funds, as well as previous, ongoing raids of local government and transportation funds have lead to severe consequences such as layoffs of police, fire and paramedic first responders, fire station closures, stalled economic development, healthcare cutbacks, delays in road safety improvements, public transit fare increases and cutbacks in public transit services; and

WHEREAS, State politicians in Sacramento have continued to ignore the will of the voters and current law provides no penalties when State politicians take or borrow these locally-dedicated funds; and

WHEREAS, a coalition of local government, transportation and transit advocates recently filed a constitutional amendment with the California Attorney General, called the Local Taxpayer, Public Safety and Transportation Protection Act of 2010, for potential placement on California's November 2010 statewide ballot; and

WHEREAS, approval of this ballot initiative would close loopholes and change the constitution to further prevent State politicians in Sacramento from seizing, diverting, shifting, borrowing, transferring, suspending or otherwise taking or interfering with tax revenues dedicated to funding local government services, including redevelopment, or dedicated to transportation improvement projects and mass transit.

NOW, THEREFORE, BE IT RESOLVED that the City of Reedley City Council formally endorses the Local Taxpayer, Public Safety and Transportation Protection Act of 2010, a proposed constitutional amendment.

BE IT FURTHER RESOLVED that we hereby authorize the listing of the City of Reedley City Council in support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010 and instruct staff to fax a copy of this resolution to campaign offices at 916-442-3510.

This foregoing resolution is hereby adopted this 8th day of December, 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Mary L. Fast, Mayor

ATTEST:

_____
Kay L. Pierce, City Clerk

LEAGUE OF CALIFORNIA CITIES

1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

TO: **City Officials**
FROM: Chris McKenzie, Executive Director
DATE: November 9, 2009
RE: **Update on League-Supported Revenue Protection Measure; Other "Reform" Measures Emerge**

EXECUTIVE SUMMARY: Now that the Secretary of State's recommended deadline has come and gone for the filing of initiative ballot measures for the November 2010 ballot, the work of two other groups, California Forward and Repair California, may get confused with the League-supported initiative. The purpose of this memo is to provide you with some basic background on the measures. Since it has already been unanimously supported by the League General Assembly at the League's Annual Conference in September, city officials may want to pass resolutions of support for the League-sponsored measure (see below) when you are ready. Your Regional Public Affairs Manager can give you a copy of a sample resolution. However, we urge your city not to take a formal position on any of the other measures until they have been reviewed and acted on early next year by the relevant League policy committees and the League board of directors.

League-Supported Ballot Measure

The League, the California Alliance for Jobs, and the California Transit Association filed two similar versions of the ***Local Taxpayer, Public Safety, and Transportation Protection Act of 2010*** with the Attorney General on Tuesday, October 20, 2009. In early December, after receipt of the Attorney General's Title and Summary for the measure, the campaign may proceed with collecting the more than one million signatures necessary to qualify a constitutional amendment for the statewide ballot. During the period leading up to mid-December League staff and city officials are working with our coalition partners to lay the groundwork for a successful signature gathering and fundraising effort. The board will be asking the membership for input before beginning the next stage of the campaign. Here is what the measure covers:

Key Provisions	*Local Taxpayer, Public Safety and Transportation Protection Act of 2010*
Protects Locally Imposed Taxes (e.g., parcel UUT, TOT, sales, etc?)	**Yes.** Legislature may not take or borrow or direct how local taxes may be spent. Property tax treated under Art. XIII, Sec. 25.5.
Prohibits Property Tax Borrowing?	**Yes.** Repeals state authority to borrow under Art. XIII, Sec. 25.5 after 2009-10.
Prohibits Reallocation of Prop. Tax or VLF to Pay for State Mandates	**Yes.**
Prohibits Borrowing or Stealing of the HUTA Gas Tax?	**Yes,** and provides same protections to any replacement revenues and requires hearings and study before state and local shares changed.

Key Provisions	*Local Taxpayer, Public Safety and Transportation Protection Act of 2010*
Prohibits Borrowing or Stealing of Prop. 42 Gas Tax?	**Yes,** and provides same protections to any replacement revenues and requires hearings and study before state and local shares changed.
Prohibits Borrowing or Stealing of Public Transit Account (PTA) funds?	**Yes.** Also restricts use of PTA revenues for transportation planning and mass transportation purposes only and requires "Spillover" sales tax to be deposited into the PTA and split evenly between State and local transportation agencies.
Prohibits Taking, Borrowing or Directing Spending of RDA Funds?	**Yes.** Prohibits state from requiring RDAs to pay tax increment to a state or another local agency or require an agency to use its tax increment for any State purpose, except affordable housing and pass-through payments.
Remedy if State Violates Constitution and Repayment Due?	**Yes.** If court finds state has taken funds illegally, repayment is continuously appropriated to repay amount taken illegally.
Repeal of Conflicting Statutes?	**Yes.** Any conflicting statute enacted between Oct. 21, 2009 and November 2, 2010 is automatically repealed.

California Forward

California Forward is a government reform organization now headed by former Assembly Speaker Bob Hertzberg. It recently filed two initiative ballot measures:

(1) State Budget Reform. The first measure includes state fiscal reforms, such as lowering the vote threshold to a simple majority to approve a state budget, performance based budgeting and restrictions on use of one-time spikes in revenues; and

(2) New Countywide Sales Tax and Limited Local Government Revenue Protections. The second measure would:

a. *Additional Local Sales Tax; Redistribution of Local Government Revenues.* Authorize a new one-cent sales tax at the county level—approved by a simple majority vote of the local electorate—to support schools, cities, counties and special districts to implement a new countywide strategic plan. If the tax is approved, cities and counties would be required to transfer to schools the equivalent of 50% of the new sales tax they receive from their existing property tax, sales tax, etc. in accordance with a plan adopted by the county.

b. *Local Revenue Protections.* League attorneys are still studying the CA Forward measure to determine the scope of the local revenue protections it would provide. But upon initial review it's clear the measure provides **no** protections against state borrowing of the HUTA gas tax and public transit funding, and it also appears to allow continued borrowing of city property taxes. (In contrast, the League-supported measure explicitly prohibits State borrowing of local property taxes, HUTA and public transit funds and repeals the existing constitutional provisions allowing it). Unlike the League-supported measure, CA Forward measure does not contain language that would repeal any new legislation --passed between now and November 2010 -- that would take the revenues protected by the measure.

Repair California

Repair California, the group advocating for calling a Constitutional Convention, led by the Bay Area Council, recently filed two initiative ballot measures as follows:

(1) Voter-Called Constitutional Conventions. The first measure amends the constitution to allow the voters to call a constitutional convention every 10 years by initiative and to limit the issues the convention can discuss; and

(2) Call for Convention. The second is a statutory measure that calls the convention and limits the subjects of discussion and action to: (a) Government Effectiveness, (b) Elections and Reduction of Special Interest Influence, (c) Spending and Budgeting, and Governance.

a. *How Delegates Will Be Chosen.* Approximately half would be chosen at the county level by committees made up of county supervisors (2), city officials in counties with cities (mayors who are chair and vice chair of city selection committee), and school districts (1). The other half would consist of three delegates elected from each Assembly district from a group of 50 potential delegates in each Assembly district that was randomly chosen by the State Auditor from a pool of 400 possible delegates randomly chosen by the State Auditor in each Assembly district. Delegates are not required to be registered voters.

b. *Role of the FPPC.* The appointed Fair Political Practices Commission (FPPC) that currently enforces the Political Reform Act would serve as the Constitutional Convention Commission, an influential steering committee responsible for deciding all matters concerning delegate qualifications, hiring the Clerk of the Commission, determining the place and date of the meeting of the Convention, training the delegates, and overseeing all other matters.

The next few months will tell whether these measures go into circulation for signatures.

What's Next?

We invite you to help us in our pre-signature gathering effort for the ***Local Taxpayer, Public Safety, and Transportation Protection Act of 2010.*** When your Regional Representative calls you, please respond and lend a hand. Our success depends on your leadership. Using your personal computer, you can find additional information at http://savelocalservices.com/.

What About Passing City Resolutions?

Since it has already been unanimously supported by the League General Assembly at the September Annual Conference, city officials are encouraged to pass resolutions of support for the League-supported measure when you are ready. Your Regional Public Affairs Manager can give you a copy. Since the ballot measures proposed by California Forward and Repair California have not been analyzed or acted upon by the League policy committees or board of directors, we recommend that you delay any action on the other measures until they have been reviewed and acted on early next year by the relevant League policy committees and the League board of directors.

REPORT TO CITY COUNCIL

MEMORANDUM

AGENDA ITEM NO: 7

COUNCIL MEETING DATE: December 8, 2009

SUBJECT: ***Approve the formation of Underground Utility District No. 5* Located *along one and one half-mile of Reed Avenue between Manning Avenue and South Avenue.***

RECOMMENDATION:

Adopt Resolution No.2009-086 to form Underground Utility District No 5 That the Council find and determine that the undergrounding of overhead utilities within the district is in the general public's interest for the reasons that the undergrounding will avoid and eliminate an unusually heavy concentration of overhead distribution facilities.

It is recommended that the City Council authorize Staff to file a Notice of Exemption in the form prescribed in Section 15062 of the California Environmental Quality Act (CEQA) Guidelines.

It is further recommended that the City Council designate the City Engineer or his assigns, to answer any and all questions related to The City of Reedley Underground Utility District Number 5.

BACKGROUND:

The City Council on April 21, 1981 adopted Ordinance 638 providing for the City Council to call for public hearings to determine public interest and necessity for formation of Underground Utility Districts (UUD).

Pacific Gas & Electric, (PG&E) Electric Rule 20A Program allocates funds to Cities and Counties for the undergrounding of overhead utility wires and power poles. The Board of Supervisors of Fresno County on April 28, 2009 adopted Resolution #09-165 to allocate $2,000,000 of credits from the Fresno County PG & E Rule 20A credit allocation to the City of Reedley for the formation of this District.

The undergrounding of overhead utility wires must benefit the public and meet one or more of the following requirements:

1. Undergrounding will eliminate an unusually heavy concentration of overhead distribution facilities.

2. Street right of way is extensively used by the public and carries a heavy volume of pedestrian or vehicular traffic.

3. Street right of way passes through or is adjacent to a civic area public recreation area, or area of unusual scenic interest.

SITUATION / ANALYSIS:

Current Public Utilities Commission regulations require the utility firms to perform all underground utility work at their expense, to include the removal of all power poles and associated overhead wires.

PG&E will provide up to 100 feet of electrical cable, trenching, backfill, paving and conduit, if required and up to $ 1,500 for electrical meter conversion to the new underground electrical service for each property owner.

Verizon will install all required underground telephone distribution facilities and remove all telephone poles and associated overhead wires at their expense within the limits of the proposed City of Reedley Underground Utility District 5. Verizon will also reconnect all telephone service at their expense.

The COMCAST Cable Company (TV) will install all required underground cable distribution facilities and remove all overhead distribution wires at their expense within the limits of the proposed City of Reedley Underground Utility District Number 5. COMCAST Cable Company will reconnect all TV cable service at their expense.

City staff will notice all property owners and property addresses of the public hearing and formation of the proposed Underground Utility District.

The City Engineer has drafted the hearing notices, the Engineer's Report and maps, as required by the California Public Utilities Commission for formation of an Underground Utility District.

FISCAL IMPACT:

The City will also be responsible for funding the difference over and above the County allocated $2,000,000 credit. In addition, miscellaneous staff costs not chargeable to the construction program, examples include (but are not limited to) preparation of District Map, Legal Description, District Notifications, mailings and administration costs. Rule 20 does not fund the formation of the UUD. Therefore, the current allocation is an unfunded allocation. At this time, it is estimated that $6,500.00 will be required to complete the formation of the UUD No. 5.

Prepared by: MP Engineering Div.
Reviewed by: _____ City Engineer

Approved by: RB City Manager

Attachment(s):
1. Engineer's Report
2. UUD #5 Legal Descriptions/Diagrams
3. Reed Avenue Photos
4. Resolution No. 2009-086

Motion:_____
Second:_____

ENGINEERS REPORT
FOR THE CITY OF REEDLEY UNDERGROUND UTILITY DISTRICT No. 5 LOCATED ALONG ONE AND ONE-HALF MILE OF REED AVENUE BETWEEN MANNING AVENUE AND SOUTH AVENUE, ALL AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A AND AS SHOWN IN EXHIBIT B, ATTACHED HERETO AND INCORPORATED HEREIN.

WHEREAS, on April 28, 2009, the Board of Supervisors of Fresno County (herein "COUNTY") adopted Resolution 09-165 "Resolution Allocating County of Fresno Underground Utility Credits to the City of Reedley" which authorized the City of Reedley to use a portion of the credits (not to exceed $2,000,000) allocated to the County for converting overhead utility lines to underground along one and one-half mile of Reed Avenue between Manning Avenue and South Avenue as more particularly described in Exhibit A and as shown in Exhibit B, attached hereto and incorporated herein.

WHEREAS, on October 27, 2009, the City Council of the City of REEDLEY (herein "City"), located in Fresno County California, adopted Resolution No. 2009-075, "A Resolution of Intention to Create City of Reedley Reed Avenue between Manning Avenue and South Avenue Underground Utility District 5 (herein "Resolution of Intention") pursuant to Rule 20-A of the California Public Utility Commission and the City of Reedley Ordinance Code 638 adopted April 21, 1981. Utility District 5 proposes the removal of poles, overhead wires and associated overhead structures, located along one and one-half mile of Reed Avenue between Manning Avenue and South Avenue, all as more particularly described in Exhibit A and as shown in Exhibit B, attached hereto and incorporated herein.

WHEREAS, said Resolution of Intention directed by the City Engineer of the City to make and file a report presenting the estimated extent of the Utilities ("Pacific Gas and Electric, Verizon Telephone Company and COMCAST Cable Company"), collectively the "Utilities" participation and of the estimated time required to remove the overhead (above ground) structures and facilities of the Utilities,

NOW, THEREFORE, I, Rocky Rogers, City Manager of said City, having consulted with the affected Utilities do hereby make the following estimates of time and extent of utility company participation required to complete the work and improvements pursuant to the Resolution of Intention presently on file with the Clerk of the City of Reedley and in the office of the of City Engineer and incorporated herein by reference:

I. ESTIMATES OF UTILITY COMPANIES PARTICIPATION:

A. The Pacific Gas and Electric Company will install all required underground electrical facilities and remove all power poles and associated overhead wires at their expense within the limits of the described area specifically provided for in the State of California Public Utilities Commission's Rule 20.

B. The Pacific Gas and Electric Company shall use the underground conversion

allocation computed pursuant to decisions of the State of California Public Utilities Commission for the purpose of providing to each premises or electrical user in Underground Utility District No. 5 a maximum of one hundred and fifty feet of individual electric service trenching and conductor, as well as backfill, paving and conduit, if required.

C. The Verizon Telephone Company will install all required underground telephone distribution facilities and remove all telephone poles and associated overhead wires at their expense within the limits of the District.

D. The Comcast Cable Company will install all required underground cable television distribution facilities and remove all overhead distribution wires at their expense within the limits of the District.

II CITY OF REEDLEY PARTICIPATION:

The City will be responsible for funding the difference over and above the County allocated 2,000,000 credits. The City will also incur staff costs for the preparation of a District map and description and the District notification and hearing process.

III AFFECTED PROPERTY OWNERS:

As provided for in the Resolutions of Intention to Create Rule 20 conversion allocation funds shall be available for conversion of electric service panels (not to exceed $1,500 per service entrance excluding permit fees) to accept the new City of Reedley Underground Utility District 5 underground service facilities pursuant to the State of California Public Utilities Commission Advice Letter 1930-E. The City of Reedley has record of 26 affected property owners at this time.

IV ESTIMATE OF TIME FOR:

A. Engineering by utility companies;

January 1, 2014 to December 31, 2014, or before;

B. Construction by utility companies;

February 1, 2015 to January 30, 2016, or before;

C. Completion dates;

Connections completed by April 30, 2016, or before;

D. Removal of overhead wires and poles; August 1, 2016, or before.

Bruce Webber, City Engineer

Dated: 10 - 28, 2009

Rocky Rogers, City Manager

Dated: 10-28, 2009

FORM MSW CR1 104 Engineers Report

EXHIBIT "A"

North Reed Avenue Underground Utility District No. 5, all that real property located in the City of Reedley, County of Fresno, State of California and lying within a portion of sections 22 and 27, Township 15 South, Range 23 East, Mount Diablo Base and Meridian, more particularly described as follows:

Commencing at the North Quarter Corner of said Section 27; thence South 00°17'35" West along the West Line of the Northeast Quarter of said Section 27, a distance of 125.01 feet to the **True Point of Beginning** of herein described real property; thence North 89°47'09" West, parallel with the North Line of the Northwest Quarter of said Section 27, a distance of 77.33 feet; thence North 01°36'57" West a distance of 20.11 feet to a point which lies 78.00 feet, measured perpendicular, to aforementioned West Line; thence North 00°17'35" East, parallel with said West Line, a distance of 29.90 feet; thence 15.72 feet westerly along the arc of a curve to the left, concave southwesterly, having a radius of 10.00 feet and a central angle of 90°05'00" to a point which lies 65.00 feet, measured perpendicular, to said North Line; thence North 89°47'09" West, parallel with said North Line, a distance of 50.00 feet; thence North 00°17'35" East, parallel with said West Line, a distance of 65.00 feet to a point which lies on said North Line, said point lies a distance of 138.02 feet from the North Quarter Corner of said Section 27; thence North 00°14'57" East, parallel with the West Line of the Southeast Quarter of said Section 22, a distance of 65.00 feet; thence South 89°47'09" East parallel with said North Line, a distance of 78.03 feet; thence 15.67 feet northerly along the arc of a curve to the left, concave northwesterly, having a radius of 10.00 feet and a central angle of 89°47'22" to a point which lies 50.00 feet, measured perpendicular, to said West Line; thence North 00°14'57" East, parallel with said West Line, a distance of 11.40 feet; thence North 89°59'56" East a distance of 10.00 feet to a point which lies 40.00 feet, measured perpendicular, to said West Line; thence North 00°14'57" East, parallel with said West Line, a distance 2,557.63 feet to a point on the North Line of the Southwest Quarter of said Section 22, also being the current City Limits of the City of Reedley; thence South 89°32'06" East along said North Line and City Limits a distance of 40.00 feet to the Center Quarter Corner of said Section 22; thence continuing along said City Limits North 00°15'19" East along the West Line of the Northeast Quarter of said Section 22 a distance of 2,643.91 feet to the North Quarter Corner of said Section 22; thence continuing along said City Limits South 89°27'42" East along the North Line of said Northeast Quarter of Section 22 a distance of 92.00 feet; thence leaving said City Limits, South 00°15'19" West, parallel with said West Line, a distance of 40.00 feet; thence North 89°27'42" West, parallel with said North Line, a distance of 52.00 feet to a point which lies 40.00 feet, measured perpendicular, to said West Line; thence South 00°15'19" West, parallel with said West Line, a distance of 1,932.92 feet to a point that lies 10.00 feet, measured perpendicular, to the centerline of West Aspen Drive; then South 89°28'33" East, parallel with said centerline of West Aspen Drive, a distance of 52.00 feet; thence South 00°15'19" West, parallel with said West Line, a distance of 50.00 feet; thence North 89°28'33" West, parallel with said centerline of West Aspen Drive, a distance of 29.95 feet; thence 15.75 feet southerly along the arc of a curve to the left, concave southeasterly, having a radius of 10.00 feet and a central angle of 90°16'08" to a point which lies 52.00 feet, measured perpendicular, to said West Line; thence South 00°15'19" West, parallel with said West Line, a distance of 548.98 feet; thence 15.66 feet easterly along the arc of a curve to the left, concave northeasterly, having a radius of 10.00 feet and a central angle of

89°43'52" to a point which lies 52.00 feet, measured perpendicular, to the North Line of the Southeast Quarter of said Section 22; thence South 89°28'33" East, parallel with said North Line, a distance of 30.05 feet; thence South 00°15'19" West, parallel with said West Line distance of 52.00 feet to a point which lies on said North Line, also being the centerline of West Parlier Avenue, said point lies South 89°28'33" West, a distance of 92.00 feet from the Center Quarter Corner of said Section 22; thence South 00°14'57" West, parallel with the West Line of the Southeast Quarter of said Section 22, a distance of 52.00 feet; thence North 89°28'33" West, parallel with said North Line, a distance of 29.95 feet; thence 15.76 feet southerly along the arc of a curve to the left, concave southeasterly, having a radius of 10.00 feet and a central angle of 90°16'30" to a point which lies 52.00 feet, measured perpendicular, to said West Line; thence South 00°14'57" West, parallel with said West Line, a distance of 879.44 feet; thence 15.66 feet easterly along the arc of a curve to the left, concave northeasterly, having a radius of 10.00 feet and a central angle of 89°44'12" to a point which lies 40.00 feet, measured perpendicular, to the centerline of West Kip Patrick Avenue; thence South 89°29'15" East, parallel with said centerline of West Kip Patrick Avenue, a distance of 30.05 feet; thence South 00°14'57" West parallel with said West Line, a distance of 80.00; thence North 89°29'15" West, parallel with said centerline of West Kip Patrick Avenue, a distance of 29.95 feet; thence 15.75 feet southerly along the arc of a curve to the left, concave southeasterly, having a radius of 10.00 feet and a central angle of 90°15'48" to a point which lies 52.00 feet, measured perpendicular, to said West Line; thence South 00°14'57" West, parallel with said West Line, a distance of 891.46 feet; thence 15.66 feet easterly along the arc of a curve to the left, concave northeasterly, having a radius of 10.00 feet and a central angle of 89°44'01" to a point which lies 40.00 feet, measured perpendicular, to the centerline of West Ponderosa Avenue; thence South 89°29'03" East, parallel with said centerline of West Ponderosa Avenue, a distance of 30.05 feet; thence South 00°14'57" West, parallel with said West Line, a distance of 80.00 feet; thence North 89°29'03" West, parallel with said centerline of West Ponderosa Avenue, a distance of 29.95 feet; thence 15.75 feet southerly along the arc of a curve to the left, concave southeasterly, having a radius of 10.00 feet and a central angle of 90°16'00" to a point which lies 52.00 feet, measured perpendicular, to said West Line; thence South 00°14'57" West, parallel with said West Line, a distance of 284.02 feet; thence 15.66 feet easterly along the arc of a curve to the left, concave northeasterly, having a radius of 10.00 feet and a central angle of 89°44'16" to a point which lies 40.00 feet, measured perpendicular, to the centerline of West Palm Avenue; thence South 89°29'18" East, parallel with said centerline of West Palm Avenue, a distance of 30.05 feet; thence South 00°14'57" West, parallel with said West Line, a distance of 80.00 feet; thence North 89°29'18" West, parallel with said centerline of West Palm Avenue, a distance of 29.95 feet; thence 15.75 feet southerly along the arc of a curve to the left, concave southeasterly, having a radius of 10.00 feet and a central angle of 90°15'44" to a point which lies 52.00 feet, measured perpendicular, to said West Line; thence South 00°14'57" West, parallel with said West Line, a distance of 164.94 feet; thence 15.66 feet easterly along the arc of a curve to the left, concave northeasterly, having a radius of 10.00 feet and a central angle of 89°44'16" to a point which lies 52.00 feet, measured perpendicular, to the South Line of the Southeast Quarter of said Section 22; thence South 89°29'18" East parallel with said South Line, a distance of 30.05 feet; thence South 00°14'57" West, parallel with said West Line, a distance of 52.00 feet to a point on said South Line, also being the centerline of West Manning Avenue, said point lies South 89°29'18" East, a distance of 92.04 feet from the North Quarter Corner of said Section 27; thence South 00°17'35" West, parallel with the West Line of the Northeast Quarter of said Section 27 a distance of 52.00 feet; thence North 89°29'18" West, parallel with said South Line, a distance of

29.97 feet; thence 15.75 feet southerly along the arc of a curve to the left, concave southeasterly, having a radius of 10.00 feet and a central angle of 90°14'06" to a point which lies 52.00 feet, measured perpendicular, to said West Line; thence South 00°17'35" West, parallel with said West Line, a distance of 62.97 feet; thence North 89°29'18" West, parallel with said South Line, a distance of 52.00 feet to the **True Point of Beginning** of herein described real property.

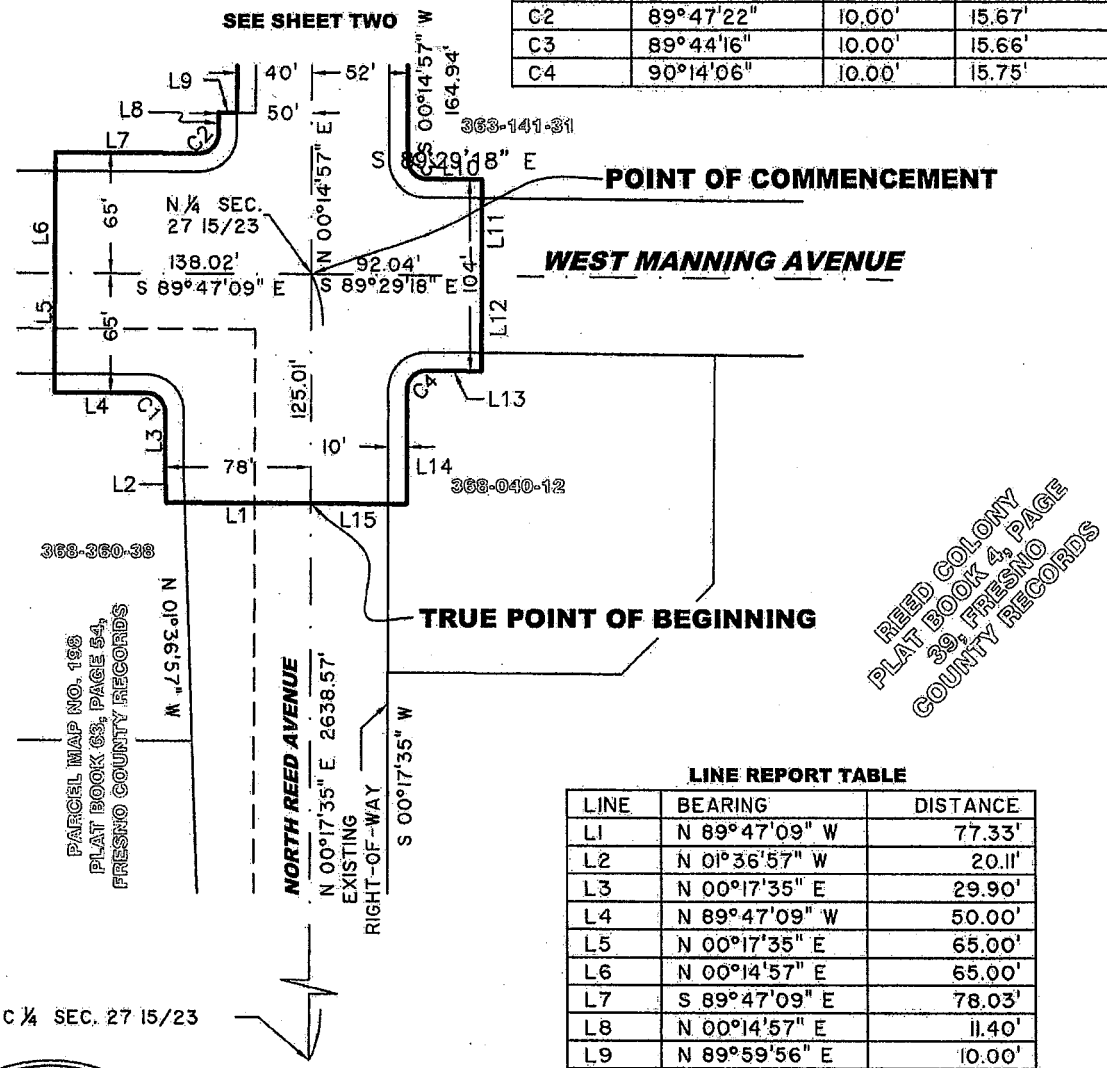
PROFESSIONAL LAND SURVEYOR
DOUGLAS J. JOHNSON
EXP. 12/31/10
No. 6360
STATE OF CALIFORNIA

Date: October 14, 2009

EXHIBIT "B"

CURVE REPORT TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH
C1	90°05'00"	10.00'	15.72'
C2	89°47'22"	10.00'	15.67'
C3	89°44'16"	10.00'	15.66'
C4	90°14'06"	10.00'	15.75'



LINE REPORT TABLE

LINE	BEARING	DISTANCE
L1	N 89°47'09" W	77.33'
L2	N 01°36'57" W	20.11'
L3	N 00°17'35" E	29.90'
L4	N 89°47'09" W	50.00'
L5	N 00°17'35" E	65.00'
L6	N 00°14'57" E	65.00'
L7	S 89°47'09" E	78.03'
L8	N 00°14'57" E	11.40'
L9	N 89°59'56" E	10.00'
L10	S 89°29'18" E	30.05'
L11	S 00°14'57" W	52.00'
L12	S 00°17'35" W	52.00'
L13	N 89°29'18" W	29.97'
L14	S 00°17'35" W	62.97'
L15	N 89°29'18" W	52.00'

NORTH

PROFESSIONAL LAND SURVEYOR
DOUGLAS J. JOHNSON
EXP. 12/31/10
No. 6360
STATE OF CALIFORNIA

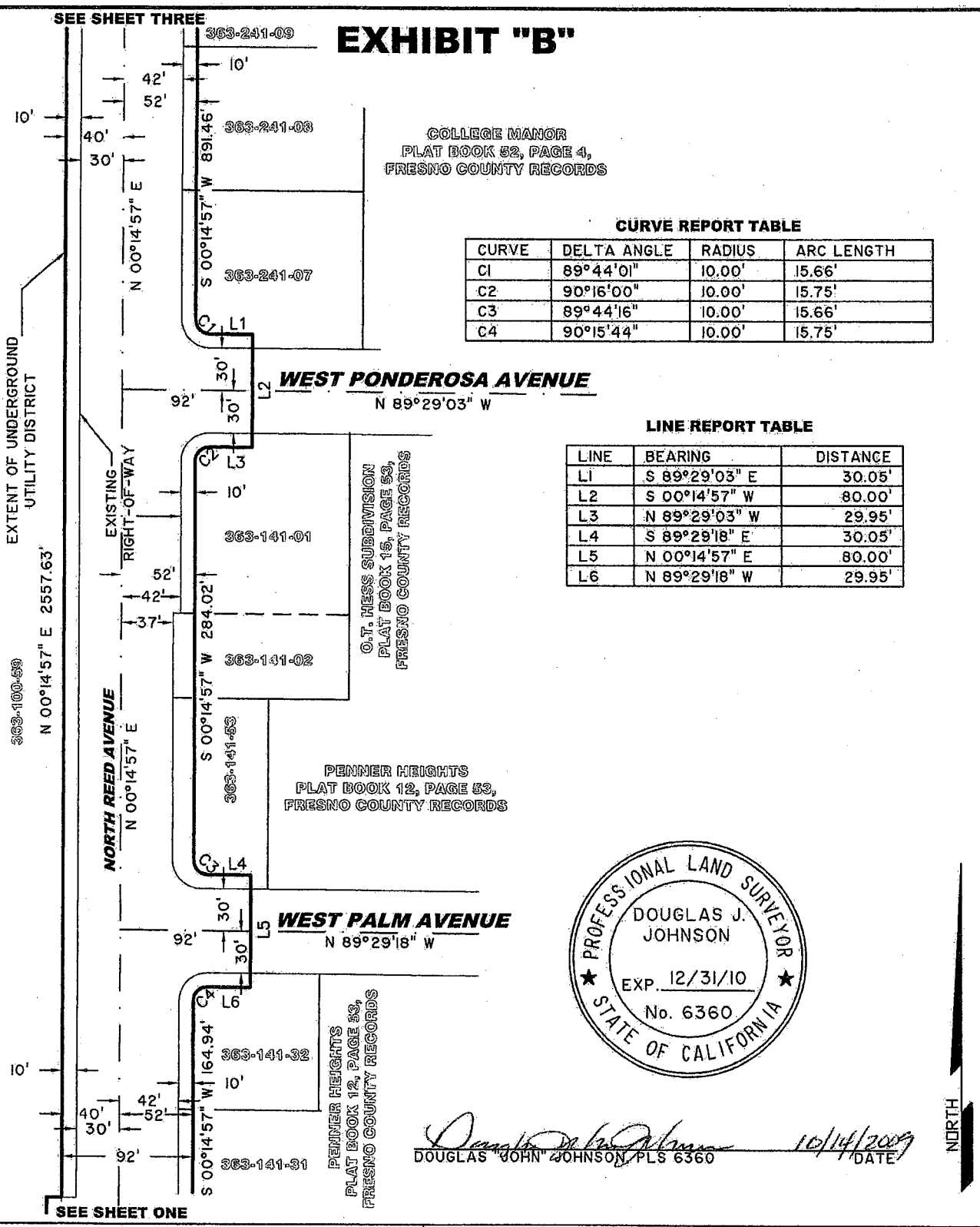
DOUGLAS "JOHN" JOHNSON, PLS 6360 — 10/14/2009 DATE

CITY OF REEDLEY
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
1733 9th STREET, REEDLEY, CA 93654
Phone: (559) 637-4200 Ext. 214
Fax: (559) 637-2139

DIAGRAM OF:
NORTH REED AVENUE
UTILITY DISTRICT NO. 5
ONE OF EIGHT

REVISIONS:	DATE:	SCALE
DATE:	03/24/2009	1" = 100'
BY:	DRAWN BY:	
NO.:	D.J.J.	SHEET NO. 1 OF 8
DWG. NO. 09012_EX_J.DWG		

EXHIBIT "B"



CURVE REPORT TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH
C1	89°44'01"	10.00'	15.66'
C2	90°16'00"	10.00'	15.75'
C3	89°44'16"	10.00'	15.66'
C4	90°15'44"	10.00'	15.75'

LINE REPORT TABLE

LINE	BEARING	DISTANCE
L1	S 89°29'03" E	30.05'
L2	S 00°14'57" W	80.00'
L3	N 89°29'03" W	29.95'
L4	S 89°29'18" E	30.05'
L5	N 00°14'57" E	80.00'
L6	N 89°29'18" W	29.95'

PROFESSIONAL LAND SURVEYOR
DOUGLAS J. JOHNSON
EXP. 12/31/10
No. 6360
STATE OF CALIFORNIA

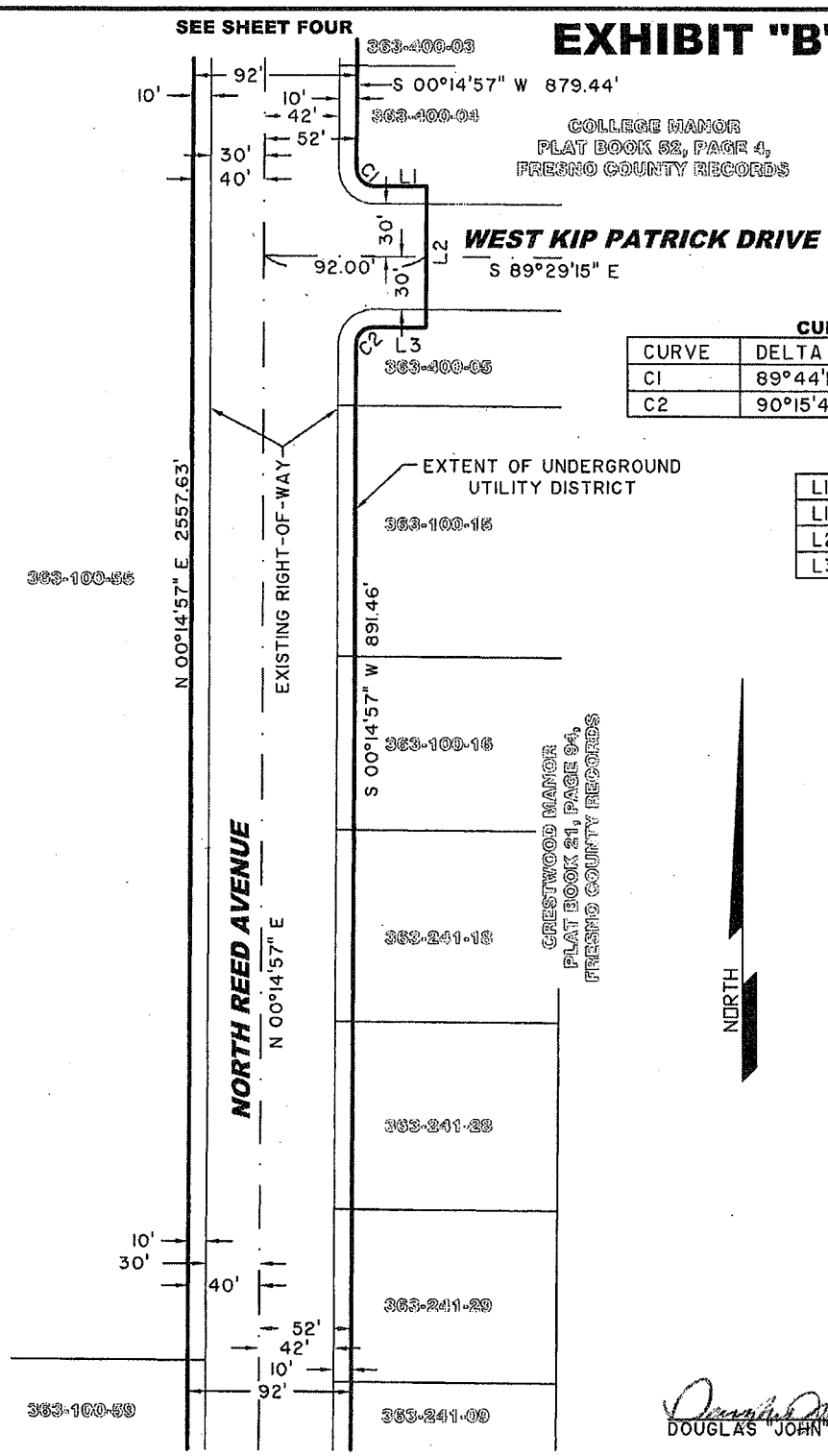
DOUGLAS "JOHN" JOHNSON, PLS 6360 — 10/14/2009 DATE

CITY OF REEDLEY
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
1733 9th STREET, REEDLEY, CA 93654
Phone: (559) 637-4200 Ext. 214
Fax: (559) 637-2139

DIAGRAM OF:
NORTH REED AVENUE
UTILITY DISTRICT NO. 5
SHEET TWO OF EIGHT

REVISIONS:	DATE:	SCALE
DATE:	03/24/2009	1" = 100'
BY:	DRAWN BY:	
NO.:	A.B.T.	SHEET NO. 2OF 8
DWG. NO. 09012_EX_2.DWG		

EXHIBIT "B"



CURVE REPORT TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH
C1	89°44'12"	10.00'	15.66'
C2	90°15'48"	10.00'	15.75'

LINE REPORT TABLE

LINE	BEARING	DISTANCE
L1	S 89°29'15" E	30.05'
L2	S 00°14'57" W	80.00'
L3	N 89°29'15" W	29.95'

PROFESSIONAL LAND SURVEYOR
DOUGLAS J. JOHNSON
EXP. 12/31/10
No. 6360
STATE OF CALIFORNIA

DOUGLAS "JOHN" JOHNSON, PLS 6360 — 10/28/2009 DATE

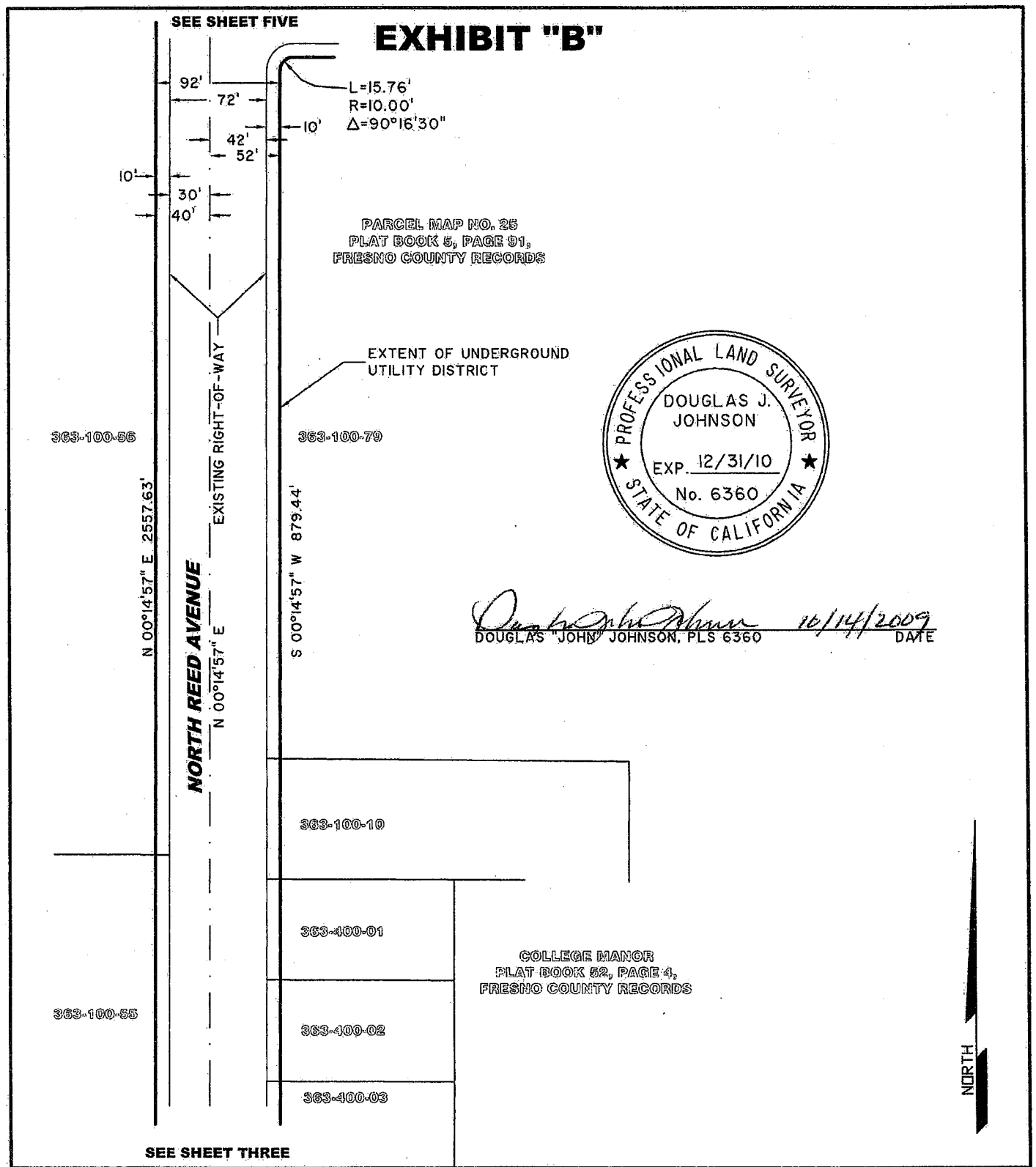
SEE SHEET TWO

CITY OF REEDLEY
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
1733 9th STREET, REEDLEY, CA 93654
Phone: (559) 637-4200 Ext. 214
Fax: (559) 637-2139

DIAGRAM OF:
NORTH REED AVENUE
UTILITY DISTRICT NO. 5
SHEET THREE OF EIGHT

REVISIONS:	DATE:	SCALE
DATE: 10/28/2009	10/28/2009	1" = 100'
BY: D.J.J.	DRAWN BY:	
NO.: 1	D.J.J.	SHEET NO. 3 OF 8
DWG. NO. 09012_EX_3.DWG		

EXHIBIT "B"



PROFESSIONAL LAND SURVEYOR
DOUGLAS J. JOHNSON
EXP. 12/31/10
No. 6360
STATE OF CALIFORNIA

DOUGLAS "JOHN" JOHNSON, PLS 6360 — 10/14/2009 DATE

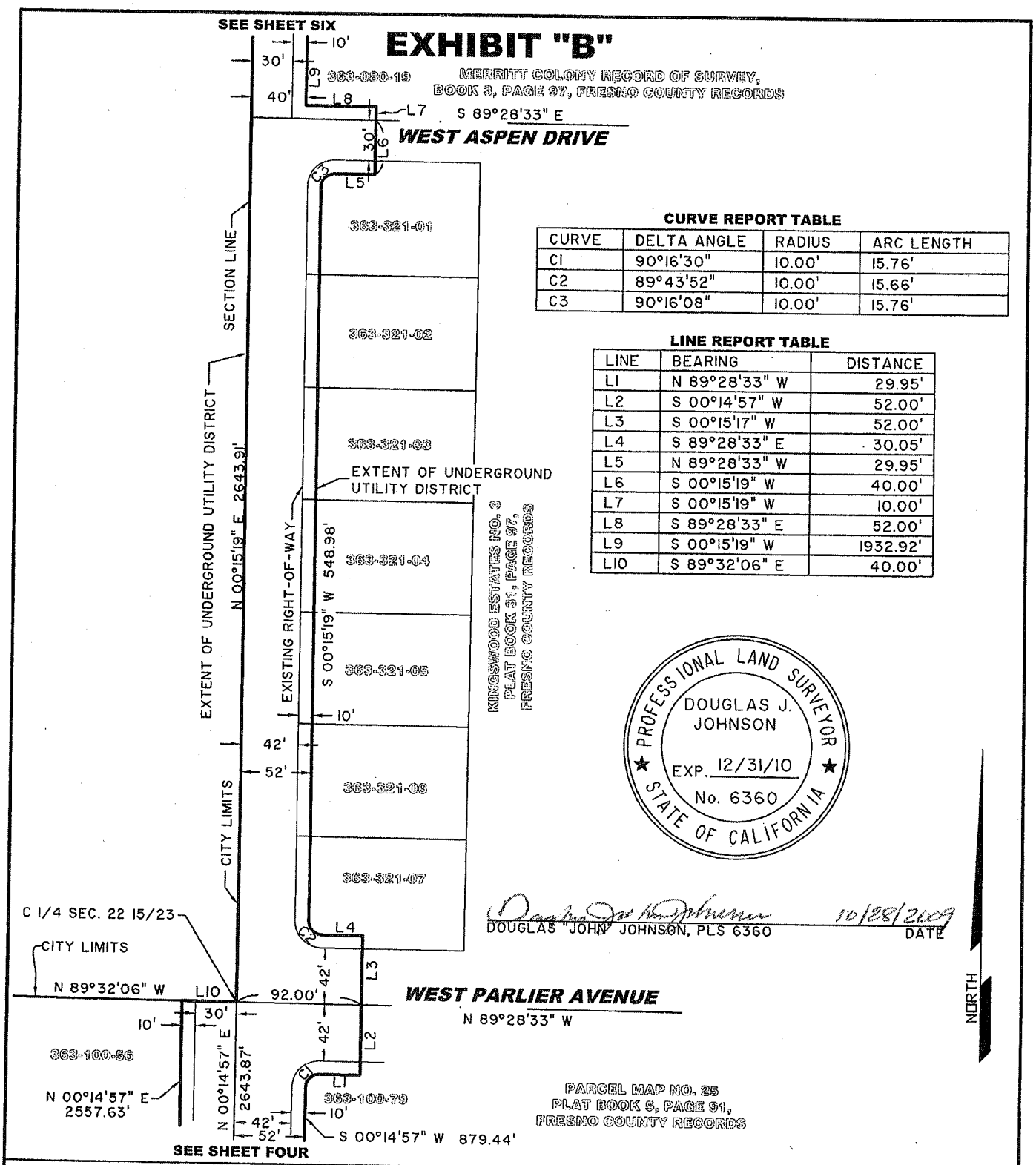
CITY OF REEDLEY
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
1733 9th STREET, REEDLEY, CA 93654
Phone: (559) 637-4200 Ext. 214
Fax: (559) 637-2139

DIAGRAM OF:

NORTH REED AVENUE
UTILITY DISTRICT NO. 5
SHEET FOUR OF EIGHT

REVISIONS: DATE: BY: NO.:	DATE: 03/24/2009	SCALE 1" = 100'
DWG. NO. 09012_EX_4.DWG	DRAWN BY: A.B.T.	SHEET NO. 4 OF 8

EXHIBIT "B"



CURVE REPORT TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH
C1	90°16'30"	10.00'	15.76'
C2	89°43'52"	10.00'	15.66'
C3	90°16'08"	10.00'	15.76'

LINE REPORT TABLE

LINE	BEARING	DISTANCE
L1	N 89°28'33" W	29.95'
L2	S 00°14'57" W	52.00'
L3	S 00°15'17" W	52.00'
L4	S 89°28'33" E	30.05'
L5	N 89°28'33" W	29.95'
L6	S 00°15'19" W	40.00'
L7	S 00°15'19" W	10.00'
L8	S 89°28'33" E	52.00'
L9	S 00°15'19" W	1932.92'
L10	S 89°32'06" E	40.00'

PROFESSIONAL LAND SURVEYOR
DOUGLAS J. JOHNSON
EXP. 12/31/10
No. 6360
STATE OF CALIFORNIA

DOUGLAS "JOHN" JOHNSON, PLS 6360 — 10/28/2009 DATE

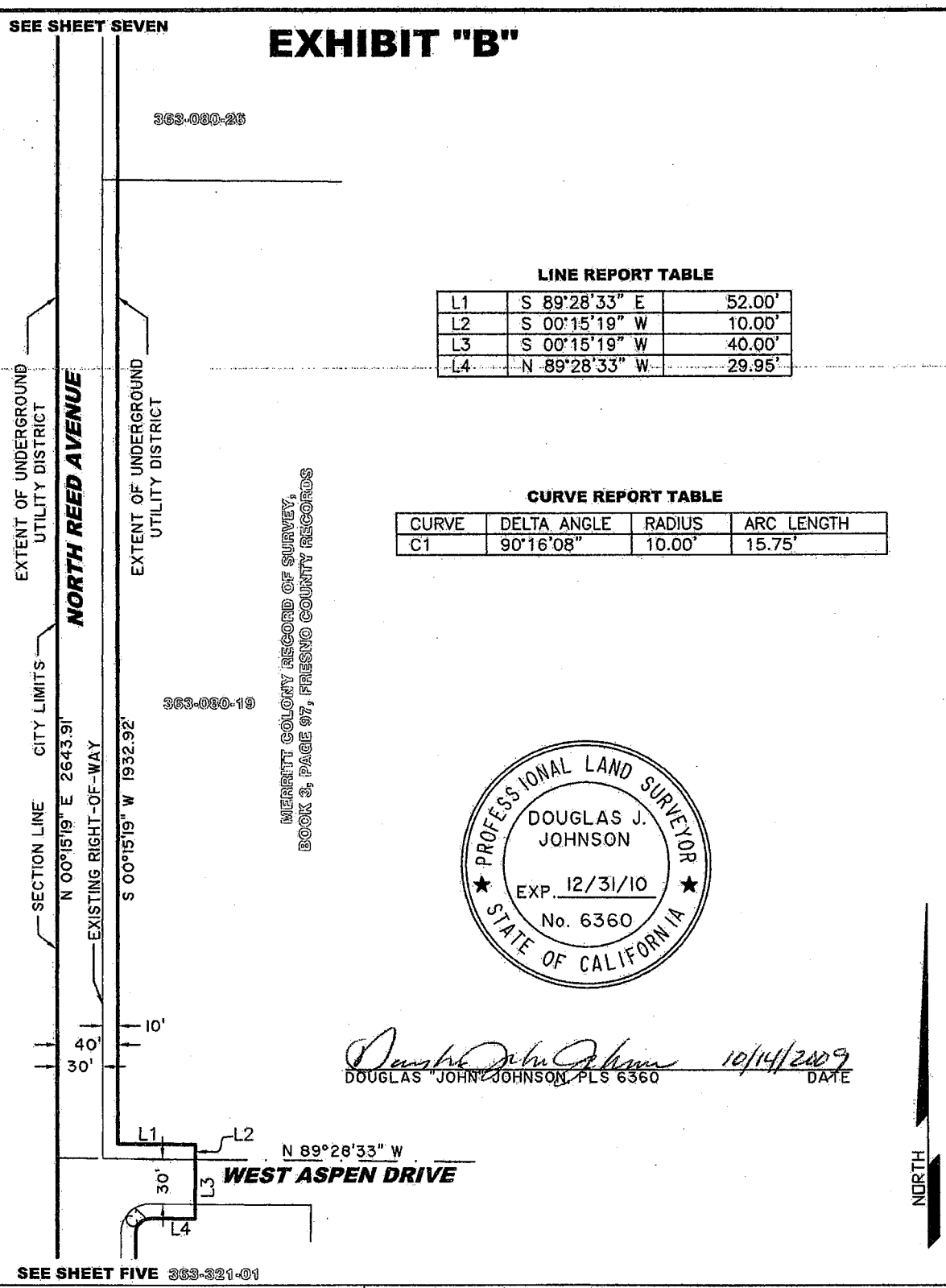
CITY OF REEDLEY
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
1733 9th STREET, REEDLEY, CA 93654
Phone: (559) 637-4200 Ext. 214
Fax: (559) 637-2139

DIAGRAM OF:

NORTH REED AVENUE UTILITY DISTRICT NO. 5 SHEET FIVE OF EIGHT

REVISIONS:	DATE:	SCALE
DATE: 10/28/2009	10/28/2009	1" = 100'
BY: D.J.J.	DRAWN BY:	
NO.: 1	D.J.J.	SHEET NO. 5 OF 8
DWG. NO. 09012_EX_5.DWG		

EXHIBIT "B"



LINE REPORT TABLE

L1	S 89°28'33" E	52.00'
L2	S 00°15'19" W	10.00'
L3	S 00°15'19" W	40.00'
L4	N 89°28'33" W	29.95'

CURVE REPORT TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH
C1	90°16'08"	10.00'	15.75'

PROFESSIONAL LAND SURVEYOR
DOUGLAS J. JOHNSON
EXP. 12/31/10
No. 6360
STATE OF CALIFORNIA

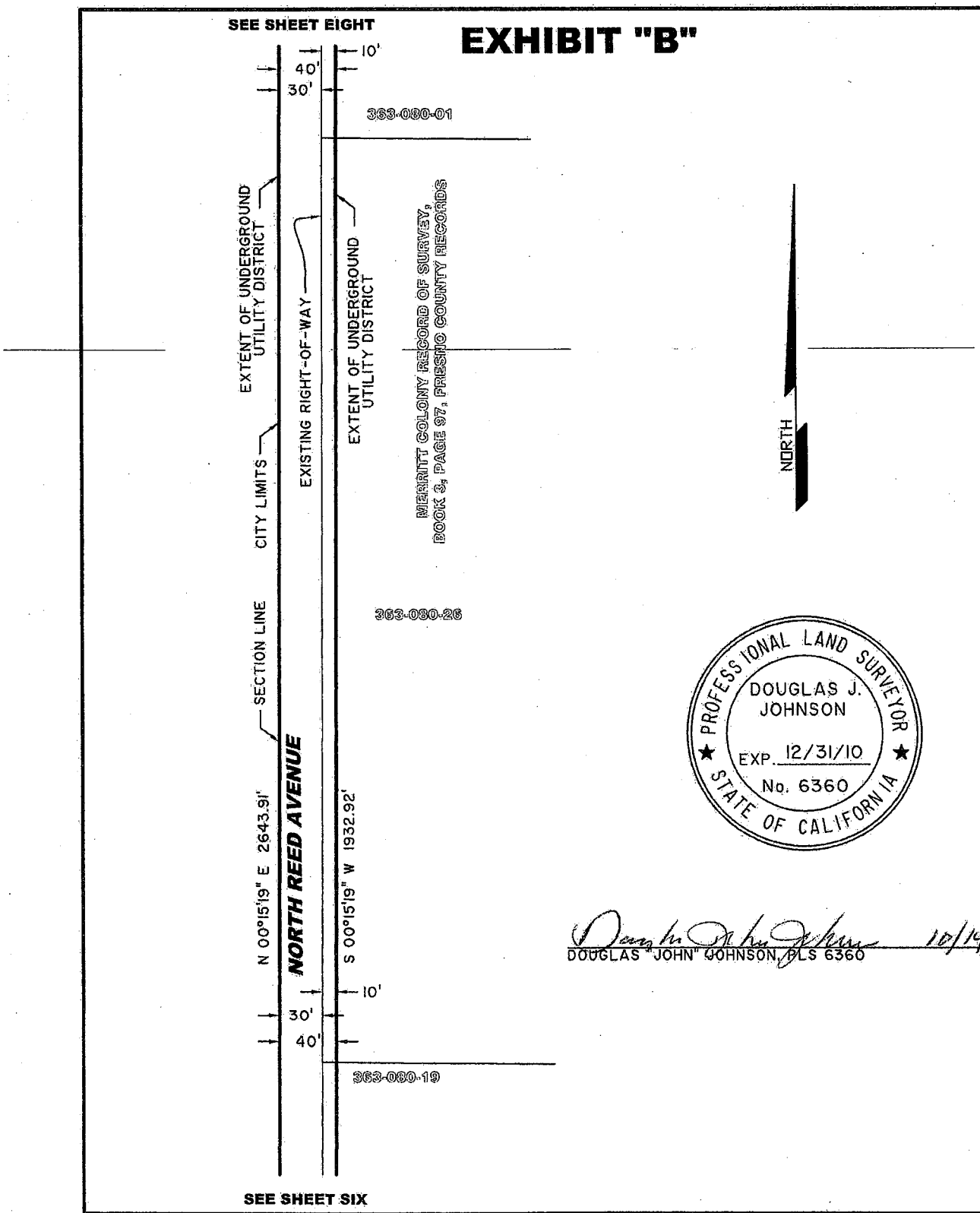
DOUGLAS "JOHN" JOHNSON, PLS 6360 — 10/14/2009 DATE

CITY OF REEDLEY
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
1733 9th STREET, REEDLEY, CA 93654
Phone: (559) 637-4200 Ext. 214
Fax: (559) 637-2139

DIAGRAM OF:
NORTH REED AVENUE
UTILITY DISTRICT NO. 5
SHEET SIX OF EIGHT

REVISIONS:	DATE:	SCALE
DATE:	03/24/2009	1" = 100'
BY:	DRAWN BY:	
NO.:	A.B.T.	SHEET NO. 6OF 8
DWG. NO. 09012_EX_6.DWG		

EXHIBIT "B"



PROFESSIONAL LAND SURVEYOR
DOUGLAS J. JOHNSON
EXP. 12/31/10
No. 6360
STATE OF CALIFORNIA

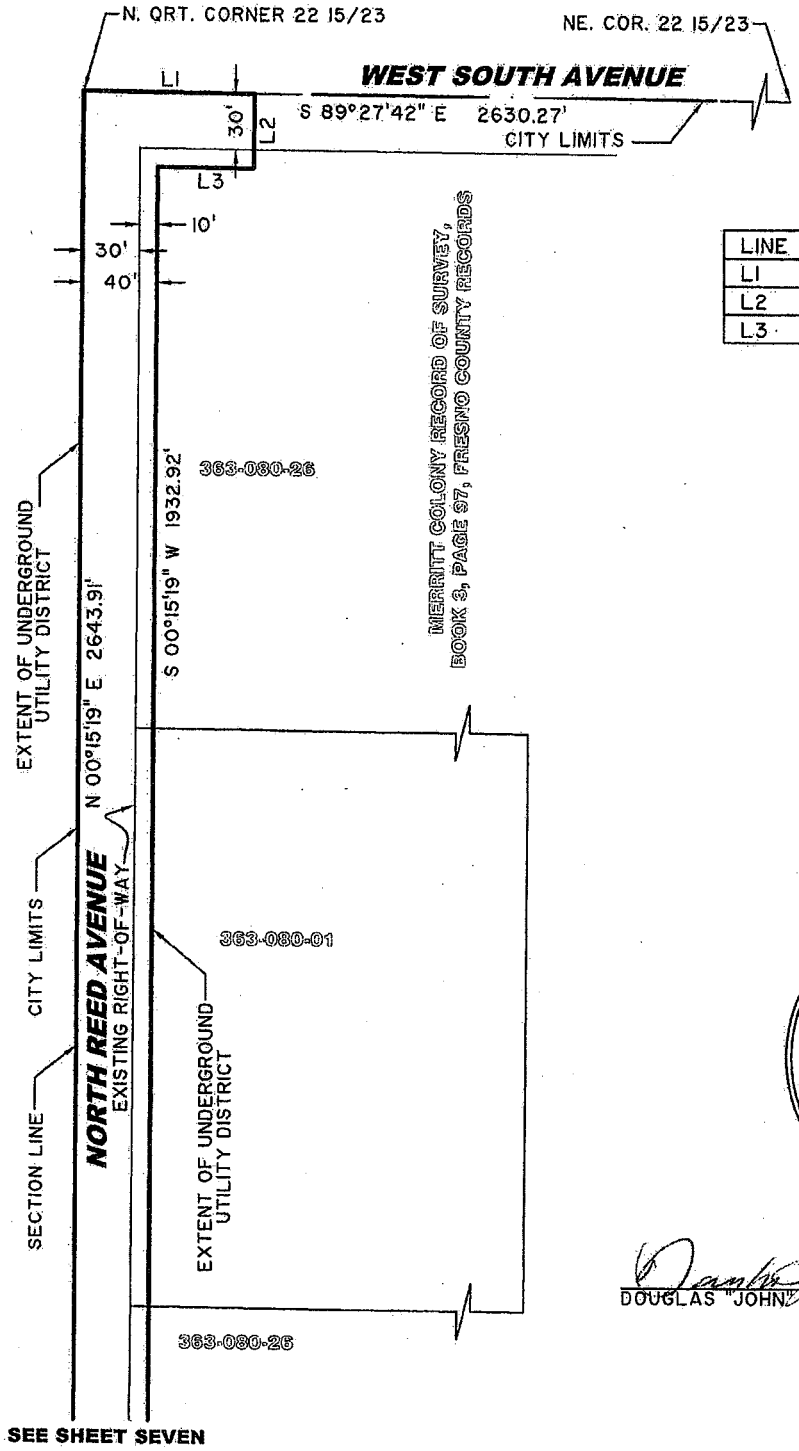
DOUGLAS "JOHN" JOHNSON, PLS 6360 — 10/14/2009 DATE

CITY OF REEDLEY
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
1733 9th STREET, REEDLEY, CA 93654
Phone: (559) 637-4200 Ext. 214
Fax: (559) 637-2139

DIAGRAM OF:
NORTH REED AVENUE
UTILITY DISTRICT NO. 5
SHEET SEVEN OF EIGHT

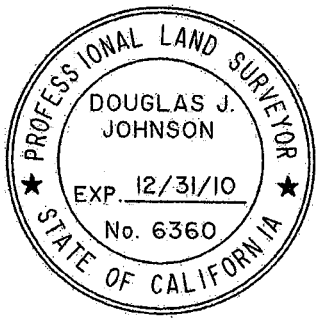
REVISIONS:	DATE:	SCALE
DATE:	03/24/2009	1" = 100'
BY:	DRAWN BY:	
NO.:	A.B.T.	SHEET NO. 7OF 8
DWG. NO. 09012_EX_7.DWG		

EXHIBIT "B"



LINE REPORT TABLE

LINE	BEARING	DISTANCE
L1	S 89°27'42" E	92.00'
L2	S 00°15'19" W	40.00'
L3	N 89°27'42" W	52.00'



DOUGLAS "JOHN" JOHNSON, PLS 6360 — DATE 10/14/2009

CITY OF REEDLEY
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
1733 9th STREET, REEDLEY, CA 93654
Phone: (559) 637-4200 Ext. 214
Fax: (559) 637-2139

DIAGRAM OF:
NORTH REED AVENUE
UTILITY DISTRICT NO. 5
SHEET EIGHT OF EIGHT

REVISIONS:	DATE:	SCALE
DATE:	03/24/2009	1" = 100'
BY:	DRAWN BY:	
NO.:	A.B.T.	SHEET NO. 8OF 8
DWG. NO. 09012_EX_8.DWG		

RESOLUTION NO. 2009-086

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY, CA ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 5 (Located along one and one-half mile of Reed Avenue between Manning Avenue and South Avenue)

WHEREAS, Ordinance Code 638 of the Reedley Municipal Code adopted April, 21, 1981, establishes a procedure for the creation of an underground utility district, including the calling of a public hearing to ascertain whether public interest and necessity, health, safety or welfare require the formation of such underground utility district; and

WHEREAS, it has been recommended that such an underground utility district be formed within the boundaries of the hereinafter described property as shown on attached drawing; and

WHEREAS, on October 27, 2009 the City Council adopted Resolution No. 2009-075 entitled "RESOLUTION OF INTENTION TO CREATE UNDERGROUND UTILITY DISTRICT NUMBER 5 OF THE CITY OF REEDLEY LOCATED ALONG ONE AND ONE-HALF MILE OF REED AVENUE BETWEEN MANNING AVENUE AND SOUTH AVENUE, which hearing was set for December 8, 2009 at the hour of 7:00 P.M. in the Council Chambers of City Hall in Reedley; and

WHEREAS, notice of such hearing has been given to all affected property owners as shown on the last equalized assessment roll and utilities concerned in the manner and for the time required by law; and

WHEREAS, such hearing has been duly and regularly held and all persons interested have been given an opportunity to be heard;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF REEDLEY AS FOLLOWS:

1. **WHEREAS,** The City Council of the City of Reedley hereby finds and determines that the public necessity, health, safety and welfare require the removal of poles, overhead wires and associated structures, and the underground installation of wires and facilities for supplying electric, communication or similar or associated service on all of the real property along one and one half-mile of Reed Avenue between Manning Avenue and South Avenue.

2. **WHEREAS,** The Council hereby further finds and determines that the undergrounding referred to is in the general public interest for the reasons that undergrounding will avoid and eliminate an unusually heavy concentration of overhead distribution facilities.

3. **WHEREAS,** Attached hereto marked Exhibit "A" and incorporated herein as part of this Resolution is a legal description and boundary map delineating City of Reedley Underground Utility District Number 5.

4. **WHEREAS,** The City of Reedley Engineering and Public Works Department will assist the property owners and answer any and all questions related to the Underground Utility District No. 5, Contact Persons: Bruce Webber, City Engineer (559) 637-4200 or Ronald S. Frye, MSW Consulting, LLC (559) 439-2677.

5. **WHEREAS,** The City Council does hereby fix January 1, 2014 as the date on or before which affected property owners must be ready to receive underground service and does hereby order the removal of all poles, overhead wires and facilities for supplying electric, communication, or similar or associated service within said Underground Utility District No. 5 on or before August 1, 2016.

6. **WHEREAS,** The City Clerk is hereby authorized and directed to notify all affected utilities and all persons owning real property within Underground Utility District Number 5 of the adoption of this resolution within ten (10) days after the day of such adoption. The City Clerk shall further notify said property owners of the formation of said Underground Utility District. Such notification shall be made by mailing a copy of this Resolution to affected property owners as such shown on the last equalized assessment roll and to the affected utilities.

The forgoing Resolution duly adopted by the City Council of the City of Reedley at a regular meeting thereof held on the 8th day of December 2009, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

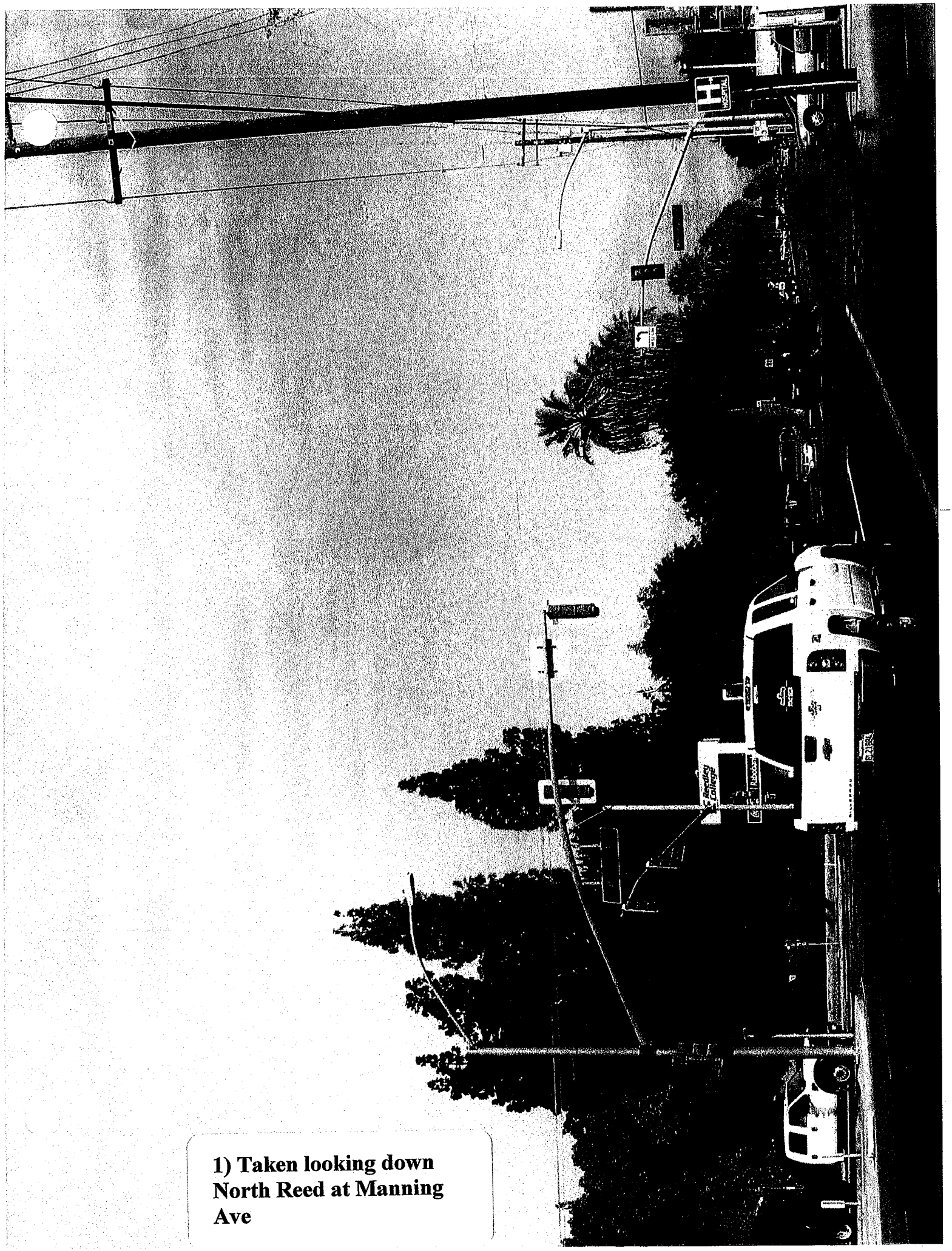
_____

Mary L Fast,
Mayor of the City of Reedley

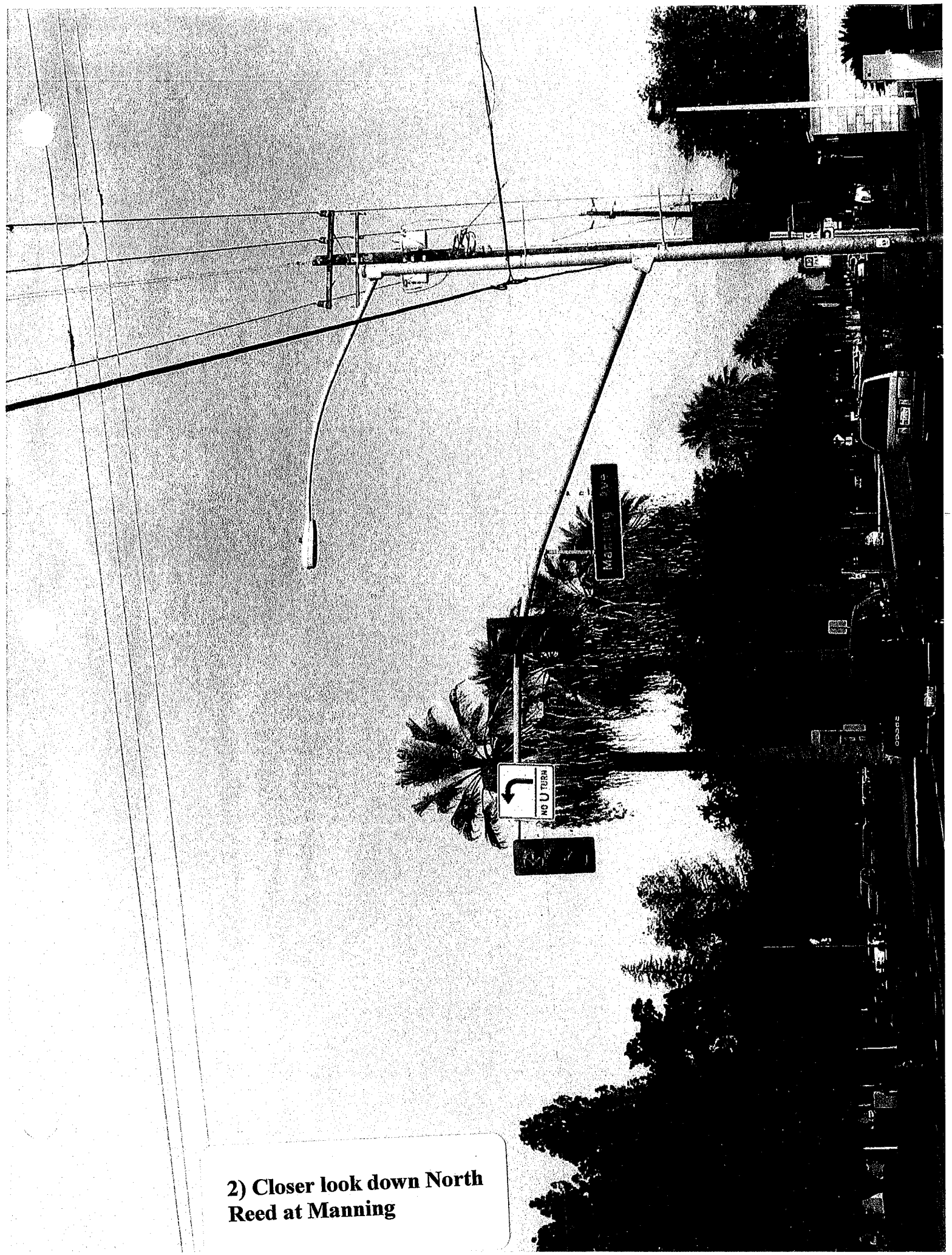
ATTEST:

_____

Kay L Pierce,
City Clerk of the City of Reedley

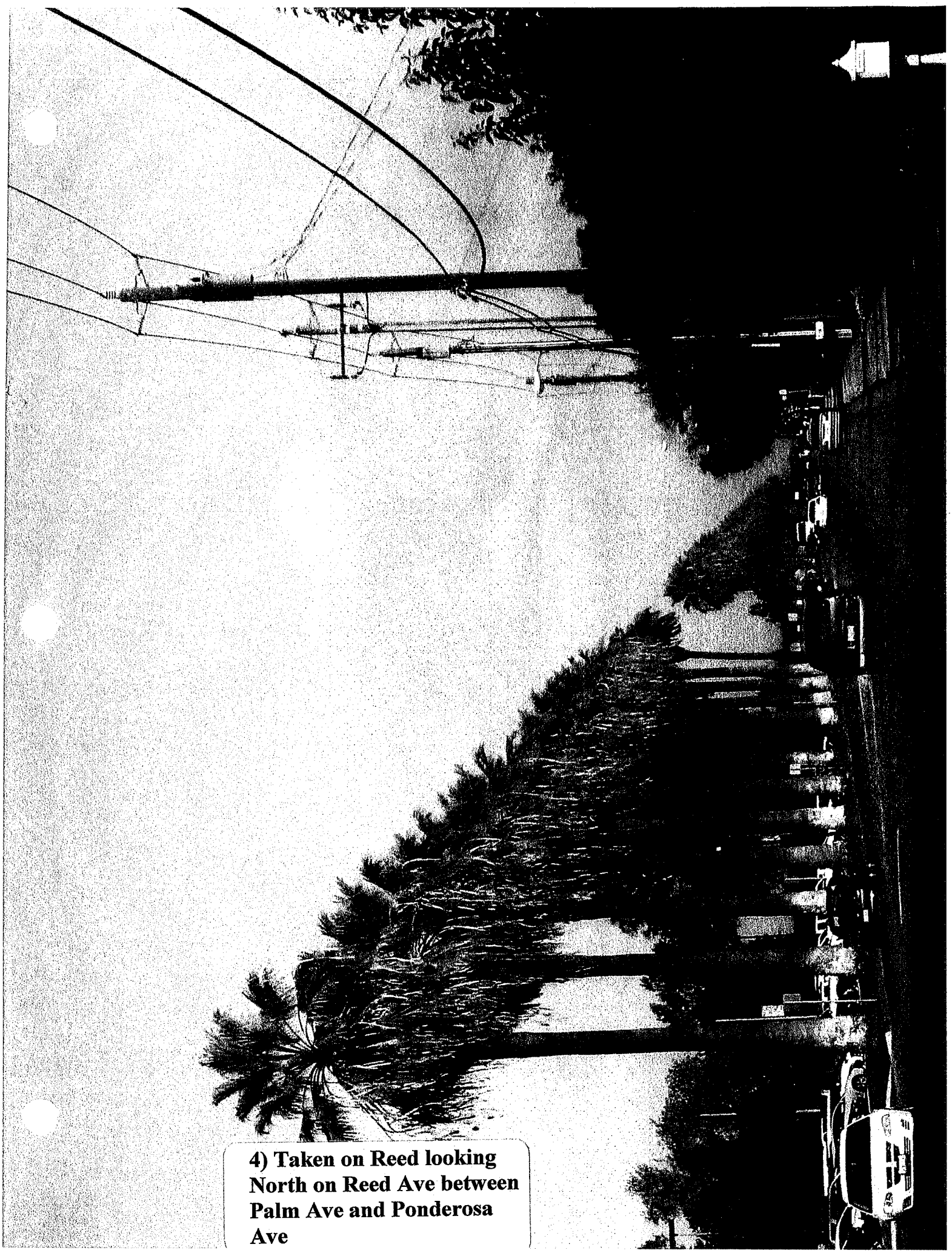


1) Taken looking down North Reed at Manning Ave

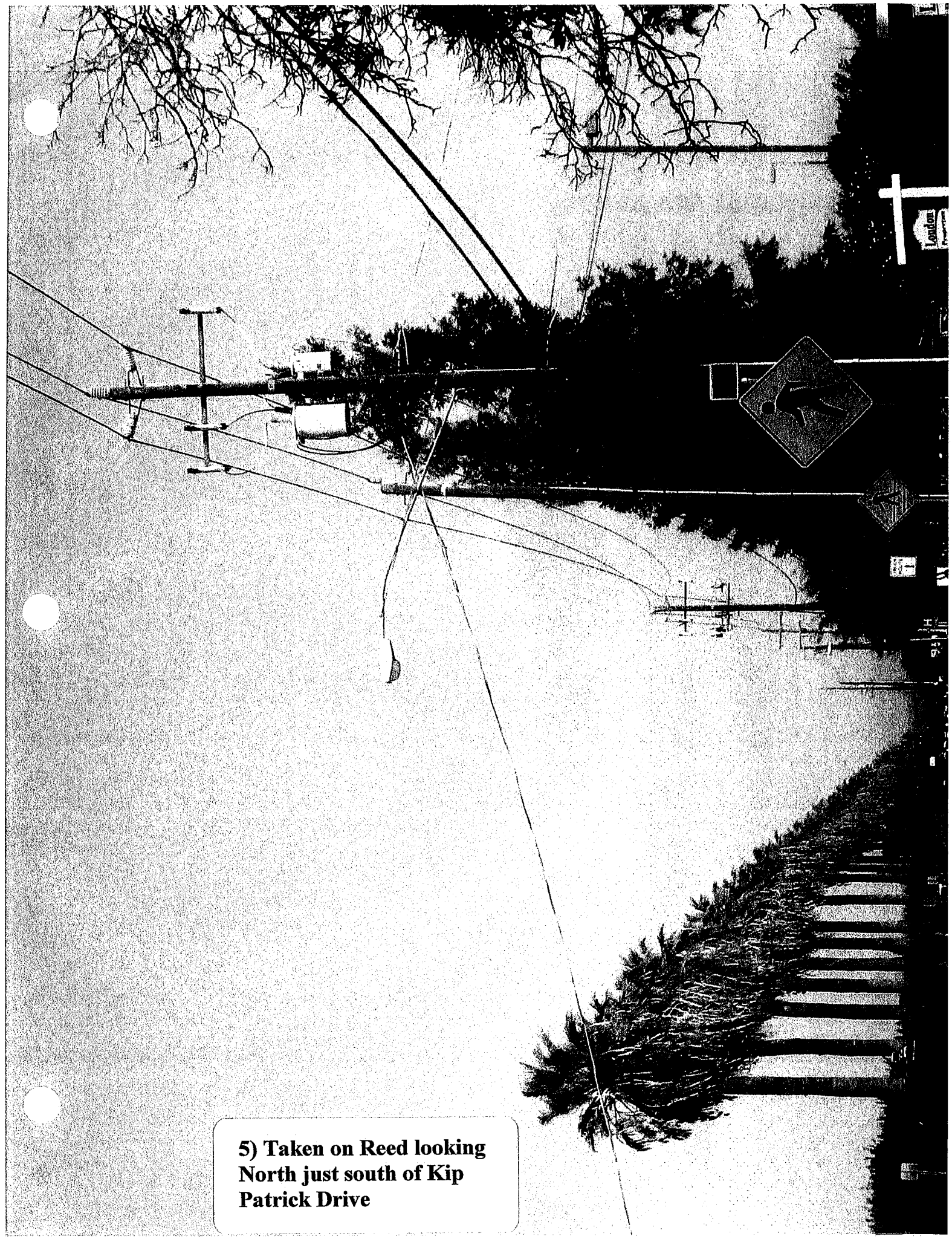


2) Closer look down North Reed at Manning

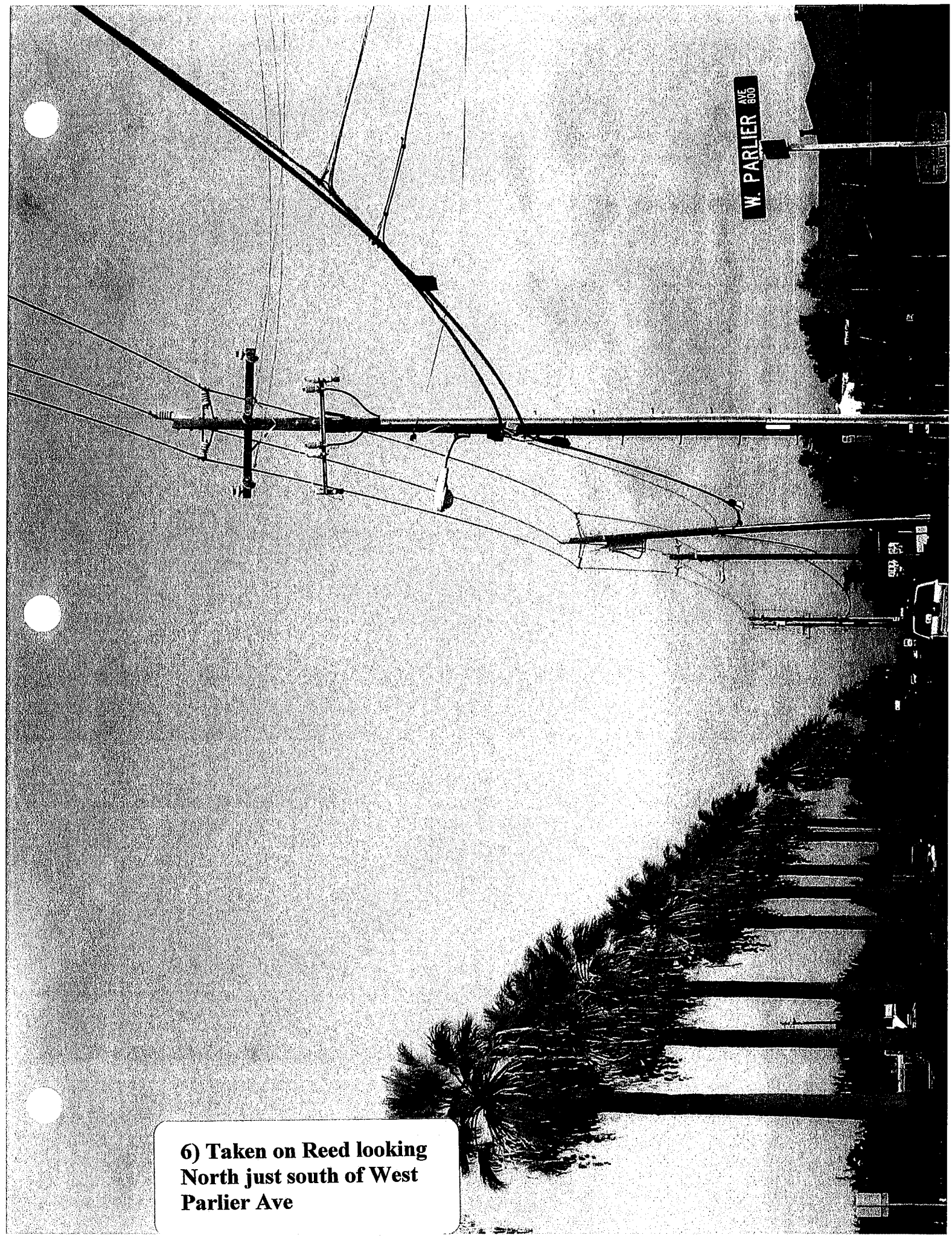
3) Taken looking East on Manning at Reed and Manning Intersection



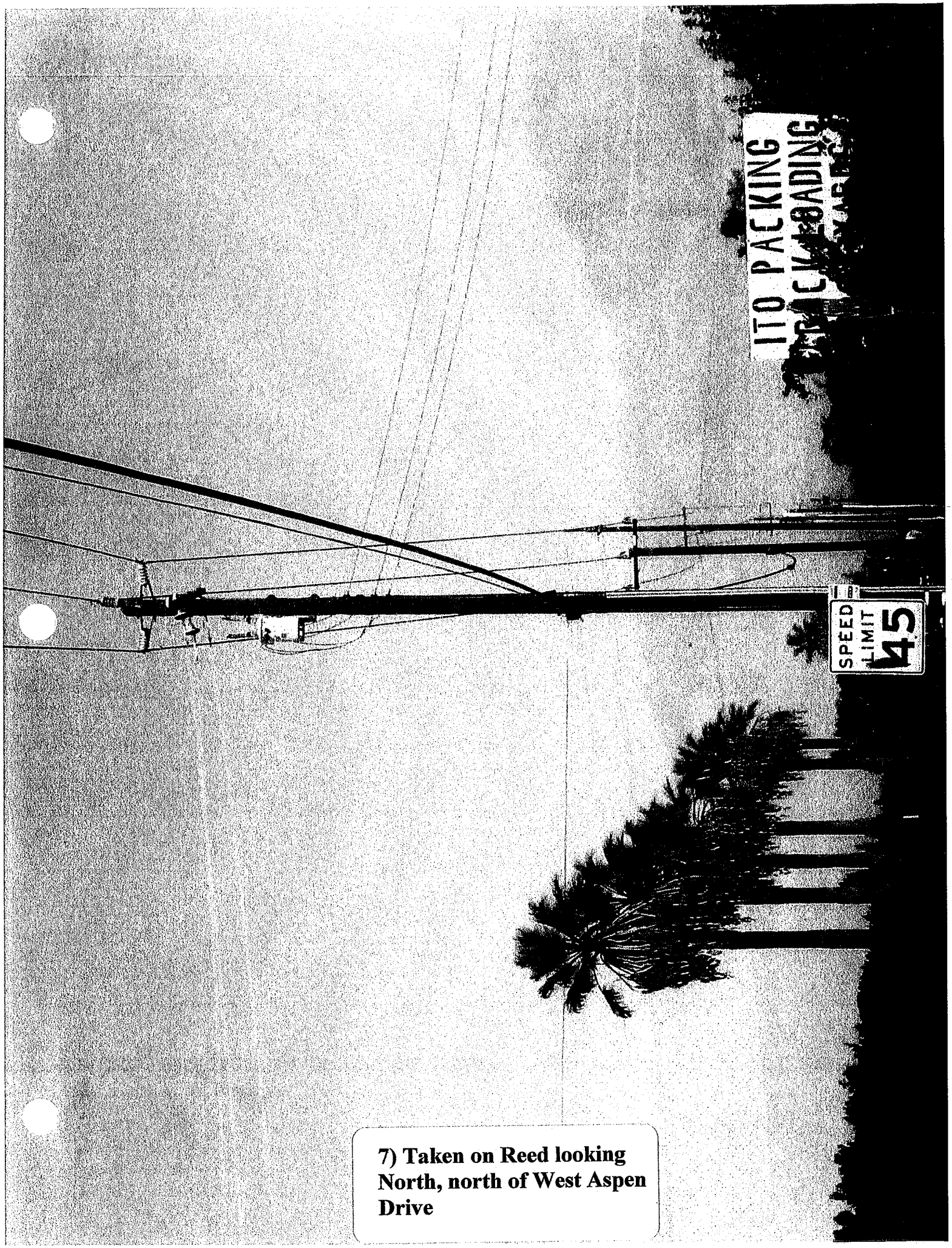
4) Taken on Reed looking North on Reed Ave between Palm Ave and Ponderosa Ave



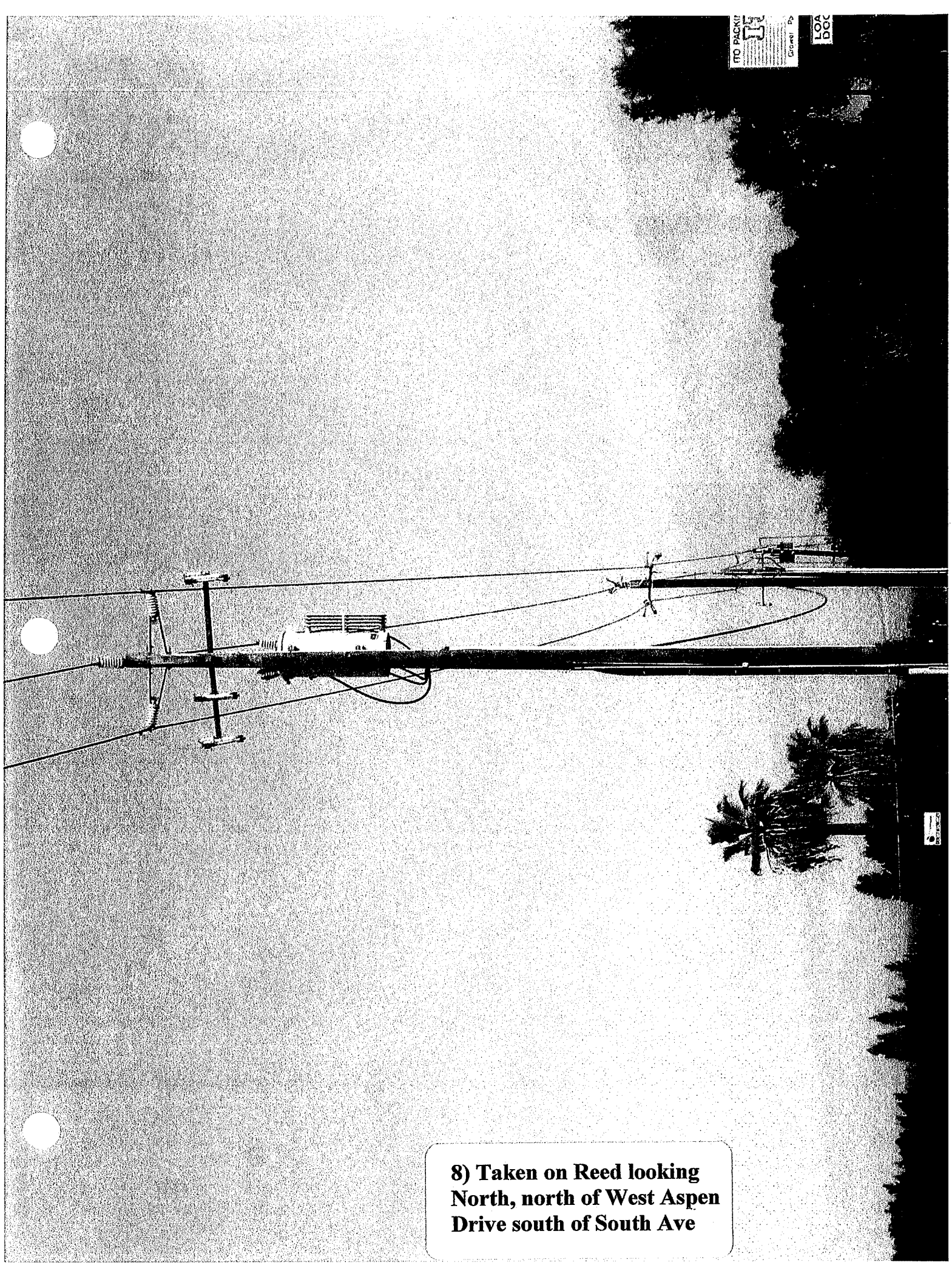
5) Taken on Reed looking North just south of Kip Patrick Drive



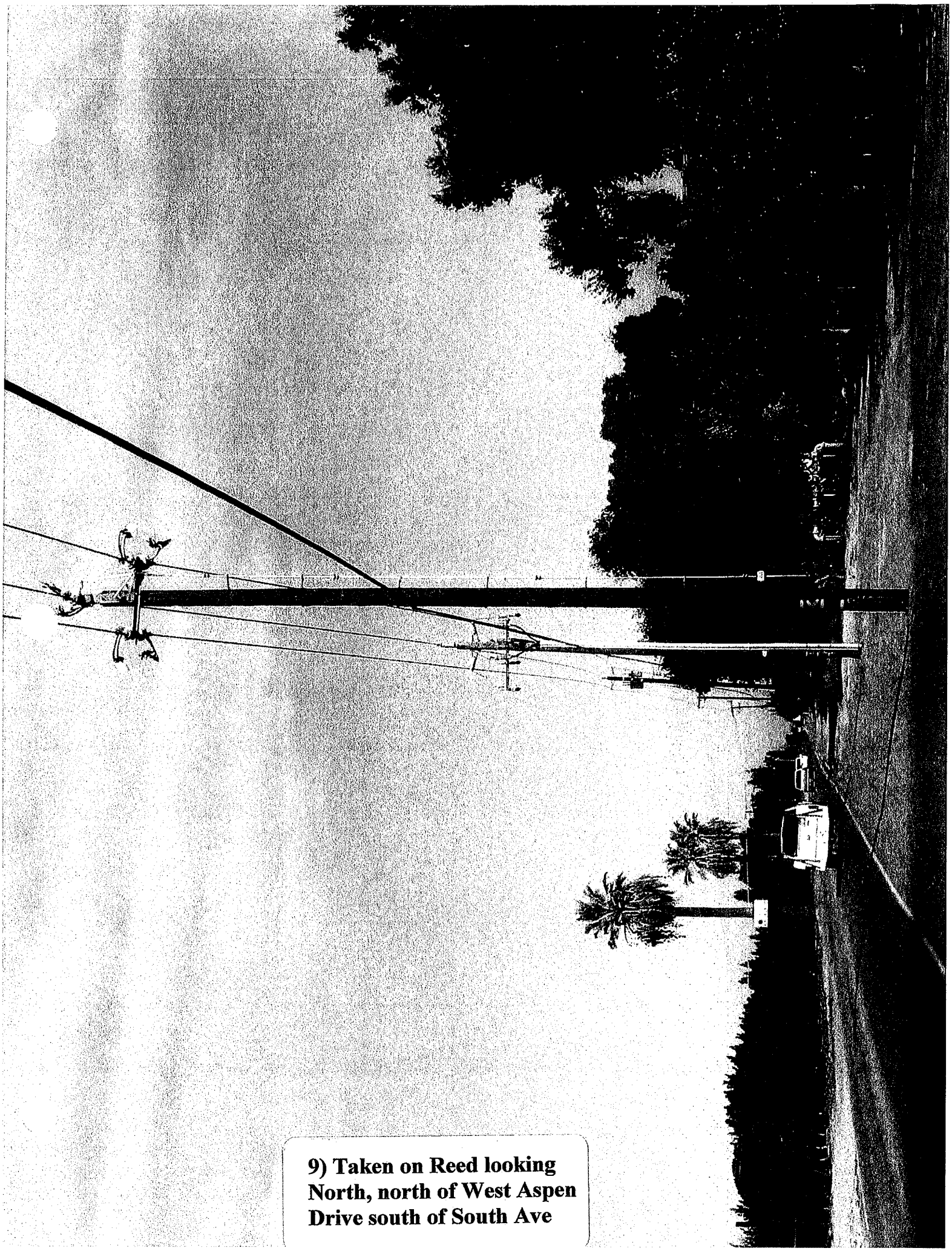
6) Taken on Reed looking North just south of West Parlier Ave



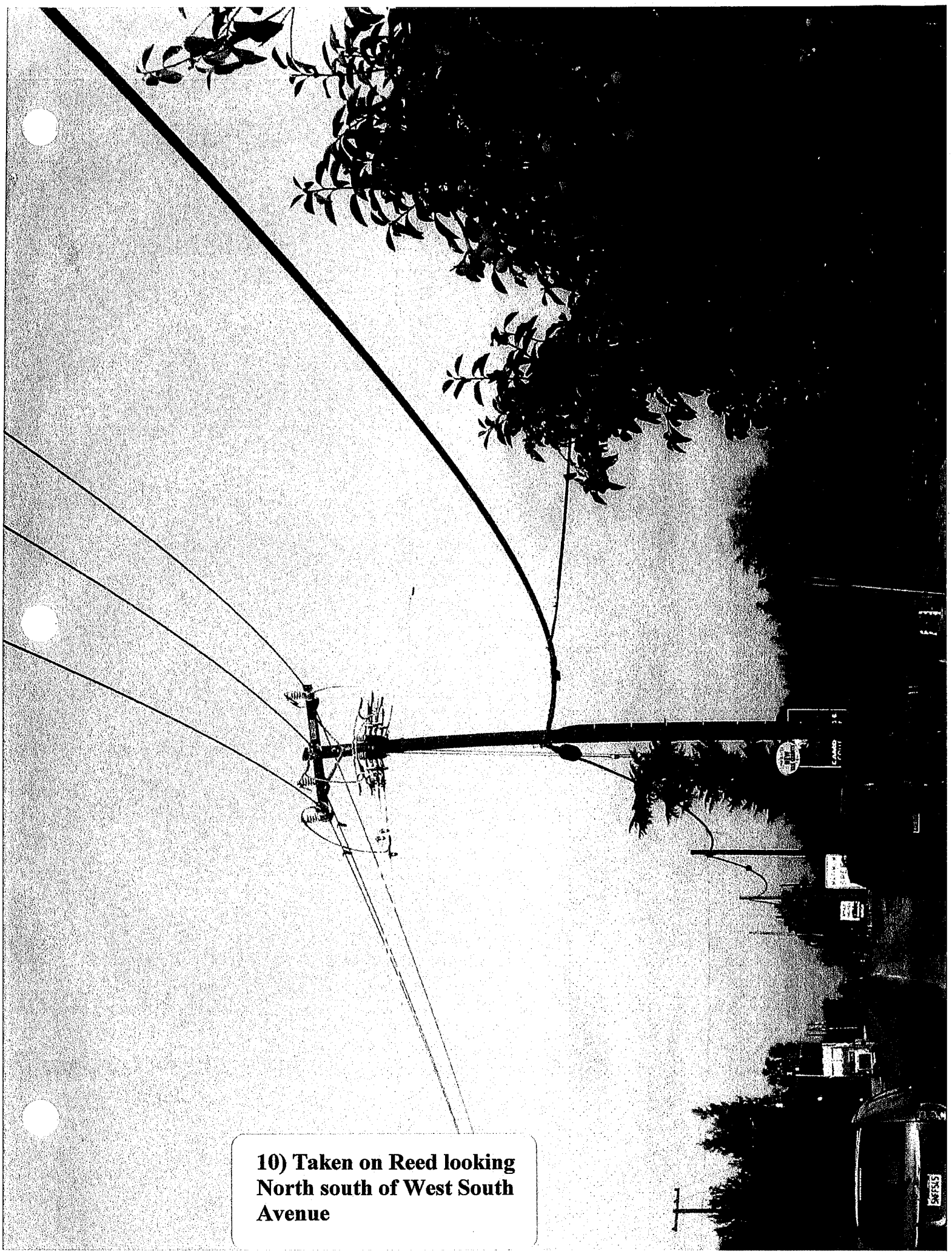
7) Taken on Reed looking North, north of West Aspen Drive



8) Taken on Reed looking North, north of West Aspen Drive south of South Ave



9) Taken on Reed looking North, north of West Aspen Drive south of South Ave



10) Taken on Reed looking North south of West South Avenue

REPORT TO CITY COUNCIL

MEMORANDUM

AGENDA ITEM NO: 8

COUNCIL MEETING DATE: December 8, 2009

SUBJECT: ***Public Hearing: Ordinance Amendment Application No. 2009-2 amending the Reedley Municipal Code Regulating Medical Marijuana***

RECOMMENDATION:

Approve Ordinance Amendment Application No. 2009-2 by the adoption of Ordinance 2009-06 Prohibiting Medical Marijuana Dispensaries and Regulating Medical Marijuana Cultivation in the City of Reedley.

BACKGROUND:

In 1996 the California voters passed Proposition 215, otherwise known as the Compassionate Use Act, an initiative authorizing the limited possession, cultivation and use of marijuana by patients and their care providers for certain medical purposes recommended by a physician without subjecting such persons to criminal punishment. The Act creates an exemption from criminal prosecution for physicians, as well as for patients and "primary caregivers" who possess or cultivate marijuana for medical purposes with the recommendation or approval of a physician. A "primary caregiver" is defined as "the individual, designated by a qualified patient or person with an identification card, who has consistently assumed responsibility for the housing, health, or safety of that patient or person."

The Act does not legalize marijuana; it is merely intended to allow individuals with a serious and/or terminal illness to possess and/or cultivate marijuana for their own medical needs upon a doctor's recommendation. Although one of the Act's stated purposes is "To encourage the federal and state governments to implement a plan to provide for the safe and affordable distribution of marijuana to all patients in medical need of marijuana," to date, this plan has not been forthcoming. As a result, the lack of direction from the Legislature has left communities to guess at how the Act is intended to be implemented, particularly as it concerns the distribution of medical marijuana through dispensaries – facilities which are not explicitly authorized by the Act.

In 2003 the California State Legislature enacted SB 420, the Medical Marijuana Program Act, which directs all California counties to set up and administer a voluntary identification card system for medical marijuana users and their caregivers. Some counties have complied while others have not due to pending challenges of the Act. The conflicts arise for municipalities over the issues regarding caregivers, cooperatives and the legal aspects of allowing Medical Marijuana Dispensaries, which are not specifically authorized by the Act.

Since the passage of the Compassionate Use Act and SB 420 many storefront marijuana businesses have opened in California. Some are referred to as dispensaries, and some as cooperatives but it is how they operate that removes them from any umbrella of legal protection. These facilities operate as if they are pharmacies and offer different types and grades of marijuana. The items cannot be technically "sold" as that would be a criminal violation of the statute.

Federal law has long prohibited the cultivation, possession, and distribution of marijuana. The main governing federal statute is the Controlled Substances Act ("CSA") which seeks to combat drug abuse and to control trafficking in controlled substances. Marijuana is a "Schedule I" drug which means it has a high potential for abuse, lacks any accepted medical use has not been accepted for safe use in medically supervised treatment. As a result, all existing storefront marijuana businesses violate federal law and are subject to search and closure by federal authorities because they violate federal law. Consequently, they have no right to exist or operate, and arguably cities and counties in California have no specific authority to sanction them.

As described above, there is a conflict between state and federal law on the subject of medical marijuana. This conflict has created a dilemma for local governments and their law enforcement agencies, particularly with regard to medical marijuana dispensaries.

A "dispensary" is a facility where the primary purpose is to dispense medical marijuana to specific individuals (i.e. qualified patients) when ingestion has been recommended for medical purposes by a physician. For the reasons set forth above, these dispensaries violate Federal Law. They are also not explicitly authorized by California state law. Nonetheless, the original adoption of Proposition 215 and the subsequent enactment of SB 420 have created increased interest in the establishment of medical marijuana dispensaries throughout the State even though neither Proposition 215 nor SB 420 even mention medicinal marijuana dispensaries.

The California Attorney General's August 2008 "Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use," indicates although medical marijuana "dispensaries" have been operating in California for years, dispensaries, as such, are not recognized under the law. This situation forces local governments in California to consider adopting local ordinances designed to either regulate or prohibit medical marijuana dispensaries. A September 2009 California Court case allows this type of prohibition.

The City has the broad authority to impose zoning regulations under its "police power". "Police power" regulations are those designed to protect and promote the public's health, safety and welfare. Regulations aimed at medical marijuana dispensaries certainly fall within this category. There is a legitimate public safety dimension in that other local agencies where dispensaries are allowed report an increase of illegal drug activity, illegal drug sales, robbery of persons in and leaving dispensaries, loitering around dispensaries, falsely obtained identification cards, and other increases in criminal activity. The operation of medical marijuana dispensaries could therefore result in increased demands for law enforcement

response, thereby negatively impacting the Police Department's ability to respond to other calls for service.

California State law gives no authority for the existence of these storefront marijuana dispensaries. The Medical Marijuana Program Act of 2004 allows only qualified patients and primary caregivers to grow and cultivate limited quantities of marijuana and no one else. Although California Health and Safety Code section 11362.775 offers some state legal protection for true collectives and cooperatives, no parallel protection exists in the statute for any storefront business providing any narcotic.

Actual medical dispensaries are commonly defined as offices in hospitals, schools, or other institutions from which medical supplies, preparations, and treatments are dispensed. Hospitals, hospices, home health care agencies are specifically included in the code as primary caregivers as long as they have "consistently assumed responsibility for the housing, health or safety" of a patient. The proposed ordinance would not prohibit such legal medical dispensaries from continuing to operate as legally authorized. However, the proposed ordinance would prohibit medical marijuana dispensaries or marijuana storefront businesses from operating in the City.

Furthermore, cooperative growing of marijuana and unregulated cultivation could lead to large-scale pot farms. If the cultivation of medical marijuana is not properly regulated, the cultivation of marijuana will result in a nuisance detrimental to the public health, safety, and welfare of the citizens of Reedley.

Adverse Secondary Effects of Marijuana Cultivation and Dispensaries

Throughout California many violent crimes have been committed that can be traced to the proliferation of marijuana cultivation and dispensaries. Besides flouting federal law by selling a prohibited Schedule I Drug under the Controlled Substance Act, marijuana dispensaries also attract or cause ancillary social problems as a byproduct of their operations. I have listed below several of the incidents directly related to the business at issue. These incidents are all documented with references listed at the end of this report.

1) 2002 – Willits, California – Two home occupants were shot in the course of a home invasion robbery targeting medical marijuana. (Santa Rosa Press Democrat.)

2) 2006 – Santa Barbara, California – A series of four armed robberies of a marijuana dispensary, of which only one was reported due to the owners reluctance of being in the spotlight.

3) 2004 – Mendocino County, California – Home invasion robbery for medical marijuana. 65 year old victim was attacked and assaulted with a knife during the robbery.

4) 2005 – San Leandro, California – Takeover robbery of a medical marijuana

dispensary by 18 year old which resulted in gun battle between owner and robber resulting in the 18 year olds death.

5) 2005 – Hayward, California – Patron of a medical marijuana dispensary was robbed at gunpoint outside the business after purchasing medical marijuana.

6) 2005 – Laytonville, California – Owner of two medical marijuana dispensaries was murdered in his home by six attackers, shot in the head, arm and abdomen. Murder was determined to be related to the medical marijuana business.

7) 2007 – Ukiah, California – Medical Marijuana cultivator was shot and killed in his home by four intruders.

8) 2007- Bellflower, California – Two youth burglarized the residence of a medical marijuana cultivator to steal his marijuana. The owner caught the two youth and shot and killed one of them.

9) July 17, 2006, the City of El Cerrito City Council voted to ban all such marijuana dispensaries after reviewing a 19 page report detailing a rise in crime in and around these storefronts in other cities.

10) Increased noise, pedestrian traffic, non-residents in pursuit of marijuana and out of area criminals in search of prey are commonly encountered just outside medical marijuana dispensaries.

11) 2005 – San Diego, California – Records seized showed that 72% of patients or customers of several San Diego medical marijuana dispensaries were perfectly healthy people between the ages of 17 to 40 year old.

12) 2008 – Morro Bay, California – Security guard employed by the medical marijuana dispensary sold half pound of marijuana to an undercover officer just outside the dispensary.

13) 2007 – San Diego, California – Local and federal authorities served search warrants on several dispensaries. They recovered illegal weapons, stolen weapons and discovered that medical marijuana growers are employing armed guards, using explosive booby-traps and murdering people to shield their crops.

Adverse Secondary Impacts in the Immediate Vicinity of Dispensaries

1) Street dealers loitering around dispensaries to offer lower prices to patrons.

2) Smoking marijuana in public and in front of children in the vicinity of dispensaries.

3) Loitering and other nuisance behavior.

4) Robbing of patrons going to or leaving dispensaries.

5) Increase in burglaries at or near dispensaries.

6) Loss of trade for other commercial businesses located near dispensaries.

7) Sale of other illegal substances, beside marijuana at dispensaries.

8) Increase in traffic accidents and driving under the influence.

9) Failure of dispensary operators to report robberies or other crime to police.

Adverse Secondary Impacts in the Community at Large

1) Unjustified and fictitious physician recommendations.

2) Proliferation of grow houses in residential areas.

3) Life safety hazards created by grow houses.

4) Increased organized gang activities.

5) Exposure of minors to marijuana.

6) Impaired public health.

7) Loss of business tax revenue.

8) Decreased quality of life in deteriorating neighborhoods.

Based upon the data gathered, it is clear that the establishment of medical marijuana dispensaries and the unregulated cultivation of medical marijuana has the potential to negatively impact the health, safety, and welfare of the community as well as compromise the working relationship between law enforcement agencies and the federal Drug Enforcement Agency (DEA), which is the federal agency responsible for enforcing the federal drug laws.

State law allows individuals with legitimate medical need to possess and cultivate limited amounts of marijuana for their own use. The law also allows specified caregivers to possess, cultivate and distribute medical marijuana to those legitimate patients who they specifically care for. Dispensaries, by their definition and the method in which they operate do not qualify them as "caregivers". On balance, any utility to medical marijuana patients in care giving and convenience that medical marijuana dispensaries may appear to have on the surface is largely outweighed by the reality that is punctuated by the many adverse

secondary effects created by their presence in communities.

The proposed ordinance is consistent with State law, and does not add to or take away any of the rights authorized by the Compassionate Use Act or SB 420. The proposed ordinance allows for the individual cultivation of medical marijuana by qualified patients and caregivers, but prohibits cooperative cultivation of medical marijuana and medical marijuana dispensaries. The proposed ordinance strikes a balance between State law governing medical marijuana and the City's authority to protect and promote the health, safety and welfare of its citizens.

SUMMARY OF ORDINANCE 2009-06

Cultivation

1. Requires that the cultivation of medical marijuana occur in a secure, locked, and fully enclosed structure, including a ceiling, roof or top.

2. Limits patient and primary caregiver cultivation to the maximum amounts allowed under state law of 6 mature or 12 immature plants per patient, or as otherwise recommended by a doctor, up to a maximum of 24 plants.

3. Prohibits the collective or cooperative cultivation of marijuana in the City.

Dispensaries

1. Prohibits medical marijuana dispensaries in the City.

2. Medical Marijuana Dispensaries do not include certain specified licensed health care clinics and facilities which provide medical treatment.

Consumption

1. Requires that the consumption of medical marijuana occur entirely within a private residence.

References

Dispensary List – http://canorml.org/prop/cbclist.html

H&S Code 11362.765(c) People v Urziceanu, 132 Cal.App.4th 747 at p.764

Gonzalez v Raich, supra, 125 S. Ct. at page 2195

Laytonville Marijuana Killing –
http://www1.pressdemocrat.com/apps/pbcs.dll/article?AID=/20051119/NEWS/511190303/1033/

Santa Barbara Marijuana Dispensary –
http://independent.com/news/2006/aug/10/medical-marijuana-shop-robbed/

San Leandro Robbery –
http://findarticles.com/p/articles/mi_qn4176/is_20060808/ai_n16659257

Ukiah Dispensary –
http://www.marijuana.com/drug-war-headline-news/24910-ca=pot-dispensary-owner-slain-home.html

San Francisco –
http://www.reason.com/news/show/118314.html

San Diego –
http://www.signonsandiego.com/uniontrib/20060707/news_7m7pot.html

San Diego Crime Stats – http://www.usdoj.gov

DEA Opinion –
http://medicalmarijuana.procon.org/viewanswers.asp?questionID=000630

FISCAL IMPACT

Undetermined

Budgeted Item : No
Expenditure : NA
Fiscal Account : NA

Prepared by:

_____Chief of Police

Approved by:

_____City Manager

Attachment: Ordinance No. 2009-06

09fw085

ORDINANCE NO. 2009-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REEDLEY APPROVING ORDINANCE AMENDMENT APPLICATION NO. 2009-2, AN AMENDMENT TO THE CITY OF REEDLEY MUNICIPAL CODE, AMENDING TITLE 5, POLICE AND PUBLIC SAFETY ORDINANCE, BY ADDING CHAPTER 11 PERTAINING TO MEDICAL MARIJUANA, AND ALSO AMENDING TITLE 10, ZONING ORDINANCE, BY ADDING SECTION 10-15-11 TO CHAPTER 15 DEFINING PROHIBITED USES TO INCLUDE THOSE USES PROHIBITED WITH THE ADDITION OF CHAPTER 11 TO TITLE 5, AND AMENDING SECTIONS 10-6A-2, 10-6B-2, AND 10-6C-2 OF CHAPTER 6 AND SECTION 10-25-1 OF CHAPTER 25 OF TITLE 10 PERTAINING TO MEDICAL MARIJUANA CULTIVATION.

WHEREAS, a public hearing by the City of Reedley Planning Commission was held on November 19, 2009; and

WHEREAS, the City of Reedley Planning Commission recommends approval of Ordinance Amendment Application No. 2009-2 through adoption of Planning Commission Resolution No. 2009-13.

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

SECTION 1. FINDINGS.

(a) In November, 1996, the Voters of the State of California approved Proposition 215 [codified as California Health and Safety Code 11362.5 et seq. and entitled the Compassionate Use Act of 1996].

(b) The Compassionate Use Act of 1996 provides for the medical use of marijuana that has been deemed appropriate and recommended by a physician who has determined that the person's health would benefit from the use of marijuana. The Act is also intended to ensure that patients and their primary caregivers who obtain, cultivate, or use marijuana for medical purposes are not subject to criminal prosecution or sanctions.

(c) The State enacted SB 420 in 2003 to clarify the scope of the Compassionate Use Act of 1996 and to allow cities and other governing bodies to adopt rules and regulations consistent with SB 420.

(d) SB 420 allows for a patient to designate someone as his or her primary caregiver. The Act also allows a person to be the primary caregiver to an unlimited number of patients. This provision of the Act allows a primary caregiver to obtain, possess, cultivate, transport and

distribute vast amounts of marijuana without restrictions. In several cities, caregivers have used the provision to set up medical marijuana dispensaries at fixed locations.

(e) The Compassionate Use Act of 1996 does not expressly authorize medical marijuana dispensaries, and the State has not given direction as to how cities or counties are to implement the Act, particularly with regards to the distribution of medical marijuana through medical marijuana dispensaries.

(f) SB 420 provides that qualified patients, persons with valid identification cards, and designated primary care givers who associate within California in order to collectively or cooperatively cultivate marijuana for medical purposes are not subject to criminal sanctions. This provision could lead to the large scale cultivation of medical marijuana within the City.

(g) In May 2001, the United States Supreme Court issued its decision in *United States v. Oakland Buyers' Cooperative and Jeffrey Jones* holding that distribution of medical marijuana is illegal under the Federal Controlled Substances Act, 21 U.S.O Section 841 (CSA), and there is no medical necessity defense allowed under federal law.

(h) On June 6, 2005, the United States Supreme Court held, in *Gonzales v. Raich*, that Congress has the authority under the Commerce Clause of the United States Constitution, and has the power under the CSA, to prohibit local cultivation and use of marijuana even though it would be in compliance with California law.

(i) On September 22, 2009, the California Court of Appeal decided the case of *City of Claremont v. Kruse* and held that cities are not prohibited by state and federal law from enacting land use regulations which control or prohibit marijuana sales and distribution.

(j) The City of Reedley has identified a number of health, safety, and welfare concerns associated with the cultivation, distribution, and consumption of medical marijuana. The Planning Commission and City Council have considered these concerns and such other information as may have been presented to them during the public hearings.

(k) Some of the documented problems with large scale cultivation include offensive odors, illegal sales and distribution of marijuana, trespassing, theft, and violent encounters between growers and persons attempting to steal plants. For indoor grows, there are problems with fire hazards and problems associated with mold, fungus, and pests. For distribution, there are documented problems with medical marijuana dispensaries such as increased crime in and about the dispensary, robberies and burglaries of dispensaries, robberies of customers, negative impact on nearby businesses, nuisance problems, and increased DUI's. Some of the concerns with the consumption of marijuana include smoke drifting into neighboring residences, children being able to observe and smell the consumption of marijuana, and driving under the influence of marijuana.

(l) In light of the referenced cases above and the documented problems with medical marijuana dispensaries, the City Council finds that there is a need to enact a zoning ordinance prohibiting medical marijuana dispensaries within the City of Reedley.

(m) There is a need to adopt health, safety, and welfare regulations, including appropriate zoning regulations, to avoid adverse impacts on the community which may arise from the cultivation of marijuana.

(n) Without an ordinance in place, the cultivation of marijuana could occur within the City without restriction.

(o) This ordinance is consistent with state law which allows the use of the City's land use regulatory authority in this way.

(p) This ordinance is consistent with federal law because federal law prohibits the cultivation, possession, or distribution of marijuana.

(q) This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

(r) Nothing in this ordinance shall be construed to allow persons to engage in conduct that endangers others or causes a public nuisance.

SECTION 2. AMENDMENT OF CODE: POLICE AND PUBLIC SAFETY (MEDICAL MARIJUANA).

Chapter 11 of Title 5 of the Reedley Municipal Code is added to read as follows:

CHAPTER 11

MEDICAL MARIJUANA

Sections:

5-11-1: Purpose and Intent
5-11-2: Definitions
5-11-3: Regulations Applicable to the Cultivation of Medical Marijuana
5-11-4: Prohibition of Medical Marijuana Dispensaries
5-11-5: Regulations Applicable to the Consumption of Medical Marijuana
5-11-6: Penalties and Enforcement

5-11-1: Purpose and Intent:

It is the purpose and intent of this Chapter to promote the health, safety, and general welfare of the residents and businesses within the City by regulating the cultivation, distribution, and consumption of medical marijuana.

5-11-2: Definitions:

For purposes of this Chapter, the following definitions shall apply:

(a) Medical Marijuana: Is defined in strict accordance with California Health and Safety Code sections 11018, 11362.5, and 11362.7 *et seq.*

(b) Cultivation of medical marijuana: The growing of medical marijuana for medical purposes as defined in strict accordance with California Health and Safety Code sections 11362.5 and 11362.7 *et seq.*

(c) Collective or cooperative cultivation: The association within California of qualified patients, persons with valid identification cards, and designated primary care givers to cultivate marijuana for medical purposes as defined in strict accordance with California Health and Safety Code sections 11362.5 and 11362.7 *et seq.*

(d) Medical marijuana dispensary: Any facility or location, whether fixed or mobile, and any building or structure, where medical marijuana is made available to, distributed by, or distributed to more than two (2) of the following: a qualified patient, a person with an identification card, or a primary caregiver as those terms are defined in California Health and Safety Code Section 11362.5 and 11362.7 *et seq*. Unless otherwise regulated by this Code or applicable law, a "medical marijuana dispensary" shall not include the following uses: a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code, a health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code, a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code, a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code, a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health and Safety Code sections 11362.5 and 11362.7 *et seq*.

5-11-3: Regulations Applicable to the Cultivation of Medical Marijuana:

To the extent that the City is required to allow the cultivation of medical marijuana under State law, the regulations set forth herein shall apply. Nothing in this section shall be interpreted to permit medical marijuana dispensaries otherwise prohibited by this Chapter or the City's Zoning Regulations.

A. Secure Enclosed Structure. The cultivation of medical marijuana shall at all times occur in a secure, locked, and fully enclosed structure, including a ceiling, roof or top.

B. Patient Cultivation. For qualified patients and persons with identification cards, the following shall apply: each qualified patient and person with an identification card may cultivate in any residential zone district up to six (6) mature or twelve (12) immature marijuana plants, or as otherwise recommended by a doctor in accordance with California Health and Safety Code Section 11362.77, up to a maximum of twenty-four (24) plants, whether mature or immature.

C. Primary Caregiver Cultivation. For primary care givers, the following shall apply: each primary care giver may cultivate in any residential zone district, or within the grounds of a clinic, health care facility, residential care facility, or residential hospice licensed pursuant to

applicable provisions of the California Health and Safety Code and located in the PO (Professional Office) district, C-AO (Administrative and Office Commercial) district, CN (Neighborhood Commercial) district, or CC (Central and Community Commercial) district, up to six (6) mature or twelve (12) immature marijuana plants, or as otherwise recommended by a doctor, for each qualified patient in accordance with Health and Safety Code Section 11362.77, up to a maximum of twenty-four (24) plants for all qualified patients combined, whether mature or immature, and subject to the medical marijuana dispensary prohibition.

D. Collective or Cooperative Cultivation. The collective or cooperative cultivation of marijuana is a prohibited use in all zone districts of the City.

5-11-4: Prohibition of Medical Marijuana Dispensaries:

Medical marijuana dispensaries as defined in Section 5-11-2 are prohibited in the City of Reedley.

5-11-5: Regulations Applicable to the Consumption of Medical Marijuana:

No person shall smoke, ingest, or otherwise consume medical marijuana in the City of Reedley unless such smoking, ingesting or consumption occurs entirely within a private residence, or within a clinic, health care facility, residential care facility, or residential hospice licensed pursuant to applicable provisions of the California Health and Safety Code.

5-11-6: Penalties and Enforcement:

Violations of this Chapter shall be considered misdemeanors and are punishable in accordance with Chapter 4, of Title 1, of the Reedley City Code. Each and every day, or portion thereof, a violation exists is a separate offense. The City may also pursue all applicable civil and administrative remedies, including but not limited to injunctive relief and administrative citations.

Should a court of competent jurisdiction subsequently determine that the criminal penalty provision renders this Chapter unlawful, the City intends that the misdemeanor provision be severable from the remaining penalty provisions and the City will only pursue non-criminal remedies for violations of this Chapter.

SECTION 3. AMENDMENT OF CODE: ZONING REGULATIONS.

Section 10-15-11 is hereby added to Chapter 15 of Title 10 of the Reedley Municipal Code to read as follows:

10-15-11: USES EXPRESSLY PROHIBITED:

A. Specific uses of land, buildings, and structures listed as prohibited in each zone district are hereby declared to be detrimental to the public health, safety, and welfare and are, for such reasons, expressly prohibited.

B. The enumeration of prohibited uses shall not by implication enlarge the scope of permitted uses; they are for purposes of clarity only.

C. In addition to the specific uses of land, buildings, and structures listed as prohibited in each zone district, the following uses shall be prohibited in all zone districts and there shall be no administrative approval, conditional use permit, or other permit issued for such use:

1. Medical marijuana dispensaries as set forth in Section 5-11-4 of the Reedley City Code;

2. The individual cultivation of more than twenty-four (24) marijuana plants for medical purposes, whether mature or immature, and the collective or cooperative cultivation of marijuana, as set forth in Section 5-11-3 of the Reedley City Code.

SECTION 4. AMENDMENT OF CODE: ZONING REGULATIONS.

Section 10-6A-2 of Chapter 6 of Title 10 of the Reedley Municipal Code is hereby amended by adding a new subsection A.8 to read as follows:

"8. Medical marijuana cultivation in accordance with Section 5-11-3 and subject to Section 10-15-11 of the Reedley City Code.

SECTION 5. AMENDMENT OF CODE: ZONING REGULATIONS.

Section 10-6B-2 of Chapter 6 of Title 10 of the Reedley Municipal Code is hereby amended by adding a new subsection A.11 to read as follows:

"11. Medical marijuana cultivation in accordance with Section 5-11-3 and subject to Section 10-15-11 of the Reedley City Code.

SECTION 6. AMENDMENT OF CODE: ZONING REGULATIONS.

Section 10-6C-2 of Chapter 6 of Title 10 of the Reedley Municipal Code is hereby amended by adding a new subsection A.11 to read as follows:

"11. Medical marijuana cultivation in accordance with Section 5-11-3 and subject to Section 10-15-11 of the Reedley City Code.

SECTION 7. AMENDMENT OF CODE: ZONING REGULATIONS.

The Use Matrix in Section 10-25-1 of Chapter 25 of Title 10 of the Reedley Municipal Code is hereby amended by adding the uses authorized by Section 5-11-3C of the Reedley City Code as added by this Ordinance under the "Medical/health facilities" category of uses in the Use Matrix.

SECTION 8. SEVERABILITY.

Each of the provisions of this ordinance is severable from all other provisions. If any article, section, subsection, paragraph, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 9. The City Clerk is hereby directed to cause a summary of this Ordinance to be published by one insertion in a newspaper of general circulation in the community at least five (5) days prior to adoption and again fifteen (15) days after its adoption. If a summary of the ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least five days prior to the Council meeting at which the ordinance is adopted and again after the meeting at which the ordinance is adopted. The summary shall be approved by the City Attorney.

This Ordinance shall take effect and be in full force thirty (30) days from and after its adoption.

_____

Mary L. Fast, Mayor of the City of Reedley

ATTEST:

I hereby certify that the foregoing Ordinance No. 2009-06 was introduced and given first reading by title only at a regular meeting of the City Council of the City of Reedley held on the 8th day of December, 2009, and was thereafter duly passed, approved, and adopted at a regular meeting of said City Council held on the 12th day of January, 2009, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____

Kay L. Pierce, City Clerk

REPORT TO CITY COUNCIL

MEMORANDUM

AGENDA ITEM NO.: 9

COUNCIL MEETING DATE: **December 8, 2009**

SUBJECT: ***BMX TRACK RELOCATION CONSIDERATION.***

RECOMMENDATION:

Allow for the temporary relocation of the BMX track to the Sports Park.

BACKGROUND:

The BMX track has been located at the Reedley Airport since 1995. The track has grown in popularity and hosts many events throughout the year. Over the years, discussions of moving the track closer to town have been brought forward to provide motocross riders the ability to ride their bikes to the track. Discussions of this kind have ranged from the LacJac properties to the Sports Park. The LacJac site was rejected due to the non- availability of water and electricity. BMX is now an Olympic sport and has gained in popularity over the years. The current track is built to accommodate various levels of expertise from beginners to advance with ages ranging from 5 to 60 years.

Below is a list of reasons to consider moving the BMX track from the Airport property to the Sports Park as a temporary measure.

1. The FAA (federal aviation administration) is becoming more and more stringent on funding airport projects and now looks at non-aviation related uses as a negative.

2. Bringing the Track closer to the City would allow motocross bicyclist to ride their bikes to the track safely using bike lanes on city streets. This could increase participation even more.

3. Accessibility and marketability would be enhanced at the sports park site.

4. Relocating to the Sports Park could potentially bring more visitors to the downtown area of Reedley for other shopping needs.

The temporary relocation would need to be for a minimum of 5 years to recoup the cost of relocation. The site would be built by Reedley Airtime BMX and continue to be maintained and operated by their staff. The City would create a new temporary lease agreement and receive revenues from the use of the approximately 4 acres needed. Relocation would best be accommodated during the spring months and building a new track would have to be accomplished before abandoning the old one.

Other considerations would be to permanently relocate the BMX track to the Sports Park or to make future arrangements to purchase more property (5 + acres) for the BMX track next to the Sports Park. The question, whether Council wishes to see a BMX track at the Sports Park, is ultimately what will need to be answered.

FISCAL IMPACT:

Budgeted item: No
Expenditure: No
Fund Acct(s): None

Prepared and approved by: _____ City Manager

Attachments: None

Motion: _____
Second: _____