



## **AGENDA**

**Victor P. Lopez, Mayor**

**Diana Guerra Silva, Mayor Pro Tem**  
**Minerva Pineda, Council Member**

**Gilbert Garcia, Council Member**  
**Josie Cervantes, Council Member**

**WEDNESDAY, AUGUST 10, 2016 - 6:30 P.M.**  
**Orange Cove Council Chambers**  
**633 6<sup>th</sup> Street, Orange Cove, California 93646**

**A. Call to Order/Welcome**

- a. Roll Call
- b. Invocation
- c. Flag Salute

**B. Confirmation of Agenda**

**C. Consent Calendar**

1. City Council Minutes of July 27, 2016
2. Usage of Soccer Field at Community Center requested by Orange Cove United Soccer Club for weekend Soccer Games August 2016 to August 2017
3. Resolution Approving Addendum No. 2 to Professional Services Agreement with Yamabe & Horn Engineering, Inc.

**D. Administration**

4. **SUBJECT: PUBLIC HEARING:** Consideration and Discussion regarding the 2016-2023 Orange Cove Housing Element Presented by Collins and Schoettler

**Recommendation:** Council to consider adopting the following:

1. Resolution No. 2016-49 adopting the 2016-2023 Orange Cove Housing Element.
2. Introduction and First Reading of Ordinance No. 380 Amending the Orange Cove Municipal Code, Title 17: Zoning.

5. **SUBJECT:** Consideration and Discussion regarding Energy Management/Sustainable Communities Opportunities Presented by Julian Chapa.

**Recommendation:** Council to give staff direction.

**City Engineer:**

6. **SUBJECT:** Consideration and Discussion regarding the Bid for the WTP Basin Regrading Project

**Recommendation:** Council to adopt the Resolution Awarding the bid for the WTP Basin Regrading Project to Valley Excavation for \$67,900.00 and authorize the City Manager to sign a Standard Construction Agreement.

7. **SUBJECT:** Consideration and Discussion regarding the Agreement for Engineering Services by RMA Geoscience for Quality Assurance Testing for the Third Street Sidewalks and Center Street Trail Connection Project.

**Recommendation:** Council to adopt the Resolution selecting RMA Geoscience, Inc. for quality materials testing services for the Third Street Sidewalks and Center Street Trail Connection Project.

**Chief of Police:**

8. **SUBJECT:** Monthly Activity Report.

**Recommendation:** Informational Item Only.

**Mayor Victor P. Lopez:**

9. **SUBJECT:** Consideration and Discussion regarding Katrina Torres Fresno County Education Office regarding FERIA de Education on Saturday, October 22, 2016 at the Fresno State campus.

**Recommendation:** Informational Item Only

**E. Public Forum**

Members of the public wishing to address the City Council on an item that is not on the agenda may do so now. No action will be taken by the City Council this evening. But items presented may be referred to the City Manager for follow up and a report. In order to allow time for all comments, each individual is limited to three minutes. When addressing the Council, you are requested to come forward to the speakers microphone, state your name and address, and then proceed with your comments.

**F. City Manager's Report**

**G. City Attorney's Report**

**H. City Council Communications**

**I. Closed Session:**

**10. Public Employee Performance Evaluation pursuant to Government Code Section 54957**

a. Title: City Manager

**J. Adjournment**

**ADA Notice:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (559) 626-4488 ext. 214. Notification 48 hours prior to the meeting will enable the City to make arrangements to ensure accessibility to this meeting.

**Documents:** Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at front counter at City Hall and at the Orange Cove Library located at 815 Park Blvd., Orange Cove, CA during normal business hours. In addition, most documents are posted on City's website at [cityoforange Cove.com](http://cityoforange Cove.com).

**STATEMENT ON RULES OF DECORUM AND ENFORCEMENT**

The Brown Act provides that members of the public have a right to attend public meetings, to provide public comment on action items and under the public forum section of the agenda, and to criticize the policies, procedures, or services of the city or of the acts or omissions of the city council. The Brown Act also provides that the City Council has the right to exclude all persons who willfully cause a disruption of a meeting so that it cannot be conducted in an orderly fashion.

During a meeting of the Orange Cove City Council, there is a need for civility and expedition in the carrying out of public business in order to ensure that the public has a full opportunity to be heard and that the Council has an opportunity to conduct business in an orderly manner. The following is provided to place everyone on notice of the rules of decorum and enforcement.

**GENERAL RULES OF DECORUM**

While any meeting of the City Council is in session, the following rules of decorum shall be observed:

1. All remarks shall be addressed to the City Council as a whole and not to any single member, unless in response to a question from a member of the City Council.
2. A person who addresses the City Council under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct (i) which is likely to provoke others to violent or riotous behavior, (ii) which disturbs the peace of the meeting by loud and unreasonable noise, (iii) which is irrelevant or repetitive, or (iv) which disrupts, disturbs, or otherwise impedes the orderly conduct of any City Council meeting.
3. A person, other than members of the Council and the person, who has the floor, shall not be permitted to enter into the discussion unless requested by the Mayor to speak.
4. Members of the City Council may not interrupt a person who has the floor and is making public comments. Members of the City Council shall wait until a person completes his or her public comments before asking questions or commenting. The Mayor shall then ask Councilmembers if they have comments or questions.
5. No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Council meeting.

**ENFORCEMENT OF DECORUM RULES**  
(Resolution No. 2012-16)

While the City Council is in session, all persons must preserve order and decorum. A person who addresses the City council under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct which is likely to provoke others to violent or riotous behavior, which disturbs the peace of the meeting by loud and unreasonable noise, which is irrelevant or repetitive, or which disrupts, disturbs, or otherwise impedes the orderly conduct of any City Council meeting.

The Mayor or other presiding officer shall request that a person who is breaching the rules of decorum cease such conduct. If after receiving such a warning, the person persists in breaching the rules of decorum, the Mayor or other presiding officer may order the person to leave the City Council meeting. If such person

does not leave, the Mayor or presiding officer may request any law enforcement officer who is on duty at the meeting as sergeant-at-arms to remove the person from the Council Chambers. In the event there is no one from law enforcement present, the Mayor or presiding officer may direct the City Manager to contact law enforcement.

In accordance with the Point of Order Rule 4.6, the majority of the Council may overrule the Mayor if the majority of the Council believes the Mayor or other presiding officer is not applying the rules of decorum appropriately.



## MINUTES

**Victor P. Lopez, Mayor**

**Diana Guerra Silva, Mayor Pro Tem**

**Gilbert Garcia, Council Member**

**Minerva Pineda, Council Member**

**Josie Cervantes, Council Member**

**WEDNESDAY, JULY 27, 2016 - 6:30 P.M.**

**Orange Cove Council Chambers**

**633 6<sup>th</sup> Street, Orange Cove, California 93646**

### **A. Call to Order/Welcome**

COUNCIL PRESENT: Mayor Victor P. Lopez  
Mayor Pro Tem Diana Guerra Silva  
Councilmember Gilbert Garcia (Absent)  
Councilmember Minerva Pineda  
Councilmember Josie Cervantes

STAFF PRESENT: City Manager Samuel A. Escobar  
City Attorney, Dan McCloskey  
Police Chief, Marty Rivera  
City Clerk June V. Bracamontes

INVOCATION: Mayor Pro Tem Diana Guerra Silva

FLAG SALUTE: Mayor Victor P. Lopez

### **B. Confirmation of Agenda**

City Manager requested to add two items to the agenda as follows:

1. Award of bid Third Street Sidewalks and Center Street Trail Connection Project under Administration.
2. Radio Station Health Fair on August 21, 2016 at Eaton Park

**Upon the motion by Mayor Pro Tem Silva and seconded by Councilwoman Cervantes, Council approved to add the above items to the agenda. (Yes Vote: Mayor Lopez, Silva, Pineda and Cervantes) (Absent: Garcia)**

### **C. Consent Calendar**

1. Resolution approving City Warrants (June 2016; 039141-039557)
2. City Council Minutes of June 22, 2016 and July 13, 2016
3. Adopt the Resolution awarding the bid for the Wastewater Treatment Plant road Oiling Project to Talley Oil, Inc. in the amount of \$7,740 and authorize the City Manager to issue a Purchase Order

**Upon the motion by Mayor Pro Tem Lopez, and seconded by Councilwoman Pineda, Council approved the Consent Calendar as presented (Yes Vote: Mayor Lopez, Silva, Pineda and Cervantes) (Absent: Garcia)**

### **D. Administration**

#### **City Engineer:**

1. **SUBJECT:** Consideration and Discussion regarding the Bid for the Joe Serna Backfill Project

**Recommendation:** Council to consider adopting the Resolution awarding the bid for the Joe Serna Basin Backfill Project to Valley Excavation for \$79,000.00, authorize the City Manager to sign a standard construction agreement.

Item Tabled.

#### **ITEM ADDED TO THE AGENDA**

1. Award of Bid for Third Street Sidewalks and Center Street Trail Connection Project.

**Upon the motion by Councilwoman Cervantes and seconded by Mayor Pro Tem Silva, Council approved to award the bid to Dawson Mauldin Construction, Inc. for the Third Street Sidewalk and Center Street Trail Connection Project for \$498,896.94 and authorize the City Manager to sign the standard construction agreement. (Yes Vote: Mayor Lopez, Silva, Pineda and Cervantes) (Absent: Garcia)**

2. **SUBJECT:** Consideration and Discussion regarding the Water Meter Project Report and Change Orders

**Recommendation:** Council to receive the report and approve the following:

1. Change orders for National Meter in the amount of \$46,862.
2. Change orders for Dawson Mauldin Construction balancing to \$19,613.
3. Director Staff to prepare an ordinance for Council consideration regarding tampering water meters or radio equipment.
4. Addition of a totalizing meter at the Water Treatment Plant for a total cost of \$16,000.

**Upon the motion by Mayor Pro Tem Silva and seconded by Councilwoman Cervantes, Council approved the report and the above items #1-4 as presented. (Yes Vote: Mayor Lopez, Silva, Pineda and Cervantes) (Absent: Garcia)**

#### **E. Public Forum**

Members of the public wishing to address the City Council on an item that is not on the agenda may do so now. No action will be taken by the City Council this evening. But items presented may be referred to the City Manager for follow up and a report. In order to allow time for all comments, each individual is limited to three minutes. When addressing the Council, you are requested to come forward to the speakers microphone, state your name and address, and then proceed with your comments.

Charlotte Pavelco presented to Council that the Farmers Market on Thursday July 28<sup>th</sup> has been cancelled due to the heat.

#### **F. City Manager's Report**

Toured the Terra Bella Saw Mill checked the automation of the plant open to discussing with our partnership.

#### **G. City Attorney's Report**

Nothing to report.

#### **H. City Council Communications**

##### **Councilwoman Josie Cervantes:**

Nothing to report.

##### **Councilwoman Minerva Pineda:**

Nothing to report.

**Mayor Pro Tem Diana Guerra Silva:**

Thankful for the Ground Breaking of the new Soccer Field.

Diana with the heat asking about the cooling center, City Hall and Senior Center. City Manager stated will do a blackboard message and a flyer.

**Mayor Victor P. Lopez:**

Mayor thanked Sam and all the staff for preparing for the application for the soccer field grant and the invitation to the Ground Breaking for the children today. Mayor will be meeting with Lupita Lomeli to take children to Fresno State planning meeting at Fresno State this coming Thursday for arrangement made for the buses.

**I. Closed Session:**

Council went into Closed Session at 7:07 p.m.

Conference with real property negotiator

Government Code Section 54956.8

Property: 2.57 Acres of Unimproved Land (located at NW corner of Anchor Avenue and Sumner Avenue); Fresno County

City Negotiator: City Manager

Negotiating Parties: Capital Rivers Commercial

**J. Reconvene City Council Meeting:**

Mayor Lopez reconvened the City Council Meeting at 7:25 p.m. and announced no reportable action taken in Closed Session.

**K. Adjournment**

Mayor Lopez adjourned the City Council Meeting at 7:25 p.m.

RESPECTFULLY SUBMITTED:

\_\_\_\_\_  
June V. Bracamontes, City Clerk

City of Orange Cove

PRESENTED TO COUNCIL:

DATE: \_\_\_\_\_

ACTION: \_\_\_\_\_

# O.C. UNITED SOCCER CLUB

**CITY OF ORANGE COVE**  
**633 Sixth Street, Orange Cove, California (559)626-4488**  
**FACILITY USE APPLICATION**

This reservation application is issued in accordance with the policies outlined in the attached packet. All reservation forms must be signed and returned before consideration of use approval. Submission of reservation request does not constitute approval. All applications must be presented to the City of Orange Cove and the office of City Manager for final approval.

Name: Roberto Valtierra Organization/Representative: O.C. UNITED SOCCER C.

Mailing Address: 1491 Souza<sup>st.</sup> City: Orange Cove Zip: 93646

Home Phone: 559 626 4609 Work Phone: 559 679 5541

Date of Use: Mon to Fri Nature of Use: Weekends Soccer Games

Expected Attendance: 8-01-16 Time: From 5:30 am/pm To: 8:30 am/pm  
8-01-17 (Hours of operation shall not exceed 12:00 midnight unless approved by the City Council)

Other information, please specify: Soccer field in back for practice days and games. The field behind Community Center.

DECORATING/REHEARSAL: Date: \_\_\_\_\_  
From \_\_\_\_\_ a.m./p.m. To \_\_\_\_\_ a.m./p.m.

### INSURANCE REQUIRED:

Name of Insurance Company: K & K Insurance Group, Inc

(Please provide Certificate of Insurance showing the City of Orange Cove as an additional Insured)

(Insurance can be purchased through City of Orange Cove if requested for an additional fee. Rates will vary each year. Insurance will need to be provided with application when submitted before the date can be placed on hold.)

### FACILITY REQUIRED:

(Please Check) \_\_\_\_\_ (R) Resident \_\_\_\_\_ (N) Non Resident

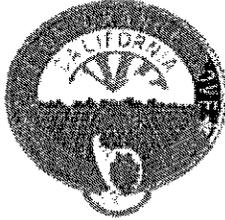
(No Smoking in Public Buildings pursuant to Ordinance No. 284)

- \_\_\_\_\_ Gene Welch Park (Behind Orange Cove Community Center)
- \_\_\_\_\_ J.O. Eaton Park \_\_\_\_\_ Classroom area of 480 sf \$43.20 a day
- \_\_\_\_\_ Sheridan Park
- \_\_\_\_\_ Orange Cove Community Center
- \_\_\_\_\_ Senior Citizen Center
- \_\_\_\_\_ OTHER (Please specify)

**RECEIVED**

JUL 28 2016

City of Orange Cove  
Accounting Clerk



# CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

**To:** Orange Cove City Council  
**From:** Gary D. Horn, City Engineer  
**Subject:** Resolution Approving Addendum No. 2 to Professional Services Agreement with Yamabe & Horn Engineering, Inc.  
**Attachments:** Fee Comparison

**RECOMMENDATION:**

Council consider the request for an Addendum No. 2 to Professional Services Agreement with Yamabe & Horn Engineering, Inc.

**EXECUTIVE SUMMARY:**

The current Agreement for Professional Services with Yamabe & Horn was approved in 2011 and amended in 2013. We are requesting an amendment to increase our fee rates and extend the length of the agreement until terminated by either party with 30 days' notice.

**BACKGROUND:**

Yamabe & Horn has provided city engineering services to the City of Orange Cove since 2001. Services have ranged from design of capital improvement projects, preparation of applications for funding from State and Federal agencies, review of private development projects, and planning services.

The current Agreement was adopted in 2011 and amended in 2013. We have split our fees into two categories of projects:

- Those financed by the General Fund
- Projects funded by all other accounts, such as Local Transportation Funds, Enterprise funds and Federal and State financed projects.

We are asking for only one increase in the General Fund rates for inspection for non-prevailing wage projects, such as subdivisions. Tracts are funded by engineering and inspection fees collected from developers. We are requesting an increase in fees paid for services for the all other funds that average about 7%. The largest increases are for construction inspector and surveyors

Prepared by: GH

Approved by: \_\_\_\_\_

REVIEW: City Manager: \_\_\_\_\_

Finance: \_\_\_\_\_

City Attorney: \_\_\_\_\_

**TYPE OF ITEM:**

**COUNCIL ACTION: APPROVED DENIED NO ACTION**

- \_\_\_\_\_ Consent
- \_\_\_\_\_ Info Item
- \_\_\_\_\_ Action Item
- \_\_\_\_\_ Department Report
- \_\_\_\_\_ Redevelopment Agency

- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Matter Initiated by a Council Member
- \_\_\_\_\_ Other
- \_\_\_\_\_ Continued to: \_\_\_\_\_

on prevailing wage projects, which are all of the capital improvement projects. Wages for these categories are set by the State and increase annually.

We have attached a comparison of our proposed fees with several other surrounding communities for comparison. Our proposed fees will be higher than those paid in Fowler and Kingsburg, slightly higher than Parlier (also served by Yamabe & Horn), comparable to Selma, and lower than Woodlake and Dinuba.

**REASON FOR REQUEST:**

The last adjustment to the fee schedule was in 2013. Wages for engineers and technical personnel in the Fresno area have been steadily increasing and we need to pay competitive wages to retain the best employees possible.

**FISCAL IMPACT:**

The General Fund will only be charged additional fees for inspection on development projects, which will be paying fees to cover those expenses. Fees charged for projects funded by other funds will see an average increase of 7%.

**ALTERNATIVES:**

Council may suggest an alternative.

**ACTIONS FOLLOWING APPROVAL:**

Invoices submitted after July 1 will be affected.

**CONFLICT OF INTEREST:**

None.

**CITY OF ORANGE COVE  
YAMABE & HORN ENGINEERING**

COMPARISON WITH CURRENT RATES

| CLASSIFICATION                             | CURRENT RATES |             | PROPOSED RATES        |          |                          |          |
|--|---------------|-------------|-----------------------|----------|--------------------------|----------|
|  | General Fund  | Other Funds | General Fund Projects | CHANGE % | All Other Funds Projects | CHANGE % |
| PRINCIPAL ENGINEER                         | \$100.00      | \$125.00    | \$100.00              | 0%       | \$130.00                 | 4%       |
| CIVIL ENGINEER III                         | \$95.00       | \$120.00    | \$95.00               | 0%       | \$125.00                 | 4%       |
| LAND SURVEYOR II                           | \$95.00       | \$110.00    | \$95.00               | 0%       | \$115.00                 | 5%       |
| LAND SURVEYOR I                            | \$95.00       | \$110.00    | \$95.00               | 0%       | \$110.00                 | 0%       |
| CIVIL ENGINEER II                          | \$85.00       | \$105.00    | \$85.00               | 0%       | \$110.00                 | 5%       |
| CIVIL ENGINEER I                           | \$80.00       | \$95.00     | \$80.00               | 0%       | \$100.00                 | 5%       |
| ASSISTANT ENGINEER II                      | \$75.00       | \$90.00     | \$75.00               | 0%       | \$95.00                  | 6%       |
| ASSISTANT ENGINEER I                       | \$70.00       | \$85.00     | \$70.00               | 0%       | \$90.00                  | 6%       |
| CONSTRUCTION MANAGER II                    |               |             | \$95.00               |          | \$105.00                 |          |
| CONSTRUCTION MANAGER I                     |               |             | \$75.00               |          | \$95.00                  |          |
| INSPECTOR-Non Prevailing                   | \$65.00       |             | \$95.00               | 46%      | \$95.00                  |          |
| INSPECTOR-Prevailing Wage                  |               | \$90.00     | \$115.00              |          | \$115.00                 | 28%      |
| DRAFTER II                                 | \$60.00       | \$75.00     | \$60.00               | 0%       | \$80.00                  | 7%       |
| DRAFTER I                                  | \$55.00       | \$70.00     | \$55.00               | 0%       | \$75.00                  | 7%       |
| CLERICAL                                   | \$40.00       | \$50.00     | \$40.00               | 0%       | \$55.00                  | 10%      |
| 2-MAN SURVEY CREW Prevailing Wage Projects |               | \$215.00    | \$220.00              |          | \$220.00                 | 2%       |
| 2-MAN SURVEY CREW                          | \$120.00      |             | \$120.00              | 0%       | \$120.00                 |          |
| 1-MAN SURVEY CREW Prevailing Wage Projects |               | \$125.00    | \$150.00              |          | \$150.00                 | 20%      |
| 1 MAN SURVEY CREW                          | \$90.00       |             | \$90.00               | 0%       | \$90.00                  |          |

May 9, 2016

**COMPARISON OF RATES FOR ENGINEERING SERVICES**

| CLASSIFICATION                                | PROPOSED<br>ORANGE COVE |             | FOWLER<br>KINGSBURG | PARLIER  |             | WOODLAKE | SELMA | DINUBA<br>Range |
|---|-------------------------|-------------|---------------------|----------|-------------|----------|-------|-----------------|
|   | Gen Fund                | Other Funds |                     | Gen Fund | Other Funds |          |       |                 |
| PRINCIPAL ENGINEER                            | \$100                   | \$130       | \$97                | \$80     | \$120       | \$140    | \$150 | \$160-\$190     |
| CIVIL ENGINEER III                            | \$95                    | \$125       |                     | \$75     | \$110       |          | \$130 | \$130-\$160     |
| LAND SURVEYOR II                              | \$95                    | \$115       |                     | \$75     | \$110       | \$133    | \$130 | \$110-\$140     |
| LAND SURVEYOR I                               | \$95                    | \$110       |                     |          |             | \$110    |       |                 |
| CIVIL ENGINEER II                             | \$85                    | \$110       | \$92                | \$70     | \$105       | \$156    | \$110 | \$110-\$125     |
| CIVIL ENGINEER I                              | \$80                    | \$100       |                     | \$65     | \$95        | \$133    |       |                 |
| ASSISTANT ENGINEER II                         | \$75                    | \$95        | \$85                | \$60     | \$90        | \$110    | \$95  | \$85-\$105      |
| ASSISTANT ENGINEER I                          | \$70                    | \$90        |                     | \$56     | \$85        |          | \$75  | \$60-\$90       |
| CONSTRUCTION MANAGER II                       | \$95                    | \$105       |                     |          |             | \$129    |       | \$125-\$140     |
| CONSTRUCTION MANAGER I                        | \$75                    | \$95        |                     |          |             | \$129    |       | \$100-\$120     |
| INSPECTOR-Non Prevailing                      | \$95                    | \$95        | \$78                |          |             | \$138    |       |                 |
| INSPECTOR-Prevailing Wage                     | \$115                   | \$115       |                     | \$85     | \$95        |          |       | \$125-\$145     |
| DRAFTER II                                    | \$60                    | \$80        | \$78                | \$48     | \$75        | \$97     | \$60  | \$95-\$110      |
| DRAFTER I                                     | \$55                    | \$75        |                     | \$44     | \$70        | \$83     |       | \$60-\$90       |
| CLERICAL                                      | \$40                    | \$55        | \$65                | \$32     | \$50        |          | \$50  | \$50-\$70       |
| 2-MAN SURVEY CREW<br>Prevailing Wage Projects | \$220                   | \$220       |                     | \$185    | \$215       |          | \$255 | \$235           |
| 2-MAN SURVEY CREW                             | \$120                   | \$120       |                     | \$185    |             | \$198    | \$225 | \$200           |
| 1-MAN SURVEY CREW<br>Prevailing Wage Projects | \$150                   | \$150       |                     | \$140    | \$125       |          | \$180 | \$170           |
| 1 MAN SURVEY CREW                             | \$90                    | \$90        |                     | \$140    |             | \$121    | \$150 | \$150           |

May 9, 2016

RESOLUTION NO. 2016-51

A RESOLUTION OF THE COUNCIL OF THE CITY OF ORANGE COVE, CALIFORNIA,  
APPROVING ADDENDUM NO. 2 TO PROFESSIONAL SERVICES AGREEMENT WITH  
YAMABE & HORN ENGINEERING, INC. FOR CITY ENGINEERING SERVICES

WHEREAS, the City and Yamabe & Horn Engineering, Inc. have entered into an Agreement for City Engineering Services on June 8, 2011 and Addendum No. 1 to said Agreement on July 1, 2013; and

WHEREAS, The City Council has considered Addendum No. 2 to the Professional Services Agreement for City Engineering Services as shown in Exhibit A.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Orange Cove, California, as follows:

1. The above recitals are true and correct and are adopted as the findings of the City Council.
2. Addendum No. 2 to the Professional Services Agreement for City Engineering Services between the City of Orange Cove and Yamabe & Horn Engineering, Inc. as shown in Exhibit A is hereby approved and the Mayor is authorized to sign the Agreement on behalf of the City
3. That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

This resolution was adopted at a Regular Meeting of the City Council of the City of Orange Cove held on May 25, 2016 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Victor P. Lopez, Mayor

ATTEST:

---

June Bracamontes, City Clerk

EXHIBIT A  
ADDENDUM NO. 2  
PROFESSIONAL SERVICES AGREEMENT  
CITY OF ORANGE COVE, CALIFORNIA  
CITY ENGINEERING SERVICES

This Addendum No. 2 is entered into on this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between the City of Orange Cove, a California municipality, hereinafter referred to as the "CITY"; and Yamabe & Horn Engineering, Inc. a California corporation, (hereinafter referred to as "ENGINEER" hereinafter referred to as the "ENGINEER").

RECITALS

WHEREAS, the City and ENGINEER entered into a Professional Services Agreement dated June 8, 2011; and

WHEREAS, Addendum No. 1 to the Professional Services Agreement was entered into on July 1, 2013; and

WHEREAS, parties wish to have Consultant engage on work to be identified in this Addendum No. 2.

AGREEMENT

NOW, THEREFORE, THE PARTIES HERETO DO MUTUALLY AGREE AS FOLLOWS:

Section 1. Section 2 of the Professional Services Agreement regarding term of agreement provides that the agreement shall continue and remain in effect for a period of two years. The parties hereby agree that this Addendum No. 2 shall extend the agreement until the agreement is terminated by either party in accordance with Section 4 of the Professional Services Agreement.

Section 1. Section 3 of the Professional Services Agreement regarding Payment for Services provides "ENGINEER'S sole compensation for satisfactory performance of all services required or rendered pursuant to this Agreement shall be time and materials as shown in Exhibit "A" upon receipt of invoice. At the request of the CITY, ENGINEER shall negotiate the scope of work and compensation for services provided for any specific project or assignment."

Section 2. The parties hereby to agree that Exhibit A to the Professional Services Agreement and Exhibit A of Addendum No. 1 is hereby superseded by the Fee Schedule attached as Exhibit A to this Addendum No. 2 to Agreement.

Section 3. Except as expressly modified in this Addendum No. 2 to the Professional Services Agreement, the terms and conditions of said Agreement and the rights, duties, and obligations of the parties are unchanged and remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement at Orange Cove, California, the day and year first written above.

**CITY OF ORANGE COVE**, a  
a California municipal corporation

**YAMABE & HORN ENGINEERING, INC.**  
A California corporation

By: \_\_\_\_\_  
Victor P. Lopez, Mayor

By: \_\_\_\_\_  
Gary D. Horn, President

**ATTEST:**

By: \_\_\_\_\_  
June Bracamontes,  
City Clerk

Any Applicable Professional License:  
Number C30501

Name Gary D. Horn

Date of Issue: Aug. 15, 1979  
Expires: Mar. 31, 2018

Addresses:

**CITY:**

City Manager  
City of Orange Cove  
633 Sixth Street.  
Orange Cove, CA 93646

**ENGINEER:**

Yamabe & Horn Engineering, Inc.  
Attn: Gary D. Horn  
2985 N. Burl Ave., Suite 101  
Fresno, CA 93721

Attachments:

EXHIBIT "A"  
 FEE SCHEDULE – HOURLY RATES  
 2016

| <u>CLASSIFICATION</u>                               | <u>GENERAL FUND</u> | <u>ALL OTHER FUNDS</u> |
|---|---------------------|------------------------|
| PRINCIPAL ENGINEER                                  | \$100.00            | \$130.00               |
| CIVIL ENGINEER III                                  | \$95.00             | \$125.00               |
| LAND SURVEYOR II                                    | \$95.00             | \$115.00               |
| LAND SURVEYOR I                                     | \$95.00             | \$110.00               |
| CIVIL ENGINEER II                                   | \$85.00             | \$110.00               |
| CIVIL ENGINEER I                                    | \$80.00             | \$100.00               |
| ASSISTANT ENGINEER II                               | \$75.00             | \$95.00                |
| ASSISTANT ENGINEER I                                | \$70.00             | \$90.00                |
| CONSTRUCTION MANAGER II                             | \$95.00             | \$105.00               |
| CONSTRUCTION MANAGER I                              | \$75.00             | \$95.00                |
| INSPECTOR-Non-Prevailing Wage                       | \$95.00             | \$95.00                |
| INSPECTOR – Prevailing Wage                         | \$115.00            | \$115.00               |
| DRAFTER II  | \$60.00             | \$80.00                |
| DRAFTER I   | \$55.00             | \$75.00                |
| CLERICAL  | \$40.00             | \$55.00                |
| 2-MAN SURVEY CREW<br>(Prevailing Wage Projects)     | \$220.00            | \$220.00               |
| 2-MAN SURVEY CREW<br>(Non-Prevailing Wage Projects) | \$120.00            | \$120.00               |
| 1-MAN SURVEY CREW<br>(Prevailing Wage Projects)     | \$150.00            | \$150.00               |
| 1-MAN SURVEY CREW<br>(Non-Prevailing Wage Projects) | \$90.00             | \$90.00                |

**NOTICE OF PUBLIC HEARING**

**BEFORE THE ORANGE COVE CITY COUNCIL  
CONSIDERING A NEGATIVE DECLARATION, VARIOUS ZONING ORDINANCE TEXT  
AMENDMENTS TO THE ORANGE COVE ZONING ORDINANCE AND  
THE CITY OF ORANGE COVE 2016-2023 HOUSING ELEMENT**

**NOTICE IS HEREBY GIVEN** that a public hearing on the above items will be held before the Orange Cove City Council on Wednesday, August 10, 2016 at the Orange Cove Council Chambers, 633 6<sup>th</sup> Street, Orange Cove, California, at 6:30 p.m., or as soon thereafter as possible.

The 2016-2023 Orange Cove Housing Element is prepared in accordance with California Government Code Sections 65580 through 65589.8. The Housing Element establishes programs to address such issues as adequate housing sites, affordability, governmental constraints, and fair housing.

In accordance with the California Environmental Quality Act (CEQA), the City proposes that a Negative Declaration be adopted.

All interested persons should present their views before or at the public hearing. If you challenge any action in court, you may be limited to only those issues raised at the public hearing, or in written correspondence delivered to the City Clerk at, or prior to, the public hearing. Staff reports will be available at least three days prior to the hearing at Orange Cove City Hall located at 633 Sixth Street, Orange Cove, CA. Questions regarding this notice should be directed to June Bracamontes, City Clerk, at 559-626-4488 Ext. 214.



For the Meeting of: August 10 , 2016

# CITY OF ORANGE COVE REPORT TO CITY COUNCIL

**To:** Mayor and City Councilmembers

**From:** Greg Collins, Principal  
Collins & Schoettler, Planning Consultants

**Subject:** Orange Cove Housing Element, 2016-2023 and Zoning Ordinance No. 380 Text Amendments.

**Attachments:** 1. Ordinance No. 380  
2. Resolution 2016-49

**RECOMMENDATION:**

1. Adopt the Planning Commission's recommendation to approve the 2016-2013 Housing Element by passing Resolution 2016-49.
2. Adopt the Planning Commission's recommendation to approve Zoning Ordinance Amendment 16-01 by introducing Ordinance No. 380, which amends certain sections of the zoning ordinance so that it is consistent with state planning law as it refers to housing elements.

**EXECUTIVE SUMMARY/BACKGROUND:**

The Planning Commission held public hearing on the draft Orange Cove Housing Element at their July 19th meeting. The Commission reviewed both the draft housing element and its associated zoning ordinance amendments. Staff indicated that for the city to be consistent with state housing law it was important to amend certain sections of the Orange Cove Zoning Ordinance. The Planning Commission recommended to the City Council that the Housing Element be adopted as well as certain sections of the zoning ordinance.

The Housing Element is an element of the Orange Cove General Plan. Unlike other elements of the general plan, the housing element must be reviewed and "certified" by the State Department of Housing and Community Development (HCD). Sometimes, failure to receive certification can

Prepared by: Greg Collins

Approved by: \_\_\_\_\_

REVIEW: City Manager: \_\_\_\_\_

Finance: \_\_\_\_\_

City Attorney: \_\_\_\_\_

**TYPE OF ITEM:**

**COUNCIL ACTION: APPROVED DENIED NO ACTION**

\_\_\_\_\_ Consent

\_\_\_\_\_ Info Item

\_\_\_\_\_ Action Item

\_\_\_\_\_ Department Report

\_\_\_\_\_ Redevelopment Agency

\_\_\_\_\_ Public Hearing

\_\_\_\_\_ Matter Initiated by a Council Member

\_\_\_\_\_ Other

\_\_\_\_\_ Continued to: \_\_\_\_\_

prevent a city (or county) from receiving certain state grants. Over the years, the state has been playing a more active role in insuring that all the relevant housing data, analysis, and programs are contained in the document.

Housing Element law, as described above, requires the community to formulate a “blueprint” on how local housing needs will be accomplished. Further, how will Orange Cove facilitate the construction of the housing figures detailed in Fresno County Association Governments (COG) Regional Housing Needs Plan?

Staff has recently reviewed the draft Housing Element with the State Department of Housing and Community Development. This 2-hour review with HCD went over the entire document. Major issues covered included public participation, the inclusion of transitional, support and emergency shelters into the zoning ordinance, and the requirement for additional information pertaining to demographic statistics, housing data and land use numbers. For example, SB 2 requires city's to provide areas in the community where emergency shelters are permitted (without a discretionary action). This requirement is similar to the Court's requirement that sexually-oriented business be allowed on some properties within the city.

Approval of the revised Housing Element commit the Planning Commission (and City Council) to implementing the goals, policies and actions contained in the Element. In order to ensure the certification of the Orange Cove Housing Element by HCD, it also requires certain sections of the Zoning Ordinance be amended. For example, emergency shelters must be permitted in certain districts by right. Also, transitional and supportive housing must be permitted in Orange Cove's residential districts by right (no conditional use permit requirement). These recommended amendments are detailed below.

The state-required modifications to the draft Housing Element are detailed in red in the document. There were other parts of the element where the state has recommended certain information be deleted. This text will be shown as strike thru. These amendments to the draft Element are contained in the attached draft Housing Element.

Orange Cove Zoning Ordinance amendments that will help Orange Cove comply with state housing law are detailed below.

#### ~~Chapter 17.16 Secondary Residential Units Single Family Zone~~

**Chapter 17.16 shall be deleted from the Orange Cove Zoning Ordinance and second units shall be listed as permitted uses under all single-family residential districts.**

#### **Chapter 17.08, RA, Single-Family Residential/Agricultural District**

##### **17.08.02 Permitted Uses**

- I. Transitional and supportive housing. -
- J. Second Residential Unit

#### **Chapter 17.10, R-1-12, Single-Family/Low Density Residential District**

##### **17.10.02 Permitted Uses**

- I. Transitional and supportive housing. -
- J. Second Residential Unit

**Chapter 17.12, R-1-6, Single-Family/Medium Density Residential District****17.12.02 Permitted Uses**

- I. Transitional and supportive housing. -
- J. Second Residential Unit

**Chapter 17.18, R-2, Medium/High Density Residential District****17.18.02 Permitted Uses**

- D. Transitional and supportive housing. -

**Chapter 17.20, R-3, High Density Multi-Family Residential District****17.20.02 Permitted Uses**

- H. Transitional and supportive housing. -

**Chapter 17.40, U-R Urban Reserve District****17.40.02 Permitted Uses**

- B. Farm labor housing (37 or fewer beds)

**17.34 M-1 Light Manufacturing District****17.34.02 Permitted Uses**

- P. Emergency Shelters

**17.36 M-2 Heavy Manufacturing District****17.36.02 Permitted Uses**

- G. Emergency Shelters

**17.51 Density Bonus****17.51.01 Purpose**

The purpose of a density bonus is to encourage the private sector to construct affordable housing for “target households” as defined by the Government Code. Orange Cove can approve a density bonus if a private sector housing developer agrees to construct a certain percentage of units for target households and agrees to maintain their affordability for a specific time period.

Section 65915 of the State Government Code states that when an applicant seeks a density bonus for a housing development in Orange Cove, the City shall provide the applicant incentives or concessions for the production of housing units and child care facilities.

#### **17.51.02 Definitions**

- A. **Density Bonus:** A density increase over the otherwise maximum allowable residential density under the applicable zoning ordinance and the land use element of the general plan as of the date of application. Density bonus percentages may range from five to 35 percent depending upon the percentage of low-income, very low-income or moderate-income housing units proposed for construction a housing developer.
- B. **Developer Incentives:**
1. Reduce or eliminate standards contained in the subdivision ordinance or Orange Cove's Improvements Manual.
  2. Reduce or eliminate residential zone district requirements, including open space, lot size, setbacks, or parking standards.
  3. Reduce or eliminate any design requirements exceeding Uniform Building code specification.
- C. **Housing Development:** One or more residential projects that have five or more residential units.
- D. **Low Income Household:** A unit affordable to a household at a rent that does not exceed 80 percent of the Tulare County median household income.
- E. **Very Low Income Household:** A unit affordable to a household at a rent that does not exceed 50 percent of the Tulare County median household income.
- F. **Extremely Low Income Household:** A units affordable to a household at a rent that does not exceed 30 percent of the Tulare County median household income.
- G. **Target Households:** Lower-income households or senior citizen households.
- H. **Senior Households:** Those residential units that have at least one occupant that is at least 55 years of age or older.

#### **17.51.03 Application and Fees**

An application for a density bonus shall be made to the Planning Department on a form prescribed by the Department. A fee set by resolution of the City Council shall accompany the application.

#### **17.51.04 Density Bonus Requirements**

Government Code Section 65915 indicates that when an applicant seeks a density bonus for a housing development, the density bonus requirements are triggered when the residential development sets aside at least 10 percent of the total units as affordable to low-income households; or at least 5 percent of the total units as affordable to very low-income households; or at least 10 percent of the total units as affordable for moderate-income households.

Development concessions or incentives that may be provided by the City of Orange Cove include a reduction in site development standards; a modification of zoning code requirements (including a reduction

in setbacks, square footage requirements, or parking spaces; or architectural design requirements which exceed the minimum building standards); approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development, and if such nonresidential uses are compatible with the project; or other regulatory incentives or concessions proposed by the developer or the city of Orange Cove which result in identifiable cost reductions.

A project that receives a density bonus and concession or incentive must retain affordability of the units for at least 30 years.

#### **17.51.05 Density Bonus Requirements for Land Donations**

If an applicant for a tentative subdivision map, parcel map, or some other type of residential development application donates land to Orange Cove where very-low income housing can be developed, the developer shall be entitled to a minimum of 15 percent increase above the allowable residential density under the zoning ordinance and land use element of the general plan.

#### **17.51.06 Application**

An application for a density bonus shall be made to the Planning Department on a form prescribed by the Department. A fee set by resolution of the City Council shall accompany the application.

#### **17.51.07 Report and Findings**

The Planning Department shall prepare a report on the density bonus application. The Department shall provide a recommendation based on the following density bonus requirements.

- A. The housing development qualifies for a density bonus based on the requirements outlined in Government Code Sections 65915 to 65918.
- B. The applicant has provided to the City the legal instrument that will insure that “target households” will remain affordable for at least 30 years.
- C. The application has selected a developer incentive or concession.

#### **17.51.08 Action of Planning Commission**

Following the Planning Commission’s review of the Planning Department’s report on the applicant’s request for a density bonus, the Commission shall take action on the density bonus application based on the regulations contained in Government Code Sections 65915 to 65918. The Commission can approve, approve with conditions, or deny the density bonus. Denial of a density bonus application shall require findings consistent with those in Government Code Sections 65915 to 65918.

The Commission’s recommendation shall be forwarded to the City Council.

If the Commission approves the density bonus and the developer provides an instrument that will insure that “target households” will remain affordable for 30 years or longer, the Commission may grant a developer incentive. If the Commission finds that a developer incentive is not necessary to insure the affordability of “target households,” it shall make a written finding that the incentive or concession is not necessary.

The Commission's decision shall not be based on a finding that "target households" will occupy the housing project and that this condition may have an adverse impact on the neighborhood or community.

Within 10 days of adopting a resolution on the density bonus, the Planning Department shall forward the Commission's recommendation to the City Council and shall transmit a copy of the Commission's resolution to the applicant.

#### **17.51.09 Action of the City Council**

The City Council shall consider the Planning Commission's recommendation and shall take action on the density bonus application. The Council can approve, approve with modifications, or deny the density bonus application. One of the following actions shall be initiated:

- A. If the City Council approves or approves with modification a density bonus application, the Council shall adopt a resolution that confirms the finding associated with the approval or a density bonus project.
- B. Any modification of the proposed density bonus by the City Council that is based on information not considered by the Planning Commission shall cause the density bonus application to be referred back to the Commission for its reevaluation and recommendation.

#### **17.51.10 Density Bonus Housing Agreement**

Agreements, contracts, or other instruments between the City and the developer shall be required to insure that "target households" shall remain affordable for the period of time agreed to by the City and the developer. Said agreement shall be reviewed and approved by the City Attorney and shall be recorded with the Fresno County Recorders Office.

#### **17.51.11 Density Bonus Calculations**

The base density of a property for which a density bonus is being requested shall be determined by the property's zoning. A housing development may qualify for a minimum increase or density bonus of 35 percent over the maximum number of permitted residential units of the property's zoning.

#### **REASON FOR RECOMMENDATION:**

Housing Element law, as described above, requires the community to formulate a "blueprint" on how local housing needs will be accomplished.

#### **FISCAL IMPACT:**

The housing element must be reviewed and "certified" by the State Department of Housing and Community Development (HCD). Sometimes, failure to receive certification can prevent a city (or county) from receiving certain state grants.

#### **ACTIONS FOLLOWING APPROVAL:**

Zoning provisions will become effective 30 days after the second reading of the ordinance. The amended zoning provisions will be used in the day-to-day administration of the Building and Engineering Department and in future land use decisions by the planning Commission and City Council.

**CONFLICT OF INTEREST:**

None known.

**RESOLUTION 2016-50**

**BEFORE THE CITY COUNCIL  
CITY OF ORANGE COVE, STATE OF CALIFORNIA**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE  
APPROVING THE ORANGE COVE HOUSING ELEMENT, 2016-2023, AS  
AMENDED**

WHEREAS, the State requires local governments to update their Housing Element every five to seven years, and

WHEREAS, the City of Orange Cove has prepared an update to its Housing Element consistent with Article 10.6 of the State Government Code, and

WHEREAS, a public hearing notice was published ten days prior to the City Council's meeting on this matter, and

WHEREAS, the Planning Department has presented a report and environmental finding for this project, and

WHEREAS, the City Council held a public hearing on this project, accepted testimony and reviewed the staff report, and

WHEREAS, staff had reviewed with the Planning Commission the contents and purpose of the Housing Element prior to the Commission's public hearing. And

WHEREAS, the Planning Commission held a public hearing on the Housing Element, took testimony both for and against, and recommended approval of said Housing Element to the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council, after considering all the evidence presented, determined the following findings were relevant in evaluating this general plan element:

1. The project is consistent with the Orange Cove General Plan.
2. The element will not have a significant impact on the environment and a negative declaration has been prepared.
3. The element will not have an adverse impact on the health, safety or welfare of the neighborhood or community.

4. The Housing Element has been received by the State Department of Housing and Community Development for review and comment and said amendments have been made to the Housing Element consistent with HCD's comments.

BE IT FURTHER RESOLVED, that the City Council hereby upholds the Planning Commission's recommendation on the Orange Cove Housing Element Update, as amended. The foregoing resolution was adopted upon a motion of Council member \_\_\_\_\_, seconded by Council member \_\_\_\_\_ at a regular meeting of the City of Orange Cove City Council on the 10th day of August 2016, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary

**ORDINANCE NO. 380**

**AN ORDINANCE OF THE CITY OF ORANGE COVE, STATE OF CALIFORNIA,  
AMENDING THE ORANGE COVE MUNICIPAL CODE, TITLE 17: ZONING**

THE CITY COUNCIL OF THE CITY OF ORANGE COVE DOES ORDAIN AS FOLLOWS:

Section 1. The City of Orange Cove Municipal Code is hereby amended as follows:

**~~Chapter 17.16 Secondary Residential Units Single Family Zone~~**

**Chapter 17.16 shall be deleted from the Orange Cove Zoning Ordinance and second units shall be listed as permitted uses under all single-family residential districts.**

**Chapter 17.08, RA, Single-Family Residential/Agricultural District**

**17.08.02 Permitted Uses**

- I. Transitional and supportive housing.
- J. Second Residential Unit

**Chapter 17.10, R-1-12, Single-Family/Low Density Residential District**

**17.10.02 Permitted Uses**

- I. Transitional and supportive housing.
- J. Second Residential Unit

**Chapter 17.12, R-1-6, Single-Family/Medium Density Residential District**

**17.12.02 Permitted Uses**

- I. Transitional and supportive housing.
- J. Second Residential Unit

**Chapter 17.18, R-2, Medium/High Density Residential District**

**17.18.02 Permitted Uses**

- D. Transitional and supportive housing.

**Chapter 17.20, R-3, High Density Multi-Family Residential District**

**17.20.02 Permitted Uses**

- H. Transitional and supportive housing.

**Chapter 17.40, U-R Urban Reserve District**

**17.40.02 Permitted Uses**

- B. Farm labor housing (37 or fewer beds)

**17.34 M-1 Light Manufacturing District**

**17.34.02 Permitted Uses**

- P. Emergency Shelters

**17.36 M-2 Heavy Manufacturing District**

**17.36.02 Permitted Uses**

- G. Emergency Shelters

**17.51 Density Bonus**

**17.51.01 Purpose**

The purpose of a density bonus is to encourage the private sector to construct affordable housing for "target households" as defined by the Government Code. Orange Cove can approve a density bonus if a private sector housing developer agrees to construct a certain percentage of units for target households and agrees to maintain their affordability for a specific time period.

Section 65915 of the State Government Code states that when an applicant seeks a density bonus for a housing development in Orange Cove, the City shall provide the applicant incentives or concessions for the production of housing units and child care facilities.

**17.51.02 Definitions**

- A. Density Bonus: A density increase over the otherwise maximum allowable residential density under the applicable zoning ordinance and the land use element of the general plan as of the date of application. Density bonus percentages may range from five to 35 percent depending upon the percentage of low-income, very low-income or moderate-income housing units proposed for construction a housing developer.
- B. Developer Incentives:

1. Reduce or eliminate standards contained in the subdivision ordinance or Orange Cove's Improvements Manual.
  2. Reduce or eliminate residential zone district requirements, including open space, lot size, setbacks, or parking standards.
  3. Reduce or eliminate any design requirements exceeding Uniform Building code specification.
- C. Housing Development: One or more residential projects that have five or more residential units.
- D. Low Income Household: A unit affordable to a household at a rent that does not exceed 80 percent of the Tulare County median household income.
- E. Very Low Income Household: A unit affordable to a household at a rent that does not exceed 50 percent of the Tulare County median household income.
- F. Extremely Low Income Household: A units affordable to a household at a rent that does not exceed 30 percent of the Tulare County median household income.
- G. Target Households: Lower-income households or senior citizen households.
- H. Senior Households: Those residential units that have at least one occupant that is at least 55 years of age or older.

**17.51.03 Application and Fees**

An application for a density bonus shall be made to the Planning Department on a form prescribed by the Department. A fee set by resolution of the City Council shall accompany the application.

**17.51.04 Density Bonus Requirements**

Government Code Section 65915 indicates that when an applicant seeks a density bonus for a housing development, the density bonus requirements are triggered when the residential development sets aside at least 10 percent of the total units as affordable to low-income households; or at least 5 percent of the total units as affordable to very low-income households; or at least 10 percent of the total units as affordable for moderate-income households.

Development concessions or incentives that may be provided by the City of Orange Cove include a reduction in site development standards; a modification of zoning code requirements (including a reduction in setbacks, square footage requirements, or parking spaces; or architectural design requirements which exceed the minimum building standards); approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development, and if such nonresidential uses are compatible with the project; or other regulatory incentives or concessions proposed by the developer or the city of Orange Cove which result in identifiable cost reductions.

A project that receives a density bonus and concession or incentive must retain affordability of the units for at least 30 years.

#### **17.51.05 Density Bonus Requirements for Land Donations**

If an applicant for a tentative subdivision map, parcel map, or some other type of residential development application donates land to Orange Cove where very-low income housing can be developed, the developer shall be entitled to a minimum of 15 percent increase above the allowable residential density under the zoning ordinance and land use element of the general plan.

#### **17.51.06 Application**

An application for a density bonus shall be made to the Planning Department on a form prescribed by the Department. A fee set by resolution of the City Council shall accompany the application.

#### **17.51.07 Report and Findings**

The Planning Department shall prepare a report on the density bonus application. The Department shall provide a recommendation based on the following density bonus requirements.

- A. The housing development qualifies for a density bonus based on the requirements outlined in Government Code Sections 65915 to 65918.
- B. The applicant has provided to the City the legal instrument that will insure that "target households" will remain affordable for at least 30 years.
- C. The application has selected a developer incentive or concession.

#### **17.51.08 Action of Planning Commission**

Following the Planning Commission's review of the Planning Department's report on the applicant's request for a density bonus, the Commission shall take action on the density bonus application based on the regulations contained in Government Code Sections 65915 to 65918. The Commission can approve, approve with conditions, or deny the density bonus. Denial of a density bonus application shall require findings consistent with those in Government Code Sections 65915 to 65918.

The Commission's recommendation shall be forwarded to the City Council.

If the Commission approves the density bonus and the developer provides an instrument that will insure that "target households" will remain affordable for 30 years or longer, the Commission may grant a developer incentive. If the Commission finds that a developer incentive is not necessary to insure the affordability of "target households," it shall make a written finding that the incentive or concession is not necessary.

The Commission's decision shall not be based on a finding that "target households" will occupy the housing project and that this condition may have an adverse impact on the neighborhood or community.

Within 10 days of adopting a resolution on the density bonus, the Planning Department shall forward the Commission's recommendation to the City Council and shall transmit a copy of the Commission's resolution to the applicant.

#### **17.51.09 Action of the City Council**

The City Council shall consider the Planning Commission's recommendation and shall take action on the density bonus application. The Council can approve, approve with modifications, or deny the density bonus application. One of the following actions shall be initiated:

- A. If the City Council approves or approves with modification a density bonus application, the Council shall adopt a resolution that confirms the finding associated with the approval or a density bonus project.
- B. Any modification of the proposed density bonus by the City Council that is based on information not considered by the Planning Commission shall cause the density bonus application to be referred back to the Commission for its reevaluation and recommendation.

#### **17.51.10 Density Bonus Housing Agreement**

Agreements, contracts, or other instruments between the City and the developer shall be required to insure that "target households" shall remain affordable for the period of time agreed to by the City and the developer. Said agreement shall be reviewed and approved by the City Attorney and shall be recorded with the Tulare County Records Office.

#### **17.51.11 Density Bonus Calculations**

The base density of a property for which a density bonus is being requested shall be determined by the property's zoning. A housing development may qualify for a minimum increase or density bonus of 35 percent over the maximum number of permitted residential units of the property's zoning.

Section 2. All ordinances and parts thereof of the City of Orange Cove in conflict herewith are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days after passage. Prior to the expiration of fifteen (15) days from the passage hereof this Ordinance shall be published once in a local paper of general circulation and delivered within Orange Cove, together with the names of the members of the City Council voting for and against this matter.

The foregoing ordinance was passed and adopted by the City Council of the City of Orange Cove on a motion of Council member \_\_\_\_\_, seconded by Council member \_\_\_\_\_, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK: ATTEST



For the Meeting of: August 10, 2016

# CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

**To:** Orange Cove City Council  
**From:** Gary D. Horn, City Engineer  
**Subject:** Resolution Regarding Bid for the WTP Basin Regrading Project  
**Attachments:** Resolution

### RECOMMENDATION:

Council adopt the attached resolution awarding the bid for the WTP Basin Regrading Project to Valley Excavation for \$67,900.00, and authorize the City Manager to sign a standard construction agreement.

### EXECUTIVE SUMMARY:

This project, in an effort to prevent leakage, will clear the overgrown vegetation within the basins used to store raw canal water and re-compact the basins surfaces to eliminate voids that contribute to leakage. Valley Excavation submitted the low bid of \$67,900.00. The engineer's estimate was \$60,000.00. The Water Fund will pay for the project.

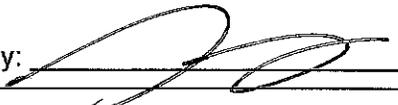
### BACKGROUND:

The Friant Water Authority is going to perform routine maintenance on the Friant-Kern Canal this winter and will shut down the canal starting November 1. The City utilizes three storage basins to store water during periods when water is unavailable from the Friant/Kern Canal. In recent years, Public Works Staff have observed leakage from the basins during periods of use. The basins were regraded in 2010 and the results were encouraging. The basins were not regraded in 2012-2013 when the canal was shut down for an extended period and leakage was observed.

Bids from three contractors were received on August 2, 2016 as follows:

|                        |             |
|------------------------|-------------|
| Valley Excavation      | \$67,900.00 |
| Yarbs Grading & Paving | \$69,425.00 |

Prepared by: GH

Approved by: 

REVIEW: City Manager: SO

Finance: \_\_\_\_\_

City Attorney: \_\_\_\_\_

### TYPE OF ITEM:

### COUNCIL ACTION: APPROVED DENIED NO ACTION

Consent  
 Info Item  
 Action Item  
 Department Report  
 Redevelopment Agency

Public Hearing  
 Matter Initiated by a Council Member  
 Other  
 Continued to: \_\_\_\_\_

J. E. Burke Construction, Inc.      \$170,694.00

The Engineer's Estimate was \$60,000.00.

**REASON FOR RECOMMENDATION:**

The basins are overgrown with weeds and need to be graded and re-compacted to retard leakage during the time when the canal is out of service.

**FISCAL IMPACT:**

The Water Fund will pay for the project.

**ALTERNATIVES:**

Council may choose to award the bid or reject all bids.

**ACTIONS FOLLOWING APPROVAL:**

If the bid is awarded, then the City Manager will sign a standard construction agreement.

**CONFLICT OF INTEREST:**

None.

RESOLUTION NO. 2016-48

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE  
ACCEPTING BID FOR THE WATER TREATMENT PLANT  
STORAGE BASIN RESURFACING PROJECT

WHEREAS, the Invitation to Bid for the Project was advertised at the Fresno and Visalia Builders Exchanges beginning July 6, 2016; and

WHEREAS, the project will consist of the resurfacing of the City's Water Treatment Plant Storage Basins located East of Hills Valley Road along Avenue 460 (Sand Creek Road); and

WHEREAS, the following bids for the project were publicly opened and read aloud at the Orange Cove City Hall on August 2, 2016 at 2 pm:

| <u>Contractor</u>              | <u>Total Bid</u> |
|--------------------------------|------------------|
| Valley Excavation              | \$67,900.00      |
| Yarbs Grading & Paving         | \$69,425.00      |
| J. E. Burke Construction, Inc. | \$170,694.00     |

WHEREAS, the City Engineer's estimate was \$ 60,000.00.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORANGE COVE  
RESOLVES upon the recommendation of the City Engineer that:

1. The above recitals are true and correct and are adopted as the findings of the City.
2. The Water Treatment Plant Storage Basin Resurfacing Project be awarded to: Valley Excavation, Inc. in the amount of Sixty-seven Thousand Nine Hundred Dollars and No Cents (\$67,900.00).

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Orange Cove held on the 10th day of August, 2016, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

---

Victor P. Lopez, Mayor

ATTEST:

---

June Bracamontes, City Clerk



# CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

**To:** Orange Cove City Council  
**From:** Gary D. Horn, City Engineer  
**Subject:** Resolution Approving Agreement for Engineering Services by RMA Geoscience for Quality Assurance Testing for the Third Street Sidewalks and Center Street Trail Connection Project  
**Attachments:** Resolution

**RECOMMENDATION:**

Council adopt the attached resolution selecting RMA Geoscience, Inc. for quality materials testing services for the Third Street Sidewalks and Center Street Trail Connection Project.

**EXECUTIVE SUMMARY:**

RMA Geoscience is recommended provide materials testing for the Third Street Sidewalks and Center Street Trail Connection Project. They have submitted an estimated fee of \$9,944 for the compaction and materials testing for the project.

**BACKGROUND:**

RMA Geoscience has provided materials testing for several construction projects in the Central Valley and they have provided good service for us on other projects. The testing will include compaction testing for the street subgrade and concrete testing for the culvert structures. The final cost will depend upon the number of tests required at the discretion of the project inspector.

Prepared by: GH

Approved by: 

REVIEW: City Manager: GH

Finance: \_\_\_\_\_

City Attorney: \_\_\_\_\_

**TYPE OF ITEM:**

**COUNCIL ACTION: APPROVED DENIED NO ACTION**

- Consent
- Info Item
- Action Item
- Department Report
- Redevelopment Agency

- Public Hearing
- Matter Initiated by a Council Member
- Other
- Continued to: \_\_\_\_\_

Proposals were solicited from three testing laboratories and the estimated costs are as shown:

|                     | <u>Total Cost</u> | <u>Hourly Rate</u> |
|---------------------|-------------------|--------------------|
| CVT/RMA Geoscience  | \$9,944           | \$85               |
| Krazan & Associates | \$13,145          | \$95               |

**REASON FOR RECOMMENDATION:**

CVT submitted a proposal with the lowest hourly rates.

**FISCAL IMPACT:**

The cost of the testing is included in the project budget.

**ALTERNATIVES:**

Council may direct staff to obtain proposals from other testing labs.

**ACTIONS FOLLOWING APPROVAL:**

The City Manager will sign a standard consultant agreement with RMA Geoscience.

**CONFLICT OF INTEREST:**

None.

RESOLUTION NO. 2016-49

A RESOLUTION OF THE COUNCIL OF THE CITY OF ORANGE COVE, CALIFORNIA,  
APPROVING AGREEMENT FOR ENGINEERING SERVICES BY RMA GEOSCIENCE FOR  
QUALITY ASSURANCE MATERIALS TESTING FOR THE THIRD STREET SIDEWALKS  
AND CENTER STREET TRAIL CONNECTION PROJECT

WHEREAS, the City is constructing sidewalks, curbs, gutters, culverts and paving on third Street from Railroad Avenue to Park Boulevard and a trail connection on the west side of Center Street south of Park Boulevard using Federal Highway Transportation Funds; and

WHEREAS, quality assurance testing of the construction materials and construction practices will be required; and

WHEREAS, the City has received a proposal from RMA Geoscience to provide quality assurance material testing services for the project; and

WHEREAS, the City Engineer has evaluated the proposal and recommends that RMA Geoscience, Inc. be selected to provide the service for the Third Street Sidewalks and Center Street Trail Connection Project.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Orange Cove, California, as follows:

1. The above recitals are true and correct and are adopted as the findings of the City Council.
2. Upon recommendation of the City Engineer that RMA Geoscience is hereby selected to provide quality assurance material testing services for the Third Street Sidewalks and Center Street Trail Connection Project in accordance with their proposal dated August 2, 2016, and the City Manager is authorized to sign the City's standard form of agreement for engineering services.

This resolution was adopted at a Regular Meeting of the City Council of the City of Orange Cove held on August 10, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Victor P. Lopez, Mayor

ATTEST:

---

June Bracamontes, City Clerk

# UNIVISION



Greetings,

You are cordially invited to attend and join us for FERIA de Educacion on Saturday, October 22, 2016 at the Fresno State campus. This event is a community education fair held in collaboration with Univision and the CSU Chancellor Office, offered entirely in Spanish. During the Feria de Educacion students and parents can participate in various educational workshops, meet representatives from different colleges, learn about college admission and financial aid requirements, and become familiar with community resources that support college readiness.

At the event, there will be book giveaways, a reading garden, a resource/information fair and a visualization activity where children can have their photo taken wearing the uniform of a profession they aspire. Last year's Feria event was a tremendous success due to the outstanding support received from surrounding school districts and families. Our goal this year is to increase the attendance and expand the number of resources and workshops.

We hope that you can join us and once again honor us with your presence and active participation. Attached is a SAVE THE DATE flyer for this year's event, feel free to share it with others that may be interested on attending the event as well. Please take the time to fill out this survey, [https://docs.google.com/forms/d/e/1FAIpQLSedFTkncxi3oYnemKze8wvkN5GI6OMSnJcpuGGwJbs\\_EzTMw/viewform?c=0&w=1](https://docs.google.com/forms/d/e/1FAIpQLSedFTkncxi3oYnemKze8wvkN5GI6OMSnJcpuGGwJbs_EzTMw/viewform?c=0&w=1) where we ask that you provide us with your input so that we can better plan for this year's event. We look forward to hearing from you soon.

Please contact us if you have any questions or need additional information. We look forward to seeing you soon.

Sincerely,

Bernardo Reynoso  
Karina Torres  
Feria de Educacion Committee Members

**Forma de Registración  
Feria de Educación  
Fresno State  
22 de octubre del 2016**

**Nombre de persona de contacto:** \_\_\_\_\_

**Domicilio** \_\_\_\_\_ **Ciudad** \_\_\_\_\_

**#Teléfono/Celular** \_\_\_\_\_

**Por favor escriba el nombre de cada miembro de familia que estará participando:**

**1. Nombre:** \_\_\_\_\_ **Edad:** \_\_\_\_\_ **Sexo:** \_\_\_\_\_

Nombre de la escuela a la que asiste: \_\_\_\_\_

**2. Nombre:** \_\_\_\_\_ **Edad:** \_\_\_\_\_ **Sexo:** \_\_\_\_\_

Nombre de Escuela a la que asiste: \_\_\_\_\_

**3. Nombre:** \_\_\_\_\_ **Edad:** \_\_\_\_\_ **Sexo:** \_\_\_\_\_

Nombre de Escuela a la que asiste: \_\_\_\_\_

**4. Nombre:** \_\_\_\_\_ **Edad:** \_\_\_\_\_ **Sexo:** \_\_\_\_\_

Nombre de Escuela a la que asiste: \_\_\_\_\_

**5. Nombre:** \_\_\_\_\_ **Edad:** \_\_\_\_\_ **Sexo:** \_\_\_\_\_

Nombre de Escuela a la que asiste: \_\_\_\_\_

**6. Nombre:** \_\_\_\_\_ **Edad:** \_\_\_\_\_ **Sexo:** \_\_\_\_\_

Nombre de Escuela a la que asiste: \_\_\_\_\_

**7. Nombre:** \_\_\_\_\_ **Edad:** \_\_\_\_\_ **Sexo:** \_\_\_\_\_

Nombre de Escuela a la que asiste: \_\_\_\_\_

**Total numero de miembros de familia que participaran** \_\_\_\_\_

**Registration Form  
Feria de Educación  
Fresno State  
October 22, 2016**

**Parent Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **City:** \_\_\_\_\_

**House Phone Number:** \_\_\_\_\_ **Cell Phone Number** \_\_\_\_\_

**Please write the name of each family member who will be participating:**

1. Name \_\_\_\_\_ Age \_\_\_\_\_ Gender \_\_\_\_\_

School Name \_\_\_\_\_

2. Name \_\_\_\_\_ Age \_\_\_\_\_ Gender \_\_\_\_\_

School Name \_\_\_\_\_

3. Name \_\_\_\_\_ Age \_\_\_\_\_ Gender \_\_\_\_\_

School Name \_\_\_\_\_

4. Name \_\_\_\_\_ Age \_\_\_\_\_ Gender \_\_\_\_\_

School Name \_\_\_\_\_

5. Name \_\_\_\_\_ Age \_\_\_\_\_ Gender \_\_\_\_\_

School Name \_\_\_\_\_

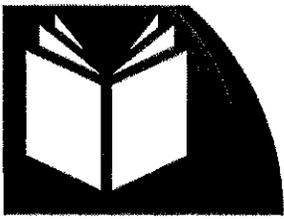
6. Name \_\_\_\_\_ Age \_\_\_\_\_ Gender \_\_\_\_\_

School Name \_\_\_\_\_

7. Name \_\_\_\_\_ Age \_\_\_\_\_ Gender \_\_\_\_\_

School Name \_\_\_\_\_

**Total number of family members that will participate:** \_\_\_\_\_



**educación**  
Feria de Educación

LA  
**FECHA**

**SAVE THE DATE**

**sábado, 22 de octubre**  
Saturday.October.22.16

Talleres, Ayuda Financiera, invitados especiales,  
Puestos de información

Workshops, Financial Aid, Special Guests, Information booths

**#FeriaEduFresno**

